

**ORDINANCE 2023-01**

*Borough of Metuchen  
County of Middlesex  
State of New Jersey*

**ORDINANCE AMENDING CHAPTER 37 OF THE CODE OF THE BOROUGH OF METUCHEN, ENTITLED, "POLICE DEPARTMENT" TO AMEND THE COMPOSITION OF THE POLICE DEPARTMENT AND PROMOTIONAL AND APPOINTMENT PROCESS**

**WHEREAS**, at the recommendation of the Chief of Police, the Mayor and Council have determined that it is in the best interest of the effective operations and management of the Borough of Metuchen Police Department to amend the composition of the Metuchen Police Department and to the promotional process for the members of the Borough of Metuchen Police Department.

**NOW THEREFORE BE IT ORDAINED**, by the Council of the Borough of Metuchen, County of Middlesex, that it hereby amends Article 1, "General Provisions" of Chapter 37 "Police Department" of the Code of the Borough of Metuchen, specifically § 37-1, entitled, "Composition; appointment", to state as follows:

**CHAPTER 37 POLICE DEPARTMENT**

**ARTICLE 1**

**General Provisions**

**§ 37-1 Composition; appointment.**

The Police Department of the Borough of Metuchen shall consist of no more than one Chief of Police, one Captain of Operations/Deputy Chief, two Lieutenants, six Sergeants, and twenty (20) patrol officers, and such other employees as the Mayor and Borough Council may from time to time appoint. Patrol officers shall be appointed by the Mayor in consultation with the Appropriate Authority/Borough Administrator and the Police Chief upon confirmation by the Borough Council. The Police Chief shall be appointed by the Mayor in consultation with the Appropriate Authority/Borough Administrator upon confirmation by the Borough Council. The Captain of Operations/Deputy Chief, Lieutenants, and Sergeants shall be appointed by the Mayor in consultation with the Appropriate Authority/Borough Administrator and the Police Chief.

**BE FURTHER ORDAINED**, by the Council of the Borough of Metuchen, that it hereby amends Article 4, "Sergeants" of Chapter 37 "Police Department" of the Code of the Borough of

Metuchen, specifically § 37-35, entitled “Procedure for promotion from patrol officer to Sergeant” to state as follows:

**§ 37-35 Procedure for promotion from patrol officer to Sergeant.**

A. Procedure.

(1) The promotional procedure to the position of Sergeant from that of patrol officer within the Department shall be comprised of the following criteria:

- (a) Seniority and service.
- (b) Evaluation of the Chief of Police.
- (c) Evaluation of the Captain of Operations.
- (d) Evaluation of the Lieutenant/s.
- (e) Evaluation of the Borough Administrator.

(f) A score of at least 65 must be obtained on a written examination approved by the Chief of Police. Any candidates scoring less than a 65 will be eliminated from the remainder of the process.

(2) The weight assigned to each of the aforesaid criteria for the purposes of ranking the candidate shall be as follows:

Promotional Criteria	Maximum Points Per Category
Seniority and service	20
Chief of Police evaluation	65
Captain of Operations evaluation	30
Lieutenants' evaluation	20 each evaluation
Appropriate Authority/Borough Administrator evaluation	65

Seniority. In accordance with the chart set forth above, the maximum 20 points for seniority and service shall be determined for each candidate by allotting 1 point per year for each of the first 15 years in service and 1/2 point for each year of service between a candidate's 16th through 25th year of service. Additionally, no patrol officer shall be eligible for a promotion to the position of Sergeant until he/she has served with the Borough of Metuchen Police Department as a sworn law enforcement officer for at least five complete years. Fractional years of service shall not be calculated in the numbers of whole years for purposes of the calculation of points and shall be determined as of the date when the position is to be made available.

B. Police Chief evaluation. The Chief of Police shall allot to each individual candidate a mathematical score, up to a maximum of 65 points, based upon an evaluation which shall consider past performance, leadership skills, management skills, personal strengths and weaknesses and other factors reasonably considered by the Chief to be related to the responsibilities of the position of Sergeant.

C. Captain of Operations evaluation. The Captain of Operations shall make a similar, but independent, appraisal of the individual candidates based upon the same factors as the Chief of Police, with a maximum point total of 30 points.

D. Lieutenants' evaluation. The Lieutenant/s shall make a similar, but independent, appraisal of the individual candidates based upon the same factors as the Chief of Police and Captain of Operations, with a maximum point total of 20 points for each Lieutenant's evaluation.

E. Appropriate Authority/Borough Administrator evaluation. The Borough Administrator shall assign a point total, up to 65 points, based upon the Administrator's estimate of the personality strengths and weaknesses, leadership and supervisory qualities, ease and skill in interacting with the public, management skills and other qualities reasonably considered as relevant to the responsibilities of the position of Sergeant.

F. Selection process. The individuals' names with the top three scores will be submitted to the Mayor for his/her consideration. If a promotion is made, the Mayor shall promote any one of the top three candidates, regardless of ranking. If there are two Sergeant positions available, the top four candidates' names will be submitted to the Mayor. For each additional position available, one candidate's name will be added to the list submitted to the Mayor for consideration.

G. Maintenance of ranking list. Once posted, the ranking list shall remain in effect for up to two years, unless the Mayor exercises its discretion to call for a new test because additional candidates would be eligible for consideration to the position of Sergeant or the Mayor exercises its discretion to extend the list beyond two years for a period of time determined by the Mayor.

H. Removal from list. The name of any candidate may be removed from the list based on disciplinary action taken by the Department against the candidate after the list has been established.

**BE IT FURTHER ORDAINED**, by the Mayor and Council that all prior ordinances, or sections of ordinances, inconsistent with the within ordinance are hereby repealed; and

**BE IT FURTHER ORDAINED**, by the Mayor and Council that all remaining sections of Chapter 37 not amended or referenced herein shall not be affected thereby and shall remain in full force and effect; and


**BE IT FURTHER ORDAINED**, by the Mayor and Council that if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable; and

**BE IT FURTHER ORDAINED**, by the Mayor and Council that this ordinance shall become effective immediately upon final passage and publication as provided by law.

Introduction: January 9, 2023  
 Date of Publication: January 12, 2023

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH				X	HYMAN	X			
DELIA	X				KANDEL	X			
HIRSCH	X				RASMUSSEN	X			
MOTION	DELIA			SECOND			RASMUSSEN		
X – INDICATES VOTE				AB- ABSENT			NV- NOT VOTING		

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on January 9, 2023.

  
 Deborah Zupan, RMC  
 Borough Clerk

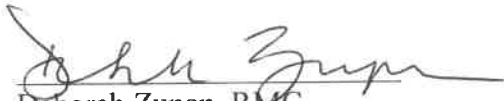


Adopted: January 30, 2023  
 Date of Publication: February 2, 2023

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA				X	KANDEL	X			
HIRSCH	X				RASMUSSEN	X			
MOTION	RASMUSSEN			SECOND			KANDEL		
X – INDICATES VOTE				AB- ABSENT			NV- NOT VOTING		

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on January 30, 2023.

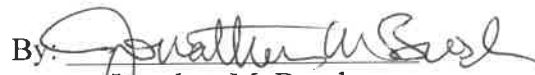
I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on January 30, 2023.

  
Deborah Zupan, RMC  
Borough Clerk



ATTEST:

  
Deborah Zupan, RMC  
Borough Clerk

By:   
Jonathan M. Busch  
Mayor

BOROUGH OF METUCHEN