

BOROUGH OF NORTH HALEDON

ORDINANCE #3-2019

**AN ORDINANCE OF THE BOROUGH OF NORTH HALEDON
AMENDING AND SUPPLEMENTING CHAPTER 107,
ENTITLED "POLICE DEPARTMENT"
OF THE CODE OF THE BOROUGH OF NORTH HALEDON**

BE IT ORDAINED, by the Governing Body of the Borough of North Haledon, County of Passaic, State of New Jersey, as follows:

Section 1.

§ 107-1 of the Borough Code be amended as follows:

A. The North Haledon Police Department shall consist of a maximum of 21 Sworn officers of the following rank:

- (1) Chief of Police: one (1)
- (2) Captain: two (2)
- (3) Lieutenant: two (2)
- (4) Sergeant: five (5)
- (5) Police Officer: eleven (11)

§107-15 shall be amended to read: "Special law enforcement officers in the Borough of North Haledon shall be governed by N.J.S.A. 40A:14-146.8 et seq., and appointed in accordance with the standards set forth in § 107-28A 1-7, D, E and F.

§ 107-29 of the Borough Code shall be added and shall read as follows:

§ 107-29 Method for Promotions

A. Promotion procedures. The Chief of Police, or his or her designated representative, shall be responsible for coordinating the promotional process pursuant to North Haledon ordinances.

B. Promotional process.

(1) Only officers who are members of this Department at the time of the promotional process are eligible for consideration consistent with New Jersey law.

(2) In order to be eligible for promotion in the promotion process, candidates must meet all the criteria established for such promotion on the date of the vacancy announcement.

(3) Sergeants' eligibility requirements: The candidate must have completed a total of five years in the rank of officer in the North Haledon Police Department and hold a Bachelor's Degree as of the date of the vacancy announcement.

(4) Lieutenants' eligibility requirements: The candidate must hold the rank of Sergeant with the North Haledon Police Department for at least two years as of the date of the vacancy announcement.

(5) Captains' eligibility requirements:

(a) The candidate must hold the rank of Lieutenant with the North Haledon Police Department for at least two years as of the date of the vacancy announcement. If no candidates hold the rank of Lieutenant, Sergeants shall be eligible for the position, provided that they have served three years as a Sergeant.

(b) If there is an existing Lieutenant(s) who elects not to participate in the promotional process for Captain, the Department may consider Sergeants for the position, provided that they have at least three years of service as a Sergeant as of the date of the vacancy announcement.

C. Evaluation for promotion.

(1) Candidates for promotion to Sergeant will submit to the following process:

(a) A written test and oral examination provided by the New Jersey State Association of Chiefs' of Police.

(b) Candidates must achieve a written exam score of at least 75%. The written exam will be scored as pass/fail. Candidates passing the written exam will be eligible to take the oral examination administered by the New Jersey State Association of Chiefs of Police. Those who complete both exams are not ranked in any order. They are to be shown as passed or failed only.

(c) A review and evaluation of the candidate's personnel file by the Chief of Police and the members of the Police Committee. This review shall include discussions including commendations, employee reviews, discipline record and early intervention summaries.

(d) Due consideration shall be given to the length and merit of service and seniority in accordance with the provisions of N.J.S.A. 40A:14-129, as amended.

(e) The Chief of Police will schedule the Oral Interview with the Police Committee and Police Department designees with the candidate.

(f) The Chief of Police shall provide a recommendation to the Police Committee.

(2) Candidates for promotion to Lieutenant and Captain.

(a) A review and evaluation of the candidate's personnel file by the Chief of Police and the members of the Police Committee. This review shall include discussions including commendations, employee reviews, discipline record and early intervention summaries, shall be based on the aforementioned statutory factors and a review of the performance of the candidate by the Chief of Police and the members of the Public Safety Committee.

(b) Due consideration shall be given to the length and merit of service and seniority in accordance with the provisions of N.J.S.A. 40A:14-129, as amended.

(c) The Chief of Police will schedule the Oral Interview with Police Committee and Police Department designees with the candidate.

(d) The Chief of Police shall provide a recommendation to the Police Committee.

D. Promotional announcement for Sergeant. Whenever a vacancy occurs and an active eligibility list does not then exist creating a need for a test to fill a position, a written announcement shall be made at least 90 days before the start of the process.

(1) The announcement shall contain the eligibility requirements;

(2) The written announcement shall describe the position available;

(3) The written announcement shall contain a description of the process to be used in selecting personnel for the vacancy; and

(4) Each officer intending to participate in the process must submit a letter of intent no later than 10 days after the announcement to the Chief of Police.

E. Eligibility list. The Chief of Police shall submit an eligibility list to the Mayor and Council following the promotional process. The Mayor and Council will authorize the Chief of Police to

maintain this eligibility list for a period of 36 months in the event that vacancies fall within that time. The period will start upon the passing of the resolution promoting the officer(s) to the new rank.

F. Approval of Mayor and Council. The Mayor and Council shall have the final decision on all promotions.

G. Appeal of process. Within 10 days of the decision of the Mayor and Council on a promotion, a candidate may file a written letter of appeal. Said letter must contain the reason(s) or justification(s) for an appeal and must be submitted to the Chief of Police. The Mayor and Council and the Chief of Police will assess the request, and make a determination of how the request will be addressed on a case-by-case basis.

Section 2.

All ordinances of the Borough which are inconsistent with the provisions of this ordinance are hereby repealed as to the extent of such inconsistency.

Section 3.

If any section, subsection clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of the ordinance.

Section 4.

This Ordinance shall take effect upon final reading and adoption.

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on January 23, 2019, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on February 20, 2019 at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 7:30 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

Renate Elatab