



BOROUGH OF GARWOOD
UNION COUNTY, NEW JERSEY
MUNICIPAL BUILDING
403 SOUTH AVENUE
GARWOOD, NEW JERSEY 07027

ORDINANCE 25-13

AN ORDINANCE AMENDING THE BOROUGH CODE OF THE BOROUGH OF GARWOOD BY AMENDING CHAPTER 34, ENTITLED “POLICE DEPARTMENT”, SECTION 4, ENTITLED “APPOINTMENTS”.

WHEREAS, the Borough of Garwood (the “Borough”) has previously adopted Chapter 34, Section 4 of the Code of the Borough of Garwood establishing the promotional procedures for the police department; and

WHEREAS, the Chief of Police has recommended revisions to the promotional procedures in response to changes in the police department, accreditation, and the ability to fill promotional opportunities in the future; and

WHEREAS, the Police Committee has worked with the Chief of Police on the code modifications and recommends same to the Borough Council for their approval; and

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Garwood that Chapter 34 (Police Department), Section 4 (Appointments) of the Borough Code of the Borough of Garwood is hereby amended as follows (additions underscored, deletions ~~struck through~~):

§ 34-4. Appointments.

- A. The Mayor shall nominate with the advice and consent of the Council, the Chief of Police, captains, lieutenants, sergeants, detectives, regular, probationary and special policemen.
- B. Chief of Police promotions.
 - (1) General requirements.
 - (a) Eligibility. The Borough of Garwood Governing Body desires to promote the most qualified candidates to the position of Chief of Police. This subsection establishes the eligibility requirements and the process for promotion to the Chief of Police. The promotion process shall be on the basis of merit, education, demonstrated ability, record review and interview. In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from the membership of the Department. To be considered for the position of Chief of Police, the candidates must have previously been serving the Borough in the rank of Sergeant or higher. Candidates must have served in the title of Sergeant or higher for a minimum of one (1) year.
 - (2) Promotional process.
 - (a) Candidates for the position of Chief of Police shall participate in a promotional process administered by the Borough Administrator. The Borough Administrator shall announce the promotional process to members of the Police Department by posting the announcement in the common area of the Police Department and/or the Police Department bulletin board. The posting announcement shall contain at a minimum, the rank to be filled, years of experience required in subsequent rank, and prospective date for the interview. Candidates who qualify shall notify the Borough Administrator of his or her interest in the promotion 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 promotional process.

(3) Promotion testing procedure. The promotion testing procedure for the Garwood Police Department shall consist of an oral interview and a record review.

(a) Two oral interview(s).

[1] One interview will be conducted by the New Jersey State Association of Chiefs of Police with feedback provided to the Mayor and Council.

[2] Oral interview (Mayor and Council).

[a] The interview shall be conducted by the members of the Mayor and Council. The interview shall focus on but not be limited to the candidates' knowledge of the Borough of Garwood's form of government, police administration, leadership and management abilities, specialized training and/or assignments, municipal budget process, staffing, and community service, and N.J.S.A 40A:14-118.

[b] All candidates shall be given the same ten (10) identical questions, and the Borough Administrator or Assistant Borough Administrator shall administer the questions.

[c] Each candidate shall be graded on a 40-point scale.

[3] Based on scheduling needs of the Mayor and Council and the New Jersey State Association of Chiefs of Police, the Mayor and Council interview may occur first or the New Jersey State Association of Chiefs of Police may occur first. There is no specific order for the interviews.

[4] Each candidate shall be graded on a seventy (70) point scale.

[a] Forty (40) points will be awarded from the Mayor and Council interview.

[b] Up to thirty (30) points will be awarded from New Jersey State Association of Chiefs of Police interview.

(b) Record review.

[1] The candidates' personnel records shall be reviewed, which shall include education, length of service, specialized training, military service, and discipline. The review of the personnel records shall be conducted by the Borough Administrator and Assistant Borough Administrator.

[2] The record review shall be graded on a thirty (30) point scale. The weight of each category of the process shall be as follows:

[a] Education: zero to 10 points.

[1] If completed Master's degree: seven and one-half (7.5) points.

[2] If completed Bachelor's degree: five (5) points.

[3] If completed Associate's degree or 60 plus credits: two and one-half (2.5) points.

