

**BOROUGH OF NEW MILFORD  
ORDINANCE NO. 2020:14**

**AN ORDINANCE TO AMEND CHAPTER II OF THE REVISED GENERAL  
ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED  
“ADMINISTRATION”, THEREBY AMENDING SUBSECTION 2-19.1 ENTITLED  
“COMPOSITION OF THE NEW MILFORD POLICE DEPARTMENT”**

**BE IT ORDAINED** by the Mayor and Council of the Borough of New Milford, Bergen County, New Jersey as follows:

SECTION 1. Section 2019.1, Composition of the New Milford Police Department, of Article III, Departments, of Chapter 2, Administration, of the Code of the Borough of New Milford is hereby amended to read in full as follows:

§ 2-19.1. Composition of the New Milford Police Department.

- a. The New Milford Police Department shall consist of the following:  
[Amended 10-16-2019 by Ord. No. 2019:25]
  1. Not more than one Chief of Police.
  2. Not more than two Captains.
  3. Not more than six Lieutenants.
  4. Not more than six Sergeants.
  5. Not more than 38 officers total.
- b. Organization Chart. There shall be a review of the New Milford Police Force Table of Organization, at least every two years, by the Chief of Police, Police Liaison and Borough Attorney to insure that it meets the needs of the Borough, its residents, businesses and visitors and is in compliance with all relevant statutes and judicial decisions. Failure to conduct such a review shall not render this section invalid.
- c. Appointment of Personnel. The Chief of Police shall be appointed by the Mayor, subject to confirmation by the Council, and all other officers of the uniformed force and other personnel shall be appointed by the Mayor and Council.
- d. Qualifications of Appointees. No person shall be appointed a member of the Police Department unless he possesses the requisite qualifications prescribed by the applicable statutes of New Jersey relating to age, residence and other qualifications and eligibility requirements.
- e. Promotions.
  1. Promotion to Chief of Police.
    - (a) The position of Chief of Police is hereby declared to be an executive and managerial position, and promotion to the office of Chief of Police shall be in accordance with the following:
      - (1) The selection process for the managerial position of Chief of Police shall be comprised of the following components with corresponding weights:
        - [a] Seniority: 10%
        - [b] Oral evaluation: 50%

- [c] Review of Personnel File/ Employment History/Disciplinary History: 10%
- [d] Existing Chief Recommendation: 10%
- [e] Education: 20%

(2) The above-stated components shall be defined and ranked as follows:

[a] Seniority: Candidates shall be ranked against competing candidates based upon seniority. Seniority shall be computed as the quotient of the number of months of service as a sworn law enforcement officer to the Borough of New Milford and the number of months of service, as defined above, of the longest-serving officer eligible for the particular promotion being sought. The result shall be multiplied by 10 to reach the percentage achieved by each candidate for seniority.

[b] Oral Evaluation: An oral interview conducted by the Mayor and Council which shall consider the following:

- [1] Comprehension and presentation skills in oral communications.
- [2] Maturity in judgment.
- [3] general knowledge of current departmental operations.
- [4] Management capabilities.
- [5] Ability to solve problems through creative concepts.

[c] Review of Personnel File/ Employment History/Disciplinary History: The personnel file, including but not limited to job evaluations, disciplinary record, commendations and attendance records shall be reviewed.

[d] Existing Chief recommendation. The existing/immediate past Chief of Police shall make a recommendation for his/her replacement based upon a ranking in order of the candidates. The recommendation shall be the quotient of the ranking, No. 1 being the lowest, divided by the number of the candidates, and multiplied by 10 to derive the value of the recommendation. If there is no Chief of Police due to death, disability or dismissal, then the oral evaluation shall be weighted to account for 60% of the score.

[e] Education: Candidates shall be competitively evaluated and ranked based upon the level of education attained.

Ranking shall be as follows:

- [1] High school diploma/GED: two points.
- [2] Accumulation of between 1 and 60 undergraduate credits: four points.

