

**ORDINANCE 37-2012
BOROUGH OF MADISON
COUNTY OF MORRIS**

**ORDINANCE SUPPLEMENTING CHAPTER 34, OF
THE CODE OF THE BOROUGH OF MADISON
ENTITLED "POLICE DEPARTMENT,"
ESTABLISHING PROMOTION PROCEDURES FOR
THE RANKS OF POLICE CHIEF, CAPTAIN,
LIEUTENANT AND SERGEANT AND
ESTABLISHING A PROCEDURE FOR ACTING
APPOINTMENTS AND HIRING OF POLICE
OFFICERS**

WHEREAS, within its general powers as a municipality, the Borough of Madison may make and enforce ordinances, rules and regulations not contrary to federal or state law as it deems necessary and to protect the public safety and welfare of its residents; and

WHEREAS, the Mayor and Council of the Borough of Madison support and encourage efficiency within the Madison Police Department; and

WHEREAS, the Mayor and Council of the Borough of Madison have determined that it would be in the best interest of the citizens of the Borough to establish a promotion practice based upon merit for the positions of Police Chief, Captain, Lieutenant and Sergeant when there is a vacancy in said position; and

WHEREAS, the Borough of Madison desires to have a promotional practice for the positions of Police Chief, Captain, Lieutenant and Sergeant based upon merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions within the Madison Police Department in the interest of better serving the residents of the Borough of Madison;

WHEREAS, The Borough of Madison further desires to establish appropriate hiring criteria based on merit, experience, moral character and sufficient physical and mental health when hiring police officers;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Madison as follows:

- 1) Chapter 34 of the Code of the Borough of Madison entitled "Police Department" is hereby amended to create new Sections 34-2(D)-(H), which shall provide as follows:

§34-2(D) Promotion to Rank of Police Chief

A. The Borough of Madison Governing Body desires to promote the most qualified candidate to the position of Police Chief. This ordinance establishes the eligibility requirements and the process for promotion to Police Chief. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, psychological examination, competitive examinations and an interview. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Madison Police department. No person shall be eligible for promotion to Police Chief unless he or she shall have served as a full-time police officer in the Borough of Madison Police Department for a period of ten (10) years or more. Promotions to the rank of Police Chief shall be open to members of the next lowest rank who have served at least two (2) years in said rank, unless the Mayor and Council, in the best interest of the department, chooses to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.

B. The Borough Administrator shall announce the promotional process to members of the department at least thirty (30) days before any written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates, who qualify, shall notify the Borough Administrator of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

C. Promotional Testing Procedure:

The promotional testing procedure for the Borough of Madison Police Department may consist of the following: a written examination, an oral examination, a psychological examination, a record review and an interview with the Mayor and Council. The Mayor and Council reserve the right to waive the written examination and/or oral examination by the outside entity and shall so notify any applicant when the initial announcement for the promotional process is posted.

1. **Written Examinations*:** The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy (70%) percent on the written examination.

2. **Oral Examinations*:** Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Borough Administrator or his designee. The oral examination shall take place after the receipt of

the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of which shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Madison or of any of the candidates. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy (70%) percent.

* The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Borough Administrator and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. Satisfactory psychological examination and certification by a Borough selected physician stating that the candidate is able to perform the essential functions of the Police Chief title. Candidates shall not move forward in the promotional process without the completion of a satisfactory psychological examination.

4. Record Review and Interview by the Mayor and Council

Candidates that successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy (70%) percent on the oral examination and received a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council. The record review shall be conducted by the Borough Administrator and the Assistant Borough Administrator.

(a). The interview with the Mayor and Council shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Madison's form of government, knowledge of the Police Department Ordinance, familiarity with the municipal budget process, the police department budget in particular, staff/resource allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council shall grade each candidate on a thirty-five (35) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate's responses to same.

(b). The Borough Administrator and Assistant Borough Administrator shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy) 0 to 3 points

Each completed course +1 point to a total of 3 points.

Performance Evaluations **0 to 8 points**

All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

- 2 points if a majority of the evaluations meets expectations
- 4 points if all evaluations meet expectations
- 6 points if a majority of the evaluations meets expectations and some exceed expectations
- 8 points if a majority of evaluations exceeds expectations

Commendations **0 to 3 points**

+1 point for each commendation up to maximum of 3 points.

Education

Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

- Associate’s Degree 1 point
- Bachelor’s Degree 2 points
- Master’s Degree 3 points
- Doctorate Degree 4 points

Military Experience

Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).

