

INTRO: 4/8/2013
ADOPT: 4/29/2013

TOWNSHIP OF FAIRFIELD
ORDINANCE # 2013-09

**AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION
OF THE CODE OF THE TOWNSHIP OF FAIRFIELD
SECTION 2-11 POLICE DEPARTMENT**

WHEREAS, the governing body finds it necessary to amend Chapter 2, Section 2-11.3 regarding the promotions; eligibility and appointment qualifications to be a member of the Police Department of the Township of Fairfield; and

WHEREAS, the governing body finds this change to be in the best interest of the Police Department and the Township.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF FAIRFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY AS FOLLOWS:

1. CHAPTER 2, ADMINISTRATION OF THE CODE OF THE TOWNSHIP OF FAIRFIELD, Section 2-11 Police Department, the Section known as Section 2-11.3 Promotions; Eligibility and Appointment shall be revised as follows:
 - a. *Promotions:*
 2. Captain. If the appointment of a Captain is deemed necessary by the Governing Body, all candidates for promotion to Captain shall have held the rank of Lieutenant **with the Fairfield Township Police Department** for a minimum of three (3) years ~~by the date established by the Chief of Police for the submission of the letter of intent.~~
 3. Lieutenant. All candidates for promotion to Lieutenant shall have held the rank of Sergeant **with the Fairfield Township Police Department** for a minimum of three (3) years ~~by the date established by the Chief of Police for the submission of the letter of intent.~~
 4. Sergeant. All candidates for promotion to Sergeant shall have served as full-time Police Officers with the Fairfield Township Police Department for a minimum of five (5) continuous years ~~prior to the examination.~~ ~~by the date established by the Chief of Police for the submission of the letter of intent.~~

5. Corporal. All candidates for promotion to Corporal shall have served as full-time Police Officers with the Fairfield Township Police Department for a minimum of five (5) continuous years ~~prior to the date of the examination.~~ ~~by the date established by the Chief of Police for the submission of the letter of intent.~~

b. *Selection of Candidates.* In making the selections as outlined above, the Mayor and Council shall select the most qualified candidates for promotion to a new or vacant position. In order to assist the Mayor and Council in making its selections for promotion to a new or vacant position, the Chief of Police shall submit a list of ~~the most qualified~~ **all candidates for consideration, utilizing the following formula— the personnel files for review, and comments for each candidate.**

~~1. New Jersey State Chiefs of Police written examination or other recognized similar exam accepted by the Chief of Police up to a maximum of forty (40) points.~~

~~2. New Jersey State Chiefs of Police oral examination up to a maximum of forty (40) points.~~

~~3. Non-examination criteria up to a maximum of twenty (20) points awarded by the Chief of Police. (replace with)~~

1. Selection Criteria: This award will be based on, but not limited to, the individual's past performance in current rank, absentee record, disciplinary record, record of commendations or citations, over-all value to the Department and dedication and professionalism as a Police Officer.

~~c. *Examination Criteria.* All testing shall be conducted by representatives of the New Jersey State Chiefs of Police Association. All scores will be based on a zero (0) to one hundred (100%) percent scale, with one hundred (100) being the highest possible score. All tests results will be posted using the individual's social security number as an identifier.~~

~~1. The written examination will be of the type and length designated by the New Jersey State Chiefs of Police Association and shall be the most current examination presently in use. All raw scores will be multiplied by four tenths (.4) so that a maximum adjusted score will be forty (40) points.~~

~~2. The oral examination will be conducted by a panel of representatives of the New Jersey State Chiefs of Police Association, consisting of at least three (3) members. All raw scores awarded by this panel will be multiplied by four tenths (.4) so that a maximum adjusted score will be forty (40) points. Members of the Oral Board will not have access to any Department or Township personnel records during the examination procedure.~~

~~d. *Nonexamination Criteria.* Prior to the administration of either portion of the examination, the following areas will be considered, and a set number of points or half points will be awarded by the Chief of Police in each of the individual areas. In fixing the exact number of points to be awarded in any area, the Chief of Police will base the decision on relevant documents on file at the Police Department or other factual information known to the Chief.~~

~~1. *Seniority.* Officers will be entitled to one half (1/2) point for each year of continuous service in rank with the Fairfield Township Police Department. Points will be awarded for each complete year of service, starting in the sixth (6th) year and continuing to accrue until completion of the twenty-five (25th) year, for a maximum of three (3) points. To establish an individual's anniversary date, the formal hiring Resolution for the Township of Fairfield will be used.~~

~~For promotion to Lieutenant and Captain, if the appointment of a Captain is deemed necessary by the Governing Body, points will be awarded based on time in rank rather than seniority with the department.~~

~~2. *Military Service.* Officers will receive one half (.5) point for each year or part thereof of active duty military service in any branch of the United States Armed Forces, up to a maximum of four (4) years, for a total award of two (2) points. To establish an individual's length of military service, a DD form 214 or equivalent will be used.~~

~~3. *Education.* Officers will receive one (1) point for a Bachelor's Degree and one half (.5) additional point if the Bachelor's Degree is in criminal justice. Officers with an Associate's Degree will receive one half (.5) point and a one half (.5) additional point if the Associate's Degree is in criminal justice. Officers with a Master's Degree will receive two (2) points and one half (.5) additional point if the Master's Degree is in criminal justice.~~

~~4. *Merit.* A five (5) person committee consisting of the five (5) ranking officers, not involved in the testing process or seeking the same promotion, may each award each candidate any number of points or half points up to a maximum of two and one half (2.5) points per candidate per committee member. This award will be based on, but not limited to, the individual's past performance in current rank, absentee record, disciplinary record, record of commendations or citations, overall value to the Department and dedication and professionalism as a Police Officer. All candidates will be advised of the total number of points awarded to them in each area of the nonexamination criteria prior to the written or oral examination for the rank sought.~~

~~e. *Test Notice.* Notice of approximate or actual examination due shall be posted a minimum of twelve (12) weeks prior to the examination.~~

~~f. c. *Letter of Intent.* Each officer who intends to be a candidate for promotion shall write a "Letter of Intent" to the Chief of Police, stating his/her intention to take part in the examination process to be considered for a promotion. Such a letter must be received by the Chief of Police at least two (2) weeks prior to the date of the written examination in order for the candidate to be eligible for testing. by the date established by the Chief of Police.~~

~~g. *Required Minimum Point Total.* All candidates of promotion must achieve a minimum written examination raw test score of seventy (70) in order to move onto the oral examination. An average of seventy (70) for both the written and oral examination must be achieved in order to be promoted or placed on the eligibility list.~~

~~h. *Examination Lists for Promotion.* When all of the above criteria have been met, a list of eligible candidates, based on overall total score, will be compiled by the Chief of Police according to point standing. In case of a tie in score, seniority within the Township's police force will prevail.~~

~~The list for each rank will become active when the first promotion to that particular rank is confirmed by the Mayor and Council and the list will remain in full force and effect for thirty-six (36) months from the date of the first promotion.~~

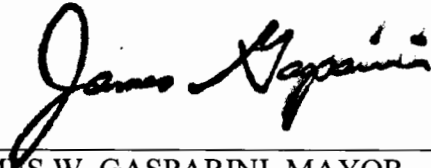
~~1. The name of any eligible officer shall be removed from the eligible promotions list for any of the following or other valid reasons:~~

- ~~(a) Permanent appointment to the position for which the list was promulgated.~~
- ~~(b) Inability, unavailability, or refusal to accept the appointment.~~

~~i. d. *Reservation of Rights and Confidential Information.* (This section shall remain the same except to change the i. to d.)~~

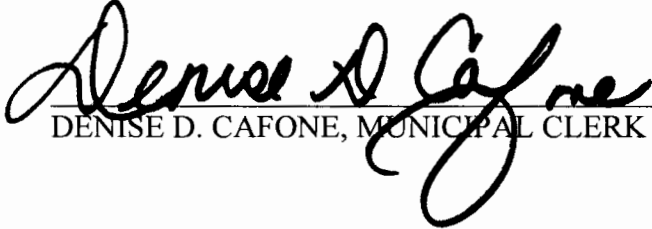
~~e. *Waiver.* Any requirements of this section may be waived by resolution of the Governing Body. After written recommendation of such waiver by the Chief of Police.~~

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged to be invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed, valid and effective.
4. This Ordinance shall take effect immediately upon passage and publication in accordance with law.



JAMES W. GASPARINI, MAYOR

ATTEST:



DENISE D. CAFONE, MUNICIPAL CLERK

NOTICE

Notice is hereby given that the foregoing ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on **April 8, 2013** introduced and read by title and passed first reading, and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on **April 29, 2013 at 7:30 p.m.**, at the Municipal Building, 230 Fairfield Road, Fairfield, New Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens of interest shall have an opportunity to be heard concerning same.

Denise C. Cafone
Municipal Clerk

**INTRODUCTION OF ORDINANCE April 8, 2013: ORDINANCE #2013-09
 AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION OF THE CODE OF
 THE TOWNSHIP OF FAIRFIELD SECTION 2-11 POLICE DEPARTMENT**

**INTRODUCED BY: COUNCIL PRESIDENT MCGLYNN
 SECONDED BY: COUNCILMAN CIFELLI
 PUBLISHED: April 11, 2013**

ROLL CALL VOTE

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NOT VOTING
COUNCIL PRESIDENT MICHAEL B. MCGLYNN	X				
COUNCILMAN JOSEPH CIFELLI	X				
COUNCILMAN JOHN LAFORIGA	X				
COUNCILMAN THOMAS J. MORGAN		X			
MAYOR JAMES GASPARINI	X				

2ND READING AND PUBLIC HEARING : April 29, 2013

**INTRODUCED BY:
 SECONDED BY:
 PUBLISHED: May 9, 2013**

ROLL CALL VOTE

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NOT VOTING
COUNCIL PRESIDENT MICHAEL B. MCGLYNN				X	
COUNCILMAN JOSEPH CIFELLI	X				
COUNCILMAN JOHN LAFORGIA	X				
COUNCILMAN THOMAS J. MORGAN		X			
MAYOR JAMES GASPARINI	X				