[3] Associate's degree or in excess of 60 credits accumulated towards a Bachelor's degree: eight points.

[4] Bachelor's degree: twelve points.

[5] Master's degree or above: sixteen points.

[6] United States military service resulting in honorable discharge: four points, in addition to existing civilian education achievement earned via categories [1] — [5].

(b) The Mayor and Council shall promote the employee who demonstrates the greatest overall strength and ability to function in a managerial capacity. In the event that members of the police force receive the same total value, preference shall be given to seniority.

2. Promotion to the Ranks of Sergeant, , Lieutenant and Captain.

(a) Goals: The Borough of New Milford desires to promote the most qualified candidates to the ranks of Sergeant, Lieutenant and Captain. This section establishes the eligibility requirements and the process for promotion to those ranks.

(1) The eligibility requirements shall be based on the following requirements as set forth in this paragraph:

[a] Length of service.

[b] Level of education.

[c] Submission of resume.

[d] Letter of recommendation from at least one supervisor.

(2) The promotion process shall be based on the following requirements as set forth in this paragraph:

[a] Participating in a competitive written and/or oral examination.

[b] Cumulative employee evaluations.

[c] Seniority.

[d] Education.

[e] Military service.

[f] Merit and demonstrated ability.

[g] Specialized job assignments, responsibilities and performance.

[h] In-service education and specialized schools.

[i] Community service.

(3) In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from within the membership of the New Milford Police Department. In accordance with N.J.S.A. 40A:14-118, all promotions within the New Milford Police Department shall be made by the Governing Body, except as to the Chief of Police, whose promotion or appointment shall be by the Mayor with consent and approval of the Governing Body.

(b) Eligibility Requirements:

(1) Sergeant- For promotion to the rank of Sergeant, no person shall be eligible for such promotion unless he or she, at the time the promotion process commences:

[a] Shall have completed seven years of accumulated experience as a full-time police officer, with a minimum of six years of service with the New Milford Police Department.

[b] Shall have successfully attained a high school diploma or General Educational Development certificate.

(2) Lieutenant- For promotion to the rank of Lieutenant, no person shall be eligible for such promotion unless he or she, at the time the promotion process commences:

[a] Shall have served a minimum of three years as a full-time Sergeant for the New Milford Police Department.

[b] Shall have attained 60 college credits or an Associate degree from an accredited college or university. The foregoing education requirement for the rank of Lieutenant becomes effective January 1, 2020.

(3) Captain- For promotion to the rank of Captain, no person shall be eligible for such promotion unless he or she, at the time the promotion process commences:

[a] Shall have served a minimum of three years as a full-time Lieutenant for the New Milford Police Department.

[b] Shall have attained 120 college credits or a Bachelor's degree from an accredited college or university. The foregoing education requirement for the rank of Captain becomes effective January 1, 2020.

(c) Process:

The promotion process is considered to have commenced when the request for resumes and a letter of intent is announced and posted in Borough Hall. Qualified police officers seeking consideration for promotion must submit their resume to the office of the Chief of Police within 14 calendar days after the promotional process commences.

Resumes shall be in the form of a standard business resume, and shall include the following items:

Length of service.

Level of education and/or Military service.

In-service education and/or specialized schools.

Specialized job assignments, responsibilities, and performance.

Police experience and accomplishments.

Community service/experience.

Letter of recommendation from at least one direct supervisor.

(1) Sergeant - For promotion to the rank of Sergeant each candidate shall be scored and subsequently ranked, by score, as follows:

[a] Candidates shall take an oral and/or written examination administered by the New Jersey Police Chief's Association, or participate in another exam process conducted by a recognized examination committee or company, and authorized by the Governing Body. The candidate's exam score(s) shall be valued at 50% of his or her overall score, based on an exam that contains a maximum point value of 100. Candidates who score lower than 70 points on the exam will not qualify for the promotion sought, and therefore will not move on to the next element of the process.