- Any enlisted rank 1 point
- Any officer rank 2 points

Disciplinary Actions

Each major sustained discipline (more than 5 day) -2 points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

5. The weight or percentage of each portion of the process shall be as follows:

- Written examination 25%
- Oral examination 20%
- Record Review 20%
- Mayor and Council Interview 35%

E. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Police Chief.

F. Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§34-2(E) Promotion to Rank of Captain

A. The Borough of Madison Governing Body desires to promote the most qualified candidate to the position of Captain. This ordinance establishes the eligibility requirements and the process for promotion to Captain. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, psychological examination, competitive examinations and an interview. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Madison Police department. No person shall be eligible for promotion to Captain unless he or she shall have served as a full-time police officer in the Borough of Madison Police Department for a period of ten (10) years or more. Promotions to the rank of Captain shall be open to members of the next lowest rank who have served at least two (2) years in said rank, unless the Mayor and Council, in the best interest of the department, chooses to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.

B. The Police Chief shall announce the promotional process to members of the department at least thirty (30) days before the written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates, who qualify, shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

C. Promotion Testing Procedure:

The promotion testing procedure for the Borough of Madison Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Mayor and Council and the Police Chief.

1. Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed

to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy (70%) percent on the written examination.

2. Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Police Chief or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of which shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Madison or any of the candidates. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy (70%) percent.

*The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Police Chief and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. Satisfactory psychological examination and certification by a Borough selected physician stating that the candidate is able to perform the essential functions of the Captain title. Candidates shall not move forward in the promotional process without the completion of a satisfactory psychological examination.

4. Record Review and Interview by the Mayor and Council and Police Chief

Candidates that successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy (70%) percent on the oral examination and received a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council and the Police Chief. The record review shall be conducted by the Borough Administrator, Assistant Borough Administrator and the Police Chief.

(a). The interview with the Mayor and Council and Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Madison's form of government, knowledge of the Police Department Ordinance, familiarity with the municipal budget process, the police department budget in particular, staff/resource allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council and Police Chief shall grade each candidate on a thirty-five (35) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate's responses to same.

(b). The Borough Administrator, Assistant Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy) 0 to 3 points

Each completed course +1 point to a total of 3 points.

Performance Evaluations 0 to 8 points

All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

- 2 points if a majority of the evaluations meets expectations
- 4 points if all evaluations meet expectations
- 6 points if a majority of the evaluations meets expectations and some exceed expectations
- 8 points if a majority of evaluations exceeds expectations

Commendations 0 to 3 points

+1 point for each commendation up to maximum of 3 points.

Education

Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

- Associate's Degree 1 point
- Bachelor's Degree 2 points
- Master's Degree 3 points
- Doctorate Degree 4 points

Military Experience

Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).

- Any enlisted rank 1 point
- Any officer rank 2 points

Disciplinary Actions

Each major sustained discipline (more than 5 day) -2 points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

5. The weight or percentage of each portion of the process shall be as follows:

Written examination	25%
Oral examination	20%
Record Review	20%
Mayor, Council and Chief Interview	35%

E. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Captain.

F. Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§34-2(F) Promotion to Rank of Lieutenant

A. The Borough of Madison Governing Body desires to promote the most qualified candidate to the position of Lieutenant. This ordinance establishes the eligibility requirements and the process for promotion to Lieutenant. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, psychological examination, competitive examinations and an interview. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Madison Police department. No person shall be eligible for promotion to Lieutenant unless he or she shall have served as a full-time police officer in the Borough of Madison Police Department for a period of ten (10) years or more. Promotions to the rank of Lieutenant shall be open to members of the next lowest rank who have served at least two (2) years in said rank, unless the Mayor and Council, in the best interest of the department, chooses to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.

B. The Police Chief shall announce the promotional process to members of the department at least thirty (30) days before the written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates, who qualify, shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

C. Promotion Testing Procedure:

The promotion testing procedure for the Borough of Madison Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Mayor and Council and the Police Chief.

1. Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy (70%) percent on the written examination.

2. Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Police Chief or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of which shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Madison or of any of the candidates. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy (70%) percent.

*The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Police Chief and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. Satisfactory psychological examination and certification by a Borough selected physician stating that the candidate is able to perform the essential functions of the Lieutenant title. Candidates shall not move forward in the promotional process without the completion of a satisfactory psychological examination.