[4] If completed a doctorate degree: ten (10) points.

- [b] Years of law enforcement service: zero (0) to five (5) points.
 - [i] Five (5) to ten (10) years of service in PFRS is one point.
 - [ii] Eleven (11) to fifteen (15) years of service in PFRS is two points.
 - [iii] Sixteen (16) to twenty (20) years of service in PFRS is three points.
 - [iv] Twenty-one (21) to twenty-five (25) years of service in PFRS is four points.
 - [v] More than twenty-five (25) years of service in PFRS is five points.

- [c] Specialized training: zero to ten points. Specialized training shall be: Completion of FBI National Academy training or equivalent is worth five (5) points. Completion of NJSACOP Command and Leadership training or equivalent is worth three (3) points. Completion of FBI LEEDA Trilogy training or equivalent is worth two (2) points.

- [d] Military service: five (5) points.
 - [i] Active duty or honorable discharge or general discharge under honorable conditions.

- [e] Disciplinary actions:
 - [i] Each major sustained discipline (suspension of more than five (5) days) will result in a deduction of five (5) points.
 - [ii] Each minor sustained discipline (five (5) day suspension or less, including written reprimands) will result in a deduction of one (1) point.
 - [iii] 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.

(c) Each candidate shall be ranked based on the total score as outlined above. The candidates shall then be ranked from the highest to lowest based on score. The list shall include the candidates' names and final scores and shall be afforded to the Mayor and Borough Council. Thereafter, the Mayor shall make his/her final determination and appointment in accordance with § 34-4A.

[1] Where two 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 nonresident pursuant to N.J.S.A 40A:14-122.6. Residency shall prevail over seniority in the case of candidates that are ranked equally.

C. Captain promotions.

(1) General requirements.

(a) Eligibility. The Borough of Garwood governing body desires to promote the most qualified candidates to the positions of Captain. This subsection establishes the eligibility requirements and the process for promotion to Captain. The promotion process shall be on the basis of merit, education, demonstrated ability, record review and interviews. In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from the membership of the Department. To be considered for the position of Captain, the candidates must have previously been serving the Borough in the rank of Sergeant or Lieutenant and served in one of the titles for a minimum of one year. If candidate served in

the title of Lieutenant for less than one (1) year, but previously served in the position of Sergeant, time served in lower rank of Sergeant shall count towards the one (1) year of service.

(2) Promotional process.

- (a) Candidates for the position of Captain shall participate in a promotional process administered by the Borough Administrator. The Borough Administrator shall announce the promotional process to members of the Police Department by posting the announcement in the common area of the Police Department and/or the Police Department bulletin board. The posting announcement shall contain, at a minimum, the rank to be filled, years of experience required in subsequent rank, and prospective date for the interview. Candidates who qualify shall notify the Borough Administrator of his or her interest in the promotion by submitting a letter of interest and a complete candidate record form no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the promotional process.

(3) Promotion testing procedure. The promotion testing procedure for the Garwood Police Department shall consist of two oral interviews and a record review.

- (a) Oral interview (Mayor and Council) and oral interview (NJ State Chief's Association).

[1] Oral interview (Mayor and Council).

- [a] The interview shall be conducted by the members of the Mayor and Council. The interview shall focus on but not be limited to the candidates' knowledge of the Borough of Garwood's form of government, police administration, leadership and management abilities, specialized training and/or assignments, municipal budget process, staffing, and community service.

- [b] All candidates shall be given the same ten (10) identical questions, and the Borough Administrator or Assistant Borough Administrator shall administer the questions.

- [c] Each candidate shall be graded on a thirty-five-point scale.

[2] Oral interview (NJ State Chief's Association).

- [a] One (1) oral interview shall be conducted by the New Jersey State Association of Chiefs of Police with feedback provided to the Mayor and Council.

- [b] All candidates shall be given identical questions.

- [c] Each candidate shall be graded on a thirty-five (35) point scale.

(b) Record review

- [1] ~~The candidates' personnel records shall be reviewed which shall include education, commendations, military service, and discipline.~~ The candidates' personnel records shall be reviewed, which shall include education, length of service, specialized training, military service, and discipline. The review of the personnel records shall be conducted by the Borough Administrator.