[b] Candidates who have participated in the foregoing exam administered by the New Jersey Police Chief's Association, or another exam authorized by the Governing Body, and score 70 points or above, will be interviewed and/or evaluated by a Police Committee consisting of the Chief of Police, Police Captain(s), Police Lieutenants(s), and Police Sergeant(s). The Police Committee shall provide a score at the conclusion of each interview and/or evaluation, valued at 10% of his or her overall score. The Police Committee shall score candidates by using some or all of the following criteria:

- [1] Biannual employee evaluations.
- [2] Standardized set of questioning.
- [3] Individual questioning.
- [4] Officer breadth of knowledge and supervisory skills.
- [5] Merit, productivity, demonstrated ability and accomplishments.
- [6] Efforts supporting department goals and objectives.
- [7] In-service education and specialized schools.
- [8] Specialized job assignments, responsibilities, and subsequent performance.
- [9] Attitude and demeanor.
- [10] Commendations.

[c] Candidates who have participated in the foregoing exam administered by the New Jersey Police Chief's Association, or another exam authorized by the Governing Body, and score 70 points or above, shall be assigned additional points based on the following criteria:

[1] Seniority: Candidate earns 1 point for every year of police service, with a maximum attainable score of 30 points.

[2] Education and/or Military Service: Candidate earns the following points for credits attained at an accredited college and/or active duty military service (honorable discharge), with a maximum attainable score of 10 points.

A. 30+ college credits = 2 points

B. 60+ college credits = 4 points

C. 90+ college credits = 6 points

D. 120+ college credits = 8 points

E. 150+ college credits = 10 points

F. 2+ years in military/ honorable discharge = 2 pts.

G. 4+ years in military/ honorable discharge = 4 pts.

(3) Lieutenant - For promotion to the rank of Lieutenant, each candidate shall be scored and subsequently ranked, by score, as follows:

[a] Candidates shall take an oral and/or written examination administered by the New Jersey Police Chief's Association or participate in another exam process conducted by a recognized examination committee or company and authorized by the Governing Body. The candidate's exam score(s) shall be valued at 50% of his or her overall score, based on an exam that contains a maximum point value of 100. Candidates who score lower than 70 points on the exam will not qualify for the promotion sought, and therefore will not move on to the next element of the process.

[b] Candidates who have participated in the foregoing exam administered by the New Jersey Police Chief's Association, or another exam authorized by the Governing Body, and score 70 points or above, will be interviewed and/or evaluated by a police committee consisting of the Chief of Police, Police Captain(s), and Police Lieutenants(s). The Police Committee shall provide a score at the conclusion of each interview and/or evaluation, valued at 10% of his or her overall score. The Police Committee shall score candidates by using some or all of the following criteria:

[1] Biannual employee evaluations.

[2] Standardized set of questioning.

[3] Individual questioning.

[4] Officer breadth of knowledge and supervisory skills.

[5] Merit, productivity, demonstrated ability and accomplishments.

[6] Efforts supporting department goals and objectives.

[7] In-service education and specialized schools.

[8] Specialized job assignments, responsibilities, and subsequent performance.

[9] Attitude and demeanor.

[10] Commendations.

[c] Candidates who have participated in the foregoing exam administered by the New Jersey Police Chief's Association, or another exam authorized by the Governing Body, and score 70 points or above, shall be assigned additional points based on the following criteria:

[1] Seniority: Candidate earns 1 point for every year of police service, with a maximum attainable score of 30 points.

[2] Education and/or Military Service: Candidate earns the following points for credits attained at an accredited college and/or active duty military service (honorable discharge), with a maximum attainable score of 10 points.

A. 30+ college credits = 2 points

B. 60+ college credits = 4 points

C. 90+ college credits = 6 points

D. 120+ college credits = 8 points

E. 150+ college credits = 10 points

F. 2+ years in military/ honorable discharge = 2 points

G. 4+ years in military/ honorable discharge = 4 points

(4) Captain - For promotion to the rank of Captain, each candidate shall be scored and subsequently ranked, by score, as follows:

[a] Candidates will participate in an interview conducted by a police committee consisting of the Chief of Police, Police Captain(s), the Mayor, and two council persons. The police committee shall provide a score at the conclusion of each interview, based on an evaluation that contains a maximum point value of 60 points. The Police Committee shall score candidates with consideration to the following criteria:

[1] Standardized set of questioning.

