



**2018
BOROUGH OF DUMONT
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
DI PAOLO	✓			
LaBRUNO	✓			
MANNA	✓			
RIQUELME	✓			
ROSSILLO	✓			
STEWART	✓			
MAYOR KELLY				
TOTALS	6			

Ordinance No. 1545

Date: May 15, 2018

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Subject: Police Promotion Ordinance

Purpose: Amend Chapter 75

Dollar Amount: _____

Offered by: Manna

Seconded by: La Bruno

Prepared By: Joseph Santanasto, Esq.

Certified as a true copy of an Ordinance Introduced and Passed by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly

Susan Connelly, RMC, Municipal Clerk
Borough of Dumont, Bergen County, New Jersey

**AN ORDINANCE OF
THE BOROUGH OF DUMONT, NEW JERSEY**

**AN ORDINANCE AMENDING BOROUGH CODE PROVISIONS SETTING FORTH
THE CRITERIA FOR POLICE PROMOTIONS**

WHEREAS, the Borough of Dumont (“Borough”) has determined that changes to the Borough Code concerning the criteria for police promotions are required in order to ensure

to ensure efficient, orderly, and effective operation of the Borough's Police Department;

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Dumont, County of Bergen, State of New Jersey, as follows:

1. Section 75-9 of the Borough Code be and is hereby amended to read as follows:

(changes in **bold**):

A. Promotions to Sergeant, Lieutenant and Captain:

(1) Promotion of any member or officer of the Police Department to a Sergeant, Lieutenant or Captain shall be made from the membership of the Department. Due consideration shall be given to the member or officer so proposed for the promotion to the length and merit of his/her service, **his/her score on any written examination given for the vacant position**, and preference shall be given according to seniority in service. Consideration shall also be given to the recommendations of the Chief of Police. No person shall be eligible for promotion to be a superior officer unless he/she shall have previously served as a patrol person for at least six years in the Department. A resident shall be appointed rather than a nonresident in any instance in which the resident and the nonresident achieve the same final average score in any **written examination** which may be given for promotion. This preference shall not, however, diminish, reduce, or affect any preference granted to veterans pursuant to any other provision of law.

(a) The selection process for the promotion of candidates to the position of Sergeant, Lieutenant and Captain shall comprise of the following components with corresponding weights:

[1] Seniority: 20%

[2] Education: 10%

[3] **Mayor and Council Evaluation: 20%**

[4] **Written Examination: 15%**

[5] Chief of Police Recommendation: **35%**. If there is no Chief of Police at the time the promotions are being considered, the acting officer in charge will assume the responsibility.

(b) The candidates shall receive a numerical point score for each of the categories identified in § 75-9(A)(1)(a) above, with a maximum of 100 points available. The amount of points available for each category shall correspond to the percentage values set forth in § 75-9(A)(1)(a) (i.e., the maximum points awarded based on a candidate's seniority is 20 points).

(c) The above-stated components shall be defined and ranked as follows:

[1] Seniority. Candidates shall be ranked against competing candidates based upon seniority. Seniority shall be computed as the quotient of the number of months of service as a sworn law enforcement officer to the Borough of Dumont and the number of months of service as defined above of the longest-serving officer eligible for the particular promotion being sought. The result shall be multiplied by 20 to reach the percentage achieved by each candidate for seniority.

[2] Education. Candidates shall be competitively evaluated and ranked based upon the level of education attained. Candidates shall receive the following point values (out of a maximum of ten) based upon their highest level of education received:

[a] High school diploma/GED: one point.

[b] (Reserved). *Editor's Note: Former Subsection A(1)(b)[2][b], College, less than 60 credits, was repealed 12-6-2016 by Ord. No. 1500.*

[c] Associate's degree or in excess of 60 credits accumulated towards a bachelor's degree: four points.

[d] High school diploma/GED + United States military service resulting in an honorable discharge: five points.

[e] Bachelor's degree: **seven** points.

[f] Bachelor's degree + United States military service resulting in an honorable discharge: eight points

[g] Master's degree: **nine** points.