- [2] The record review shall be graded on a thirty (30) point scale. The weight of each category of the process shall be as follows:

- [a] Specialized training: zero to ten points. Specialized training shall be: Completion of FBI National Academy training or equivalent is worth five (5) points. Completion of NJSACOP Command and Leadership training or equivalent is

worth three (3) points. Completion of FBI LEEDA Trilogy training or equivalent is worth two (2) points.

[b] Education: zero (0) to ten (10) points.

[i] If completed Master's degree: seven and one-half (7.5) points.

[ii] If completed Bachelor's degree: five (5) points.

[iii] If completed Associate's degree or sixty (60) plus credits: two and one-half (2.5) points.

[iv] If completed a doctorate degree: ten (10) points.

[c] Years of law enforcement service: zero (0) to five (5) points.

[i] Five (5) to ten (10) years of service in PFRS is one (1) point.

[ii] Eleven (11) to fifteen (15) years of service in PFRS is two (2) points.

[iii] Sixteen (16) to twenty (20) years of service in PFRS is three (3) points.

[iv] Twenty-one (21) to twenty-five (25) years of service in PFRS is four (4) points.

[v] More than twenty-five (25) years of service in PFRS is five (5) points.

[d] Military service: five (5) points.

[i] Active duty or honorable discharge or general discharge under honorable conditions.

[e] Disciplinary actions:

[i] Each major sustained discipline (suspension of more than five days) will result in a deduction of five (5) points.

[ii] Each minor sustained discipline (five-day suspension or less, including written reprimands) will result in a deduction of one (1) point.

[iii] 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.

[3] Where two 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 nonresident pursuant to N.J.S.A. 40A:14-122.6. Residency shall prevail over seniority in the case of candidates that are ranked equally.

[4] When a vacancy for Chief coincides with a vacancy for Captain, one single search and testing process may be administered utilizing the testing and job search methods outlined in § 34-4B Chief of Police promotions, with the highest scoring candidate being first offered the position of Chief of Police and, upon acceptance, the second highest scoring candidate being offered the position of Captain. If the highest scoring candidate declines the offer of Chief of Police, that candidate will be offered the position of Captain and the second highest scoring candidate will be offered the position of Chief of Police. If either the position of Chief of Police or Captain remain vacant due to multiple candidates declining either position, offers will be made to the remaining candidates based on the top scores of the candidates remaining on the list.

(c) Each candidate shall be ranked based on the total score as outlined above. The candidates shall then be ranked from the highest to lowest based on score. The list shall include the candidates' names and final scores and shall be forwarded to the Mayor and Borough Council. Thereafter, the Mayor shall make his/her final determination and appointment in accordance with § 34-4A.

(4) Procedures for Review.

- (a) Any candidate(s) who was not promoted, may ask the Chief of Police to review their final numerical scoring obtained during the promotional process. The final number scoring will be the final score for the State Chief's Exam, the Personnel Record, and the Mayor and Council (not inclusive of individual scoring by the members of the Mayor and Council during promotional process).
- (b) The Chief of Police will meet individually with any candidate requesting to review the results of the promotional scoring. Nothing contained in this directive shall confer upon any employee an expectation or contractual right because of such a meeting.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect after final passage and publication in accordance with applicable law.

Rejected Approved

Jen Blumenstock, Mayor

Date

Reconsidered by Council _____

Override Vote Yes ___ No ___

DATE OF INTRODUCTION: MARCH 27, 2025

DATE OF ADOPTION:

RECORDED VOTE OF COUNCIL																
	Date:					Date:					Date:					
	First Reading/Introduction					Final Reading/Adoption					Tabled					
Council Members	M	S	Yay	Nay	NV	Ab	M	S	Yay	Nay	NV	Ab	M	S	Yay	Nay
K. Boto																
S. Foley																
V. Kearney																
M. Lazarow																
C. Padusniak																
C. Nolde																

✓ - Indicates Vote NV – Not Voting/Abstain AB – Absent M – Motion S – Seconded

CERTIFICATION

This is to certify that this is a true and compared copy of an Ordinance adopted by the Council of the Borough of Garwood on _____.

PATRICIA VAZQUEZ
Acting Municipal Clerk