

Borough of Matawan
201 Broad Street
Matawan New Jersey 07747
(732) 566-3898
www.matawanborough.com



Public Notice of Pending Ordinance 24-17

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Governing Body of the Borough of Matawan, in the County of Monmouth, State of New Jersey, on July 2, 2024. It will be further considered for final passage, after public hearing thereon, at a meeting of the Governing Body to be held at the Borough of Matawan, Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey 07747 on August 13, 2024 at 7:00 o'clock PM. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's Office for the members of the general public who shall request the same or on the Borough of Matawan website at www.matawanborough.com.

Karen Wynne, RMC
Municipal Clerk

ORDINANCE 24-17

AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MATAWAN CHAPTER 9 – PERSONNEL POLICIES

ARTICLE II – PERSONNEL POLICIES CONCERNING MEMBERS OF THE POLICE DEPARTMENT

SECTION 9-26.2 – PROMOTION TO RANK OF CAPTAIN

WHEREAS, the Borough of Matawan (hereinafter referred to as the "Borough") is a public body corporate and politic in the County of Monmouth, State of New Jersey; and

WHEREAS, Chapter 9, Article II – Personnel Policies Concerning Members of the Police Department, of the Borough Municipal Code sets forth the methods for testing and promotion of the members of the Police Department; and

WHEREAS, the Governing Body has determined that changes to the Municipal Code are warranted and in the public interest pursuant to the needs of the Borough and the Police Department.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Matawan, in the County of Monmouth, State of New Jersey that the Municipal Code of the Borough of Matawan be amended and that Chapter 9, Section 26.2 read as follows:

Sections A – F are hereby deleted and shall be replaced with the following:

SECTION I

Section 9-26.1 Promotion to Rank of Captain

- a. The Borough of Matawan Governing Body desires to promote the most qualified candidate to the position of Captain. The goal of this subsection 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. This subsection establishes the eligibility requirements and the process for promotion to the rank of Captain. The promotion process shall be on the basis of merit, experience, education and demonstrated ability. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Borough of Matawan 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 Matawan Police Department for a period of nine years or more (five years to be eligible for promotion to Sergeant followed by two years in the rank of Sergeant and then two years in the rank of Lieutenant). Promotions to the rank of Captain shall be open to the members of the next lowest rank who have served at least two 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 eligibility to the next lower rank and/or reduce the length of time requirement in rank.
- b. Upon receiving approval from the Governing Body to make promotions, the Chief of Police shall announce the promotional process to members of the Department at least 10 days before the process is to begin. The announcement shall be posted in common areas of the Department accessible to all members. Candidates who qualify shall notify the Chief of Police of his or her interest in participating in the process by submitting a letter of interest and resume no later than 7 calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.
- c. There shall be no requirement for the use of written or oral examination testing procedures for candidates seeking promotion to the rank of Captain.
- d. Each candidate shall be interviewed by a panel consisting of the Police Committee of the Borough Council (or the Governing Body as a whole, if so determined by the Governing Body), the Borough Administrator and the Chief of Police.
- e. The Chief of Police shall submit a written recommendation to the Governing Body of the officer(s) whom he/she feels are most suitable to be promoted to the position of Captain.
- f. Promotional recommendations shall be based upon the totality of the following criteria: evaluation of merit (work product), interview (section d. above) and seniority/length of service.

- g. At the completion of the promotional process, the selected candidate shall be notified in writing of his/her promotional date. At the next regularly scheduled meeting of the Governing Body, a municipal resolution shall be passed promoting the selected candidate to the position of Captain. The candidate shall be sworn in at that meeting or during a promotional ceremony held by the Police Department. The newly promoted Captain shall serve a probationary period as outlined in current collective bargaining agreement(s) and/or Borough policy and ordinance.

SECTION II

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.

SECTION III

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

SECTION IV

EFFECTIVE DATE: This ordinance shall take effect immediately upon this passage and publication in accordance with the law.