4. Record Review and Interview by the Mayor and Council and Police Chief

Candidates that successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy (70%) percent on the oral examination and received a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council and the Police Chief. The record

review shall be conducted by the Borough Administrator, Assistant Borough Administrator and the Police Chief.

(a). The interview with the Mayor and Council and Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Madison's form of government, knowledge of the Police Department Ordinance, familiarity with the municipal budget process, the police department budget in particular, staff/resource allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council and Police Chief shall grade each candidate on a thirty-five (35) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate's responses to same.

(b). The Borough Administrator, Assistant Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy) 0 to 3 points

Each completed course +1 point to a total of 3 points.

Performance Evaluations 0 to 8 points

All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

2 points if a majority of the evaluations meets expectations

4 points if all evaluations meet expectations

6 points if a majority of the evaluations meets expectations and some exceed expectations

8 points if a majority of evaluations exceeds expectations

Commendations 0 to 3 points

+1 point for each commendation up to maximum of 3 points.

Education

Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

Associate's Degree 1 point

Bachelor's Degree 2 points

Master's Degree 3 points

Doctorate Degree 4 points

Military Experience

Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).

Any enlisted rank	1 point
Any officer rank	2 points

Disciplinary Actions

Each major sustained discipline (more than 5 day) -2 points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

5. The weight or percentage of each portion of the process shall be as follows:

Written examination	25%
Oral examination	20%
Record Review	20%
Mayor, Council and Chief Interview	35%

E. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Lieutenant.

F. Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§34-2(G) Promotion to Rank of Sergeant

A. The Borough of Madison Governing Body desires to promote the most qualified candidate to the position of Sergeant. This ordinance establishes the eligibility requirements and the process for promotion to Sergeant. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, psychological examination, competitive examinations and an interview. In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from the membership of the Madison Police department. No person shall be eligible for promotion to Sergeant unless he or she shall have served as a full-time police officer in the Borough of Madison Police Department for a period of five (5) years or more.

B. The Police Chief shall announce the promotional process to members of the department at least thirty (30) days before the written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates, who qualify, shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

C. Promotion Testing Procedure:

The promotion testing procedure for the Borough of Madison Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Mayor and Council and Police Chief.

1. Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy (70%) percent on the written examination.

2. Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Borough Administrator or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of which shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Madison or of any of the candidates. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy (70%) percent.

* The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Borough Administrator and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. Satisfactory psychological examination and certification by a Borough selected physician stating that the candidate is able to perform the essential functions of the Sergeant title. Candidates shall not move forward in the promotional process without the completion of a satisfactory psychological examination.

4. Record Review and Interview by the Mayor and Council and the Police Chief

Candidates that successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy (70%) percent on the oral examination and received a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council and Police Chief. The record review shall be conducted by the Borough Administrator, the Assistant Borough Administrator and the Police Chief.

(a). The interview with the Mayor and Council and the Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Madison's form of government, knowledge of the Police Department Ordinance, familiarity with the municipal budget process, the police department budget in particular, staff/resource allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council and Police Chief shall grade each candidate on a thirty-five (35) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate's responses to same.

(b). The Borough Administrator, Assistant Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy) 0 to 3 points

Each completed course +1 point to a total of 3 points.

Performance Evaluations 0 to 8 points

All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

- 2 points if a majority of the evaluations meets expectations
- 4 points if all evaluations meet expectations
- 6 points if a majority of the evaluations meets expectations and some exceed expectations
- 8 points if a majority of evaluations exceeds expectations

Commendations 0 to 3 points

+1 point for each commendation up to maximum of 3 points.

Education

Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

Associate’s Degree	1 point
Bachelor’s Degree	2 points
Master’s Degree	3 points
Doctorate Degree	4 points

Military Experience

Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).

Any enlisted rank	1 point
Any officer rank	2 points

Disciplinary Actions

Each major sustained discipline (more than 5 day) -2 points.
Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

5. The weight or percentage of each portion of the process shall be as follows:

Written examination	25%
Oral examination	20%
Record Review	20%
Mayor, Council and Chief Interview	35%

E. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Sergeant.

F. Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

2) Chapter 34 of the Code of the Borough of Madison entitled “Police Department” is hereby amended to create a new Section 34-2(G), entitled “Acting Designation, No Office or Position Created” which shall provide as follows:

§34-2(H) Acting Designation; No Office or Position Created

A. The Mayor and Council of the Borough of Madison have the discretion and authority to assign the functions and duties of superior officer ranks, once the Mayor and Council of the Borough of Madison have certified by resolution that the position of any superior officer rank(s) is vacant and until a superior officer rank(s) is promoted. The Mayor and Council may designate an officer who is qualified to perform the functions and duties of any superior officer rank in an acting capacity.

