

**BOROUGH OF PEAPACK AND GLADSTONE SOMERSET COUNTY, NEW JERSEY**

**ORDINANCE NO. 1126-2023**

**AN ORDINANCE BY THE MAYOR AND COUNCIL AMENDING THE BOROUGH OF PEAPACK & GLADSTONE'S CODE OF ORDINANCES TO REPEAL CHAPTER 2 – ADMINISTRATION SECTION 31.14 PROMOTIONS AND APPOINTMENTS TO SUPERIOR OFFICER POSITIONS TO ADOPT A NEW SECTION 31.14 APPOINTMENTS AND PROMOTIONS**

**WHEREAS**, the Mayor and Council of the Borough of Peapack & Gladstone wish to change the promotional process for the promotion of Police Chief, Lieutenant, Sergeant and Corporal; and

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of The Borough of Peapack & Gladstone, County of Somerset, State of New Jersey to amend the Borough of Peapack & Gladstone's Code of Ordinances to repeal Chapter 2 – Administration Section 31.14 Promotions and Appointments to Superior Officer Positions; to adopt a new Chapter 2 - Administration Section 31.14 Appointments and Promotions

**SECTION 1. RECITALS.**

The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

**SECTION 2.** These regulations specifically repeal and replace the following ordinance and: Repeal Chapter 2 - Administration Section 31.14 and replace with a new Chapter 2 – Administration Section 31.14

a. Appointments

All initial appointments to the Police Department shall be made only after written examination, psychological or psychiatric examination and physical examination by a medical doctor (as mandated by N.J.A.C. 13:1-8 (a) 3). The Borough shall require a drug screen be given by the examining physician. The provisions of this subsection can be waived by the Appropriate Authority when the appointee is a New Jersey certified Police Officer who meets the requirements of the State of New Jersey and Police Training Commission ("PTC"), provided that the appointee shows proof of accreditation and passes a physical and psychiatric examination and the Borough shall require a drug screen be given within 30 days of appointment. Those candidates who successfully fulfill all other requirements shall be placed on a list of eligible applicants to be compiled by the Chief of Police. Any candidates not immediately appointed as probationary patrol officers shall be kept on the eligibility list for a period of two years from the date of the examination. Should a vacancy occur in the Department within such two-year period, the vacancy may be filled from the eligibility list then in effect. Appointment of a patrol officer to the Police Department is for a probationary period of one year. During or at the termination of the probationary period, if the conduct or

capacity of the probationer as to job performance has not been satisfactory, in the case of a superior officer or the Chief of Police by the Mayor and Council, or in the case of a patrol officer by the Chief of Police, he/she shall be notified in writing by the Chief of Police that his/her services are terminated by the Mayor and Council without any hearing.

b. Promotions in General

Promotions shall be made from the membership of the Police Department as constituted at the time of the promotion. In all cases, due consideration shall be given to the candidate's length and merit of service consistent with N.J.S.A. 40A: 14-129. At the sole discretion of the Mayor and Council such applicants may be required to take written and oral examinations administered by a third-party agency. The selection procedure for promotions shall not commence until the Mayor and Council has adopted a formal resolution authorizing same and 21 days' notice thereof has been communicated to the PBA.

c. Promotions: Chief of Police

Appointment to the office of Chief of Police shall be made and chosen from a list of eligible candidates who shall be interviewed by a committee consisting of the Police Committee and the then Chief of Police if, in the judgment of Mayor and Council, the Chief of Police is departing on favorable terms. The Committee shall then recommend to the Mayor and Council, in order of preference, the names of the candidates for the position of Chief of Police. The Mayor and Council shall appoint the Chief of Police after due review and consideration. This appointment shall be by a majority vote of the Mayor and Council. Promotion to the Chief of Police is for a probationary period of six months. When job performance is not satisfactory as determined by the Mayor and Council, that promotion shall be deleted and he/she will be reduced in rank back to the rank held prior to the promotion.

1. Minimum qualifications of Chief of Police. Any person to be considered for the position of Chief of Police of the Borough shall meet the following minimum qualifications:

- (a) At least five years of service as a police officer
- (b) At least one year of service in a supervisory rank such as corporal, sergeant or lieutenant
- (c) An associate's degree from an accredited college or university. Sixty-seven credits will be deemed equivalent to the associate's degree. An accredited college or university shall mean a college or university that attains accreditation from a United States Department of Education-approved accrediting agency and listing as accredited on the United States Department of Education rolls of accredited colleges and universities.