[2] Individual questioning.

[3] Comprehension and presentation skills in oral communication.

[4] Maturity in judgement.

[5] General knowledge of current departmental operations.

[6] Management capabilities.

- [7] Problem solving through creative concepts.
- [8] Merit, productivity, demonstrated ability and accomplishments.
- [9] In-service education and specialized schools.
- [10] Specialized job assignments, responsibilities, and subsequent performance.
- [11] Attitude and demeanor.
- [12] Commendations.
- [13] Review of personnel file.

[b] Candidates who have participated in the foregoing interview conducted by the recognized police committee, shall be assigned additional points based on the following criteria:

- [1] Seniority: Candidate earns 1 point for every year of police service, with a maximum attainable score of 30 points.
- [2] Education and/or Military Service: Candidate earns the following points for credits attained at an accredited college and/or active duty military service (honorable discharge), with a maximum attainable score of 10 points.
  - A. 30+ college credits = 2 points
  - B. 60+ college credits = 4 points
  - C. 90+ college credits = 6 points
  - D. 120+ college credits = 8 points
  - E. 150+ college credits = 10 points
  - F. 2+ years in military/ honorable discharge = 2 points
  - G. 4+ years in military/ honorable discharge = 4 points

(d) Miscellaneous Provisions and Exceptions.

(1) Notice of Results- When there is more than one candidate competing for a particular rank, the overall scores will be posted within 14 calendar days after the promotion process has been concluded.

(2) Waiting Lists - Candidates who participate in the promotion process for the ranks of Sergeant and Lieutenant and complete the process in its entirety, but do not attain the rank sought, will be placed on a waiting list. Candidates will be listed in the order of their overall scores. The waiting list will remain active for a period of two years after the promotion process has been concluded and the first promotion has become effective. Candidates on waiting lists are not guaranteed promotions in the future.

(3) Exam Exception- If the number of vacancies within a particular rank equals the number of eligible candidates, the Governing Body



may elect to forego the promotion process. In such cases, rank will be assigned, using seniority in rank to establish order.

(4) Years of Service Requirement- Years of service in a particular rank may be waived if the position sought needs to be filled immediately, and no officer employed by the Borough of New Milford who would otherwise qualify for the position has the required amount of years of service.

3. Time in Rank Required for Promotion. Promotions to the following ranks will require the following years of continuous time in rank as a police officer in the New Milford Police Department.

(a) Chief of Police — a minimum of 3 years at the rank of Captain or Lieutenant.

With respect to any promotional opportunities that may arise prior to January 1, 2016, the time in rank eligibility requirements set forth above shall not be applicable to any member of the New Milford Police Department who was a full time sworn police officer holding the rank of Captain or Lieutenant as of December 31, 2014.

(b) Captain — a minimum of 3 years at the rank of Lieutenant.

(c) Lieutenant — a minimum of 3 years at the rank of Sergeant.

(d) Sergeant — a minimum of 10 years at the rank of Patrolman.

4. Detectives: The Chief of Police may assign police officers, sergeants and lieutenants to the detective bureau. Such assignments are not positions of employment nor ranks and are not subject to the promotional provisions contained herein.

SECTION 2. Inconsistency: The provisions of any and all ordinances of the Borough which are inconsistent with or which conflict with the provisions of this amendment be and hereby are repealed.

SECTION 3. Severability: If any section, sentence, clause or other portion of this ordinance is adjudged by a court of competent jurisdiction to be invalid or unconstitutional for any reason, such judgment shall not affect, impair or repeal the remainder of this ordinance.

SECTION 4. Effective Date: This ordinance shall take effect immediately upon passage and publication as required by law.