B. It is explicitly understood that no office or position of any kind is created by the assignment of functions and duties of a higher rank to an officer of a lower rank on an acting basis. Such designation shall also not be considered an appointment to a position, nor constitute a promotion. Such designation shall not entitle the officer to any additional compensation or other emoluments of office unless specifically provided for in a collective bargaining agreement or Borough of Madison Personnel Policies and Procedures Handbook. The officer fulfilling such assignment is not and is not intended to constitute the holding of a defacto office or position within the meaning of N.J.S.A. 40A:9-6 or any other law. The officer designated in an acting capacity shall continue to fulfill the assignment at the pleasure of the Mayor and Council.

3) Chapter 34 of the Code of the Borough of Madison, entitled “Police Department,” is hereby amended to create a new Section 34-2(H), which shall provide as follows:

§34-2(I) PROCEDURE FOR HIRING NEW POLICE OFFICERS:

I. FIRST PHASE

A. When a vacancy exists, the Chief of Police shall forward a request to the Madison Borough Council to hire a Police Officer. The Chief, after receiving approval to initiate the hiring process of a new officer, shall proceed as follows:

1. Accept applications from only trained officers with New Jersey Police Training Commission Certificates.

- (a). Sworn officers from other agencies.
- (b). Alternate route officer from police academies.

2. Work with the Borough Personnel Officer to advertise in the official newspapers and other appropriate media outlets.

- (a). The advertisement shall be for a two-week period.
- (b). The advertisement will indicate the filing deadline.

B. All applications shall be given out and collected at police headquarters and a copy shall also be provided to the Business Administrator.

C. When a candidate is given an application, the time, date and location of the written test will be attached.

D. When the desk officer provides a candidate with an application, he/she shall complete the information on the applicant list form.

E. When the application is returned, the desk officer on duty shall:

1. Place a check in front of the applicant's name on the applicant list.
2. Collect the application and attach a \$10.00 money order or a certified check that is made payable to the New Jersey State Association of Chiefs of Police.
3. Give the applicant a numbered test booklet after recording the booklet number next to the applicant's name.
4. The desk officer shall place the application, with the money order or certified check attached, in the Chief's office box.

F. When the applications are received by the Chief's secretary, he/she shall check to ensure that the appropriate fee has been rendered and attached to the application form.

1. He/she shall stamp the date that the application was received.
2. All original applications are to be forwarded to the Chief's office.
3. The Chief's secretary shall forward the checks or money orders to the appropriate Chief's Association.

G. The Chief, or his designee, shall arrange for the testing locations for the written, physical and oral testing phases.

1. The Chief, or his designee, will be responsible for making all the proper notifications to the applicants.
2. Applications will not be rejected because of omissions or deficiencies that can be corrected prior to the testing or interview process.

H. Eligibility

1. Must be a citizen of the United States.
2. Must possess a high school diploma, or equivalency.
3. Must be of good moral character.

4. Must be at least eighteen (18) years old.
5. Must not have been convicted of a crime.
6. Must possess a valid New Jersey driver's license.

II. SECOND PHASE – WRITTEN EXAMINATION

A. Applicants shall submit to a written examination.

1. In order for an applicant to move on to Phase III, the applicant must attain a minimum score of 70% on the written examination.

B. The written examination shall be administered by the New Jersey State Association of Chiefs of Police.

C. The applicant must be present at the testing location on the date and time specified. If the applicant does not report to the testing location as specified, he shall be ineligible for further consideration for the current vacancy.

1. The applicant may apply their written test score and be eligible when another vacancy exists within the appropriate time frame.

D. Written test scores shall be submitted to the Chief of Police for review.

E. All applicants that do not qualify to participate in the next phase shall be notified in writing along with their written test score.

F. If an applicant has taken the New Jersey Chief of Police examination for another agency, he/she may apply his/her test score and be exempt from taking the test again. His test score must be current.

1. For the purpose of this section, current shall mean that the applicant would have had to have taken the written examination within one (1) year, prior to the posted test date for the position of Patrolman with Madison Borough.

G. Applicants possessing a valid New Jersey Police Training Commission Certificate will be subject to the departmental interview process and not required to take a written examination.

III. DEPARTMENT ORAL INTERVIEW PHASE

A. The department interview shall be conducted by the Chief of Police and/or an officer designated by the Chief of Police and the Business Administrator and/or his designee.