[h] Master's degree + United States military service resulting in an honorable discharge: ten points

[3] **Mayor and Council** evaluation. Candidates shall be competitively evaluated on their merit in a promotional evaluation process. The Mayor and Council shall delegate the task of conducting this evaluation to the Police Committee, or another designee. The evaluation shall consist of the following:

[a] The personnel files, including but not limited to job evaluation, disciplinary record, commendations and attendance.

[b] An oral interview conducted by the Mayor and Council and/or their designees, which shall consider the following.

[i] Comprehension and presentation skills in oral communications.

[ii] Maturity in judgment.

[iii] Interest in law enforcement.

[iv] Evidence of supervisory ability.

[v] Demonstrated knowledge and understanding of the Borough, including the physicality and demographics thereof, as well as an understanding of the operations of the Borough government, including the interaction of the various departments thereof.

[vi] Knowledge and understanding of supervisory practices, departmental rules, regulations, policies and procedures.

[c] Based on the evaluation conducted by the Mayor and Council's designee, the Mayor and Council shall assign each candidate a point value not to exceed twenty (20).

[4] **Written Examination.** A written examination promulgated by the Mayor and Council, or its designee, constituting a value of 15% of the total evaluation process shall be administered to candidates for promotion.

- [i] All officers who have served the minimum period required in the Department for the position sought, as set forth at § 75-9(c), shall be eligible to sit for the written examination.
- [ii] In order to notify all eligible employees of promotional opportunities, promotional examination announcements shall be posted on the Patrolmen's Benevolent Association ("PBA"), Local 377 bulletin board. This announcement shall include the date and time of the examination.
- [iii] The written examination shall be graded by the Mayor and Council, or its designee. Following completion of the written examination, a list of the candidates' scores shall be maintained by the Borough. This shall be deemed the "list of candidate scores."
- [iv] A candidate's score on this written exam shall determine the amount of points, out of a possible fifteen (15) that he/she should receive for this component of the evaluation (i.e., a candidate who answers all the questions correctly will receive 15 points; a candidate who answers 90% of the questions correctly shall receive 13.5 points (15 x 0.9)).
- [v] Each list of candidate scores shall be certified by the Mayor and Council, or its designee.
- [vi] There shall only be one test promulgated for each list of eligibles, as set forth in § 75-9(A)(2). Once a list of eligible expires, as set forth in § 75-9(A)(3), the Borough shall promulgate a new and distinct test in connection with any new list of eligibles.

[5] **Chief of Police Recommendation.** Consideration constituting a value of 35% of the total evaluation process shall also be given to the recommendations by the Chief of Police. The Chief's ranking shall be scored based upon the quotient of the Chief's ranking of

the candidates from lowest to highest, divided by the number of candidates, multiplied by 35. The candidate ranked No. 1 is the lowest ranked.

- (2) **After evaluation has been completed under all of the above-enumerated categories, the Borough shall promulgate a "list of eligibles," ranking the candidates in terms of the number of points scored out of a possible 100.** Promotions shall be granted in the order of the highest cumulative value of all components. In the event that members of the police force receive the same total value, preference shall be given to seniority, and a resident shall be appointed rather than a nonresident.
- (3) **Each list of eligibles shall be certified by the Mayor and Council, or its designee, and shall remain in effect for a period of two (2) years.**
- (4) **Upon the occurrence of a need for promotion during the pendency of a list of eligibles, no new test shall be required, and the scores on the existing list of eligibles shall be utilized in fulfilling the vacancies.**
- (5) **In the event all candidates on an active list of eligibles have been promoted and further vacancies occur prior to its expiration, the Borough shall have the power to promulgate a new test and re-start the promotional process in order to fill these vacancies.**

3. There are no other changes to this Chapter of the Borough Code of the Borough of Dumont.

4. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

5. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed to be valid and effective.

6. This ordinance shall take effect immediately upon passage and publication in accordance with law.

IT IS FURTHER ORDAINED that the remainder of Section 75 of the Code of the Borough of Dumont shall remain in full force and effect.

Approved: _____
James Kelly, Mayor

Attest: _____
Susan Connelly, RMC
Municipal Clerk

Introduced: May 15, 2018
Adopted: