

**ORDINANCE 2021-02
BOROUGH OF SHIP BOTTOM
COUNTY OF OCEAN**

**ORDINANCE SUPPLEMENTING CHAPTER 2.68 OF THE CODE
OF THE BOROUGH OF SHIP BOTTOM ENTITLED "POLICE
DEPARTMENT," ESTABLISHING A PROCEDURE FOR THE
PROMOTION OF MEMBERS OF THE POLICE DEPARTMENT**

WHEREAS, within its general powers as a municipality, the Borough of Ship Bottom 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 governing body wishes to enact a section of the municipal code setting forth the procedures for promotions within the police department.

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

Part 1. Chapter 2.68 of the Code of the Borough of Ship Bottom entitled "Police Department" is hereby amended to create new Section 2.68.230, which shall provide as follows:

§2.68.230 Promotional Procedure for Police Department

- I. Purpose.** The purpose of this Ordinance is to provide all eligible candidates for promotion with fair notice and equal access to the promotional process. Additionally, the goal of this Ordinance is to strive to identify the most qualified members of the police department for promotion to leadership positions within the department and to set forth the components of the promotional process that will be utilized in carrying out the process.
- II. Promotion, defined.** Promotion denotes vertical movement or advancement in the organization hierarchy from one rank to another, usually accompanied by increases in salary. The promotional process begins with identifying employees who have the potential for assuming greater responsibility and who possess the skills, knowledge, maturity, and abilities required to perform at the level being considered for promotion. It is the intent of the governing body to utilize a promotional process governed by State law as well as in compliance with applicable standards of the New Jersey Association of Chiefs of Police (NJSACOP). The Chief of Police is responsible for the administration of the promotional process.
- III. Promotion to the rank of Sergeant.**

Eligibility. No person shall be eligible for a promotion to the rank of Sergeant unless that person shall have served as a police officer within the Ship Bottom Police Department for at least five continuous years and is in good standing prior to the deadline for submission of a letter of intent to participate in the promotional process.

Educational Requirement. No person shall be eligible to participate in the process for promotion to the rank of Sergeant unless that person shall have obtained a Bachelor's Degree or 128 credit equivalent from a regionally accredited institution of higher education

Testing. Candidates for Sergeant shall participate in the testing process set forth in Article IV of this Ordinance.

IV. Testing Process for Promotion to Sergeant. The Chief of Police shall obtain permission from the appropriate authority to hold a promotional examination process. After having received such approval, the Chief of Police or his designee shall provide a written announcement of the promotional process to all sworn personnel. The announcement shall include a recitation of the eligibility and educational requirements for the position. Candidates for promotion shall be required to submit a written request to the Chief of Police or his designee prior to the closing date of the announcement to participate in the process. The announcement shall include a description of the promotional process and should indicate to candidates the format, length, and duration of any examination, together with a description of any other portions of the promotional process, any minimum cut-off scores to continue to advance and a numerical weight assigned to each element. No person shall be eligible to participate in the promotional process unless he or she has submitted a written request prior to the deadline set forth by the Chief of Police or his designee.

A. Oral Examination. At least 80 days before the oral examination, the Chief of Police or his designee shall announce the date, time and location of the oral examination. The Chief of Police shall obtain authorization from the appropriate authority to enter into a contract with New Jersey State Association of Chiefs of Police, the Internal Association of Chiefs of Police or other comparable testing entity to develop, conduct and grade the oral examination. The oral examination will consist of a series of job related and case law questions. The Chief of Police or his designee may submit or suggest any appropriate topic areas or questions to the outside testing entity to include in the examination. These questions will be based upon basic police practices and may include police and investigative procedures, supervisory and administrative principles, New Jersey criminal law report writing, search and seizure issues, New Jersey Attorney General Guidelines and Directives and legal aspects and requirements of police work. The Chief of Police or his designee shall provide a written announcement of the reading list or syllabus of possible sources of materials utilized in developing the test in order for candidates to prepare for the oral examination. Eligible candidates who are scheduled to work during the oral examination will be excused from duty to take the examination. The candidates must score a minimum of 70% on the oral examination to continue in the promotional process. The oral examination shall account for 40% of a candidate's promotional score.

B. Seniority. Due consideration and preference shall be given to seniority and length of service, in accordance with N.J.S.A. 40a:14-129. Candidates participating in the promotional process for the rank of Sergeant shall be entitled to points for seniority. Seniority for Sergeant candidates shall be calculated by awarding each candidate 0.055 points per month of service, up to a maximum of 10 points. Seniority shall account for 10% of the candidate's promotional score.

C. Oral Interview. Candidates who have satisfactorily completed the above phases for the rank of Sergeant shall be evaluated by a panel for an oral interview. The oral interview panel shall consist of three (3) members. Each candidate shall be presented with the same questions or topics, designed to elicit open ended responses so that the oral interview panel can determine the candidate's promotional potential, maturity, composure, and overall abilities. Each member of the oral interview panel shall rate the candidate based upon a score of 1 to 100 in the oral interview. The scores will then be added and divided by the number of oral interviews to arrive at the candidate's score for the oral interview phase. Candidates for promotion, as well as members of the oral interview panel, shall not discuss or disclose the contents or subject matter topics of the oral interview process until after all oral interviews are concluded. The

D. Oral Evaluation. In the evaluation portion, the Chief of Police, Appropriate Authority, or designee shall evaluate the candidates for Sergeant based on the below listed categories:

A. Leadership:

1. Cooperation
2. Judgment
3. Use and Delegation of Authority
4. Loyalty and integrity
5. Attitude

B. Personal Aggressiveness:

1. Assumption of responsibility
2. Initiative
3. Self-development
4. Community program participation
5. Enthusiasm and creativity

C. Qualifications on Job Performance:

1. Quality and volume of work
2. Ability to understand and follow instructions
3. Job knowledge
4. Judgment and ability to appraise situations
5. Ability to plan, organize, schedule and complete
6. Performance Evaluations, awards, and commendations

The oral evaluation portion of the process shall be worth 25%.

- V. Lateral Entry or Lateral Transfer.** No lateral entry or lateral transfer is permitted from another agency to a promotional rank within the police department.
- VI. Security of Promotional Materials.** The Chief of Police or his designee shall be responsible for the security and custody of promotional materials. All promotional materials will remain in the secured promotional file located in the office of the Chief of Police or such other secure area as designated by the Chief.
- VII. Release of Results and Promulgation of Eligibility Lists.** At the conclusion of the promotional process, the Chief of Police or his designee will publish and disseminate to all sworn personnel the scores of each candidate in each [phase of the promotional process together with the candidate's final score for the purposes of promotion. This publication and dissemination shall be applicable to each rank involved in the promotional process.

After the expiration of the time for filing of appeals set forth below, and the disposition of any such appeal, the Chief of Police shall publish and disseminate a list of eligible candidates in the order of their final scores for promotion to the Mayor and Law Enforcement Committee. The eligibility list will remain in effect for a period of 3 years from the date of posting. Any personnel promoted to the rank of Sergeant shall serve a one (1) year probationary period.

- VIII. Appeals of Promotional Process.** Within ten (10) days of the publication and dissemination of final scores and rankings of candidates, a candidate may file a written appeal directed to the Chief of Police. Said written appeal must contain the reason(s) or justification for said appeal. The Chief of Police will assess the request and determination as to how the request will be addressed, on a case-by-case basis. As part of any appeal,

Part 2 If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason declared invalid or unconstitutional by any court or federal or State agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Part 3. All ordinances or resolutions or parts of ordinances or resolutions inconsistent herewith are hereby repealed to the extent of such inconsistency.

Part 4. This ordinance shall become effective upon publication as required by law or such other time period depending upon the form of municipal government.

STATEMENT OF NOTICE

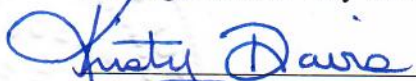
Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a public meeting of the Borough Council of the Borough of Ship Bottom, County of Ocean, State of New Jersey, held on January 26, 2021 at 6:30 p.m. via Zoom #965 0252 3123 Passcode #566967. A copy of the ordinance can be obtained, without cost, by any member of the general public at the Office of the Municipal Clerk, 1621 Long Beach Blvd., Ship Bottom, NJ 08008 Monday through Friday, 9:00 a.m. to 4:00 p.m., on our website at www.shipbottom.org or via email kdavis@shipbottom.org

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a public meeting of the Borough Council to be held on February 23, 2021 at 6:30 p.m. via Zoom #965 0252 3123 Passcode #566967.

CERTIFICATION

I, KRISTY DAVIS, Municipal Clerk of the Borough of Ship Bottom, in the County of Ocean, New Jersey, HEREBY CERTIFY that annexed hereto is a true copy of Ordinance No. 2021-02 which was introduced and passed on first reading at a duly convened meeting of the Borough Council January 26, 2021.

