

NOTICE IS HEREBY GIVEN that Ordinance #13-30 was introduced and passed on first reading on regular meeting of the Mayor and Council on the 15th day of October, 2013 and was scheduled for public hearing on October 29, 2013, at which meeting it was revised. Ordinance 13-30 as revised below will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 12th day of November, 2013 at 8:00 p.m. or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Karen Hughes, Borough Clerk
Borough of Westwood

ORDINANCE NO. 13-30

AN ORDINANCE OF THE BOROUGH OF WESTWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 59 OF THE BOROUGH CODE OF THE BOROUGH OF WESTWOOD

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WESTWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY, AS FOLLOWS:

Section 59-10. Promotion of Officers

- A. Goals. The Borough of Westwood desires to promote the most qualified candidates to the ranks of Chief, Deputy Chief, Captain, Lieutenant and Sergeant. This section establishes the eligibility requirements and the process for promotion to those ranks. The promotion process shall be on the basis of merit, experience/seniority, education, military service, demonstrated ability, competitive written examinations and competitive oral examinations. In accordance with *N.J.S.A. 40A:14-129*, promotion of any officer shall be made from the membership of the Westwood Police Department. In accordance with *N.J.S.A. 40A:14-118*, all promotions within the Westwood Police Department shall be made by the Governing Body, except as to the Chief of Police, whose promotion/appointment shall be by the Mayor with the consent and approval of the Governing Body.
- B. Eligibility Requirements.
1. Sergeant – For promotion to Sergeant, no person shall be eligible for such promotion unless he or she:
 - (a) Shall have served as a full-time police officer in the Westwood Police Department for

at least three (3) years;

(b) Shall have met or exceeded all Westwood Police Department standards in his or her three (3) most recent annual performance evaluations conducted by his or her superiors;

(c) Possesses sufficient college credits; time served as a full-time officer on the Westwood Police Department; or a combination of both the foregoing, which totals six (6) years experience on the Westwood Police Department. Said six (6) year requirement may be satisfied by: (i) six (6) years of service as a full-time officer for the Westwood Police Department; (ii) possession of an Associate's degree or sixty-four (64) college credits; or (iii) a combination of college credits and years served as a full-time officer for the Westwood Police Department, with thirty-two (32) or more college credits being the equivalent of three (3) years of employment as a full-time officer for the Westwood Police Department.

2. Lieutenant. For promotion to Lieutenant, no person shall be eligible for such promotion unless he or she:

(a) Shall have served at least three (3) years as a full-time Sergeant for the Westwood Police Department;

(b) Shall have met or exceeded all Westwood Police Department standards in his or her three (3) most recent annual performance evaluations conducted by his or her superiors; and

(c) Shall possess a Bachelor's degree.

3. Captain – For promotion to Captain, no person shall be eligible for such promotion unless he or she:

(a) Shall have served at least three (3) years as a full-time Sergeant and/or Lieutenant for the Westwood Police Department;

(b) Shall have met or exceeded all Westwood Police Department performance standards in his or her three (3) most recent annual performance evaluations conducted by his or her superiors; and

(c) Shall possess a Bachelor's degree.

4. Deputy Chief of Police – For promotion to Deputy Chief of Police, no person shall be eligible for such promotion unless he or she:

(a) Shall have served at least three (3) years as a full-time Captain and/or Lieutenant for the Westwood Police Department;

(b) Shall have met or exceeded all Westwood Police Department performance standards

in his or her three (3) most recent annual performance evaluations conducted by his or her superiors; and

(c) Shall possess a Bachelor's degree.

5. Chief of Police – For promotion to Chief of Police, no person shall be eligible for such promotion unless he or she:

(a) Shall have served at least three (3) years as a full-time Deputy Chief of Police, Captain and/or Lieutenant for the Westwood Police Department;

(b) Shall have met or exceeded all Westwood Police Department performance standards in his or her three (3) most recent annual performance evaluations conducted by his or her superiors; and

(c) Shall possess a Bachelor's degree.

C. Process.

1. In creating the list of eligible candidates for promotion to Sergeant and Lieutenant, the Governing Body shall score/rank each such candidate as follows:

(a) A written test relating to the duties, responsibilities and job functions of the position being sought, to be administered by the New Jersey State Association of Police Chiefs (or such other association or organization, as may be authorized by the Governing Body) shall constitute fifty (50%) percent of the total score for each eligible candidate. In advance of such written test, the minimum threshold/score required to be eligible for promotion shall be established by the Governing Body and such minimum threshold/score shall be communicated in writing to all eligible candidates for promotion prior to their taking said test.