- (d) Successful completion of such interviews, examinations or tests conducted and/or required by the Mayor and Council as is deemed necessary;
- (e) Demonstrate excellent moral character;
- (f) Demonstrate proficiency and aptitude in the supervision of police officers;
- (g) Proven project management and problem-solving experience and abilities. The candidate should also demonstrate ability to not only identify problems and issues but to also solve those issues; and
- (h) Familiarity with Title 2C of the New Jersey Statutes commonly referred to as the "New Jersey Criminal Code," and Title 40 and Title 40A of the New Jersey Statutes insofar as they relate to the operation and administration of police departments.

All promotions shall be made in accordance with N.J.S.A. 40A:14-129. In the event that no applicant meets the minimum requirements, then the Borough may solicit applications from outside the Borough Police Department.

2. Preferred qualifications of Chief of Police. Any person to be considered for the position of Chief of Police is expected to lead and set the standard for the officers and members of the Department. Therefore, it is imperative that the Borough select a candidate who possesses qualifications in excess of those minimally required for the position. In addition to the minimum qualifications above, it is desired that the Chief of Police possesses the following preferred qualifications:

- (a) At least 10 years of service on the Borough Police Department;
- (b) At least 3 years of service in a supervisory rank such as corporal, sergeant or lieutenant
- (c) Have received a bachelor's degree and/or advanced degree in criminal justice, management, public administration, sociology or any other discipline deemed appropriate for the position from an accredited college or university
- (d) Possesses certifications from professional associations indicating the candidate's commitment to personal professional development
- (e) Possession of any other certification in management and leadership that may be obtained by the candidate for the position
- (f) Proficient in the management of a Police Department, including but not limited to administration, budgeting, communications, controlling

operations, investigations, patrol operations, training, purchasing, and internal affairs. The candidate should possess the skills and abilities to manage projects in terms of time, budget and resources.

(g) The candidate should have strong communication skills

(h) The candidate should have concrete examples of the skills, knowledge and abilities to provide at any interview required.

d. Promotions: Corporal, Sergeant and Lieutenant

Any vacancy in the positions of Corporal, Sergeant or Lieutenant shall be filled by the Mayor and Council based upon recommendation of the Police Committee, general qualifications and service record. The Police Committee may prescribe any testing to be required of candidates and shall conduct interviews of all eligible candidates. The Police Committee shall recommend appointees to the Mayor and Council based upon the assessments of the Chief of Police as well as the results of any testing and its evaluation of the candidates' general qualifications, appearance, speaking ability, comprehension and presentation of ideas, maturity of judgment, interest in law enforcement and knowledge of procedures and techniques thereof, and evidence of supervisory and administrative ability as well as the written assessment to the Police Committee of all eligible candidates by the Chief of Police. The promotions shall be made by the Mayor and Council and by majority vote. Promotion of an officer to Corporal, Sergeant or Lieutenant is for a probationary period of six months. When job performance is not satisfactory to the Mayor and Council, that promotion shall be deleted and he/she will be reduced in rank back to the rank held prior to the promotion.

e. Designation of Detective

The provisions of Subsection c shall not apply as a condition precedent to the designation of any Department member to serve in the capacity of Detective. This appointment is made under N.J.S.A. 40A:14-118 by Chief of Police with Police Committee approval.

f. Eligibility for Rank of Corporal, Sergeant or Lieutenant

Each member of the Department shall become eligible for rank of Corporal, Sergeant or Lieutenant within the Department after he/she shall have served in the capacity of patrol officer, Detective or some other rank below the rank of Corporal, Sergeant or Lieutenant for a combined period of at least two years exclusive of his/her initial probationary period; provided, however, he/she shall not become eligible for promotion until after he/she shall have served in such capacity for a combined period of at least three years inclusive of his/her initial probationary period. It shall not be a requirement of promotion to any rank other than Chief that an officer have previously served in the capacity of Corporal, Sergeant or Lieutenant.

Introduced: August 15, 2023

Adopted:

ATTEST:

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NANCY A. BRETZGER  
BOROUGH CLERK

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MARK A. CORIGLIANO  
MAYOR