B. The Chief of Police shall appoint a department Oral Board Committee. The Oral Board Committee shall evaluate and rank the candidates. The Committee shall

consist of personnel representing different ranks within the organization and the Business Administrator and/or his designee.

C. The Candidates will then be ranked and selected for the Background Investigation Phase.

IV. BACKGROUND INVESTIGATION

A. When the candidate has successfully passed Phases I, II, and III of this ordinance, a background investigation is to be initiated.

B. The Background Policy and Procedure, contained in the Department Rules and Regulations, is to be followed.

C. The completed background investigation shall be evaluated by the Chief of Police and the Detective Bureau.

V. PSYCHOLOGICAL EVALUATION

A. The applicant shall be required to undergo a psychological examination paid for by the Borough and shall be notified of the evaluation at least three (3) days in advance.

1. The applicant will be notified of the following:

- (a). Time
- (b). Location
- (c). Name of Consultation Team
- (d). Date

B. The psychological evaluation is designed to provide the department with dimensional information about a candidate that will assist in the selection process.

C. The Chief of Police shall interpret the psychological evaluation report.

D. If a candidate does not successfully pass the psychological examination, he/she is disqualified from the selection process.

E. All medical records are to be treated as confidential with access limited in accordance with the ADA requirements; the medical records should be kept in a separate file.

VI. MEDICAL EXAMINATION

A. The Madison Borough Police Department shall pay for the applicant to be examined.

1. The Chief of Police shall designate the physician and arrange for the appointment.

B. The physician shall be provided with the department Medical Examination Form and instructed to complete the appropriate sections.

C. Blood and urine analysis is to be conducted for every applicant examined.

1. A screen for drugs in the applicant's system is to be conducted.

D. The completed medical form is to be picked up from the physician by the officer assigned and reviewed by the Chief of Police.

E. If a candidate's medical examination reflects that the applicant has traces of a controlled dangerous substance in their system, he/she are to be disqualified from the selection process.

F. Any other medical problem, other than traces of controlled dangerous substances in the applicant's system, are to be thoroughly reviewed by the physician and a determination made as to the applicant's fitness for police work.

G. All medical records are to be treated as confidential with access limited in accordance with the ADA requirements; the medical records should be kept in a separate file.

VII. SUCCESSFUL CANDIDATE(S)

A. The successful candidate or candidates, if more than one position, will be presented to the Mayor and Council for final approval and appointment. The initial year of employment is a one-year probationary period during which time the candidate may be removed for any cause and without notice. Termination during the probationary period is not grievable and/or not appealable.

VIII. EXEMPTIONS

A. A candidate for employment may be exempted from the selection process as set forth in Articles I through II, herein above, if such a candidate has previously been certified by the New Jersey Police Training Commission as a law enforcement officer; and if that candidate is currently employed as a law enforcement officer with a bona fide law enforcement agency. Any such candidate will still be subject to the eligibility requirements set forth in Article III-VI, therein above.

B. A candidate for employment may only be granted exemption status by action of the Governing body upon the advice and recommendation of the Chief of Police. The Chief of Police shall recruit and interview qualified candidates and may reject any or all candidates prior to submission to the Governing Body.

C. Such candidate shall still be subject to the requirements of Article III, Department Oral Interview Phase, Article IV, Background Investigation, Article V, Psychological Evaluation, and Article VI, Medical Examination, as set forth herein above.

D. Once the Background Investigation, the interview, the psychological testing and medical examination have been completed, the Chief shall present the candidate to the Governing Body for its consideration. The Governing Body may, in its discretion either accept or reject any candidate recommended by the Chief of Police.

IX. SUMMARY

A. All applicants shall be notified of the test date, time and place at least five (5) days prior to the test.

B. All applicants that are rejected at any phase of this testing process shall be notified in writing by the Chief of Police within fifteen (15) days after the testing date.

C. All testing results will remain confidential and will not be released to any person or agency unless specifically authorized by the individual applicant.

4) SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

5) REPEALER

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

6) **EFFECTIVE DATE**

This Ordinance shall take effect after final passage as provided by law and shall be applied for any promotions or hiring, except for promotions to Lieutenant and Sergeant, which shall not take effect until October 1, 2013. Any promotion to Lieutenant and Sergeant prior to that date will be made from the current list of eligible candidates.

ADOPTED AND APPROVED
November 26, 2012

ROBERT H. CONLEY, Mayor

Attest:

ELIZABETH OSBORNE, Borough Clerk

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