A ranked list of eligible candidates for promotion shall be created based on the outcome of the aforesaid written test.

(b) Each eligible candidate shall be interviewed by a panel of Superior Officers approved by the New Jersey State Association of Police Chiefs or such other association or organization as may be authorized by the Governing body, which panel shall not include the Chief of Police or Borough Administrator. The results of such oral interview shall constitute twenty (20%) percent of the total score for each eligible candidate.

(c) Each eligible candidate shall be interviewed by the Borough Police Committee. All candidates so interviewed by the Borough Police Committee shall be asked the same questions and the score accorded to each candidate shall be arrived at by calculating the average of the scores of all Police Committee members. The results of such oral interview by the Police Committee shall constitute thirty (30%) percent of the total score for each

candidate based on the average score of all Police Committee Members of such oral interview.

2. In creating the list of eligible candidates for promotion to Chief of Police, Deputy Chief of Police, or Captain, the Governing Body shall score/rank each such candidate as follows:

- (a) A written test relating to the duties, responsibilities and job functions of the position being sought, to be administered by the New Jersey State Association of Police Chiefs (or such other association or organization, as may be authorized by the Governing Body) shall constitute fifty (50%) percent of the total score for each eligible candidate.

A ranked list of eligible candidates for promotion shall be created based on the outcome of the aforesaid written test.

- (b) Each eligible candidate shall be interviewed by a panel of Superior Officers approved by the New Jersey State Association of Police Chiefs or such other association or organization as may be authorized by the Governing body, which panel shall not include the Chief of Police or Borough Administrator. The results of such oral interview shall constitute twenty (20%) percent of the total score for each eligible candidate.

- (c) Each eligible candidate shall be interviewed by the Borough Police Committee. All candidates so interviewed by the Borough Police Committee shall be asked the same questions and the score accorded to each candidate shall be arrived at by calculating the average of the scores of all Police Committee members. The results of such oral interview by the Police Committee shall constitute thirty (30%) of the total score for each eligible candidate based on the average score of all Police Committee Members of such oral interview.

3. The candidate for promotion receiving the highest score as calculated by reference to Sections 2(a), (b) and (c) above shall be deemed the first candidate eligible for promotion.

Section 59-11. **Duration of Eligibility Lists**

- A. A list of the results will be posted and an Eligibility List will remain in effect for a period of twenty-four (24) months from the date of posting. Candidates may review their individual results through the Chief of Police.
- B. After the expiration of the eligibility list, candidates will be required to reapply for any subsequent promotional process.

Section 59-12. **Appeals**

- A. Within ten (10) days of the posting of ranking of candidates, a candidate may file a written

As revised 11/12/13 and finally adopted

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, through the appropriate chain of command. 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. Such requests are limited to the following areas of the promotional process:

1. Review and re-tabulation of the scored elements of the selection process.
 2. Review any evaluation or internal document that was used in the selection process related to the applicant.
- B. Any appeal, for reasons other than those specified in Section A(1) and A(2) above, shall be filed, in writing, by a candidate with the Appropriate Authority, within ten (10) days of the posting of ranking of candidates. Any such appeal will be forwarded by the Appropriate Authority to the Governing Body which may, in its sole discretion, allow the candidate to be re-evaluated.

Section 59-13. **Waiver**

With respect to any promotional opportunities that may arise prior to January 1, 2015, the educational eligibility requirements set forth in Sections B(2), B(3), B(4) and B(5) of this Ordinance shall not be applicable to any member of the Westwood Police Department who was a full-time sworn police officer prior to January 1, 2002, and who, at the time a list of eligibles for promotion to any such position is established, is actively pursuing a Bachelor's degree at an accredited institution of higher learning, having maintained a course load of at least six (6) credits per semester from the date the list of eligibles for promotion is established until the date of promotion, it being the expectation of the Borough of Westwood that any such promoted candidate will continuously pursue his/her education until attainment of a Bachelor's degree.

Section 59-14. **Repeal**

The provisions of any and all ordinances or resolutions of the Borough which are inconsistent with or which conflict with the provisions of Section 59-10 be and are hereby repealed.

Adopted: _____

Approved:

Attest:

John Birkner, Jr., Mayor

Karen Hughes, Borough Clerk