IN WITNESS WHEREOF, I hereby set my hand and the seal of the Borough this 26th day of January, 2021



BOROUGH OF SHIP BOTTOM
IN THE COUNTY OF OCEAN, NEW JERSEY
KRISTY DAVIS, Municipal Clerk

ORDINANCE 2021-02 BOROUGH OF SHIP BOTTOM COUNTY OF OCEAN

ORDINANCE SUPPLEMENTING CHAPTER 2.68 OF THE CODE OF THE BOROUGH OF SHIP BOTTOM ENTITLED "POLICE DEPARTMENT," ESTABLISHING A PROCEDURE FOR THE PROMOTION OF MEMBERS OF THE POLICE DEPARTMENT

CERTIFICATION

I, KRISTY DAVIS, Municipal Clerk of the Borough of Ship Bottom, in the County of Ocean, New Jersey, HEREBY CERTIFY that annexed hereto is a true and complete copy of Ordinance No. 2021-02 which was introduced and passed on first reading at a duly convened meeting of the Borough Council on January 26, 2021, and finally adopted at a duly convened meeting of the Borough Council on February 23, 2021.

IN WITNESS WHEREOF, I hereby set my hand and the seal of the Borough this 23rd day of February 23, 2021.

ATTEST.

AFFIDAVIT OF PUBLICATION

Publisher's Fee \$17.36 Affidavit \$25.00

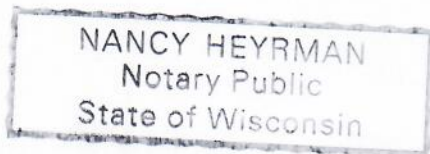
STATE OF WISCONSIN
Brown County

Personally appeared M. Steinhart at County of Brown, State of Wisconsin.

Of the **Beach Haven Times**, newspaper printed in Freehold, New Jersey and published in Neptune, in State of New Jersey and County of Ocean, and of general circulation in Ocean County, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue as follows:

02/04/2021 A.D 2021


Notary Public State of Wisconsin County of Brown
5.15.23
My commission expires



ORDINANCE 2021-02
BOROUGH OF SHIP BOTTOM
COUNTY OF OCEAN

ORDINANCE SUPPLEMENTING CHAPTER 2.68 OF THE CODE OF THE
BOROUGH OF SHIP BOTTOM ENTITLED "POLICE DEPARTMENT,"
ESTABLISHING A PROCEDURE FOR THE PROMOTION OF MEMBERS
OF THE POLICE DEPARTMENT

STATEMENT OF NOTICE

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a public meeting of the Borough Council of the Borough of Ship Bottom, County of Ocean, State of New Jersey, held on January 26, 2021 at 6:30 p.m. via Zoom #965 0252 3123 Passcode #566967. A copy of the ordinance can be obtained, without cost, by any member of the general public at the Office of the Municipal Clerk, 1621 Long Beach Blvd., Ship Bottom, NJ 08008 Monday through Friday, 9:00 a.m. to 4:00 p.m., on our website at www.shipbottom.org or via email kdavis@shipbottom.org. Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a public meeting of the Borough Council to be held on February 23, 2021 at 6:30 p.m. via Zoom #965 0252 3123 Passcode #566967.

BOROUGH OF SHIP BOTTOM
IN THE COUNTY OF OCEAN, NEW JERSEY
KRISTY DAVIS, Municipal Clerk
(\$17.36)



**BOROUGH OF SHIP BOTTOM
PROOF OF INSERTION**

State of New Jersey
County of Ocean

I, Kristy Davis, RMC, Municipal Clerk of the Borough of Ship Bottom, County of Ocean, State of New Jersey, certify that an advertisement, of which the annexed is a true copy, was published on Thursday 3/4/2021 in the Beach Haven Times, an Official Newspaper of the Borough of Ship Bottom, County of Ocean, State of New Jersey, and is of general circulation in the municipality, in the County of Ocean.

Kristy Davis, RMC, Municipal Clerk
Borough of Ship Bottom

3/4/2021

Date of Certification

ORDINANCE 2021-02
BOROUGH OF SHIP BOTTOM
COUNTY OF OCEAN

ORDINANCE SUPPLEMENTING
CHAPTER 2.68 OF THE CODE OF
THE BOROUGH OF SHIP BOT-
TOM ENTITLED "POLICE
DEPARTMENT." ESTABLISHING
A PROCEDURE FOR THE PROMO-
TION OF MEMBERS OF THE PO-
LICE DEPARTMENT

PUBLIC NOTICE IS HEREBY GIV-
EN that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Mayor and Council of the Borough of Ship Bottom held on January 26, 2021.

Further Notice is Given that said Ordinance was considered for final passage and adopted after a public hearing thereon at a regular meeting of the Mayor and Council, February 23, 2021, held via Zoom #965 0252 3123 Passcode #566967, Ship Bottom, New Jersey.

KRISTY DAVIS
Municipal Clerk
Borough of Ship Bottom
(\$10.85)