

ORDINANCE 07-2021

BOROUGH OF EATONTOWN  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

AN ORDINANCE OF THE BOROUGH CODE AMENDING CHAPTER 55 ENTITLED "POLICE DEPARTMENT", ARTICLE V ENTITLED "PROMOTIONS", SECTION 55-41 ENTITLED "EXAMINATION PROCESS FOR PROMOTION TO RANK OF SERGEANT" ALLOWING THE CARRYING OF WRITTEN EXAMINATION SCORES FOR ONE PROMOTIONAL CYCLE

WHEREAS, the Borough Code currently authorizes the Chief of Police to issue a written examination to obtain an understanding of a candidate for Sergeant's general knowledge and understanding for this position and further provides that all patrol officers who obtain a score of 70 or higher on the written examination shall qualify to advance to the departmental member oral examination for consideration of promotion;

WHEREAS, the Chief of Police has expressed concern about the significant time and expense incurred by the patrol officers to study for the written promotional examination who pass the written examination but are not promoted and he has recommended that the patrol officers be permitted to carry their written examination scores to the next promotional process in order to alleviate the burden on the patrol officers;

WHEREAS, the Borough Council believes it is in the best interest of its residents, public safety and its police officers to permit the carrying of written promotional examination scores for the position of Sergeant for one promotional process; and

NOW, THEREFORE, BE IT ORDAINED by the MAYOR AND COUNCIL OF THE BOROUGH OF EATONTOWN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY that Chapter 55, Article V Section 55-41 (b) of the Borough Code is hereby amended as follows (additions are underlined)

**Section 55-41 (b) shall read as follows:**

The written examination shall be created by the Chief of Police or his/her designee, and shall test the candidate's general knowledge and understanding relative to the position sought. The staff officers shall conduct the oral examination. All candidates obtaining a score of 70 or higher on the written examination shall qualify to advance to the departmental member oral examination, which shall be conducted by the Chief and staff officers. All candidates who score 70 or greater on the written examination, but who are not promoted, shall be permitted at their option to carry their score on the written examination to the next promotional process. A candidate shall be permitted to carry their score on the written examination one time and only to the successive promotional process. In the event there are fewer than five candidates with a passing score, then the five highest-scoring candidates shall proceed to the departmental interview level, regardless of the scores. If more than one candidate achieves an identical fifth highest score, then each shall be permitted to continue in the process.

**BE IT FURTHER ORDAINED**, that

- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.

DATE INTRODUCED: April 28, 2021

DATE ADOPTED: May 12, 2021

ATTEST :

  
Julie Martin, Municipal Clerk

Date: 5-13-2021

APPROVED:

  
Anthony Talerico, Jr., Mayor