

**TOWNSHIP OF FRANKLIN  
O-14-15**

**ORDINANCE AMENDING ORDINANCE 0-8-13 OF THE TOWNSHIP OF  
FRANKLIN, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY**

**WHEREAS**, it is the desire of the Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey (hereinafter referred to as the "Township Committee"), to amend a previously enacted Ordinance related to the establishment of positions within the Township Police Department, the line of authority regarding said positions and establishing certain promotional requirements for positions within the Department, other than Chief of Police;

**WHEREAS**, pursuant to *N.J.S.A.* 40A:14-118, the governing body of any municipality, by Ordinance, may create and establish a police force and then provide for a line of authority relating to the police function and further provide for the appointment of a chief of police and such members, officers and personnel, including the prescription of their powers, functions and duties, as shall be deemed necessary for the effective government of such police force; and

**WHEREAS**, by Ordinance number 0-8-13, the Township Committee affirmed its authority to create a Police Department and the position of Chief of Police within Article 1, Chapter 98 of the Franklin Township Code;

**WHEREAS**, by that same Ordinance O-8-13, the Township Committee reaffirmed its power to create other such members and officers of the Police Department as shall be deemed necessary;

**WHEREAS**, N.J.S.A. 40A:14-118 requires a municipality to establish a line of authority within its Police Department.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey that Article I, Chapter 98 of the Franklin Township Code shall be amended to include as follows:

**§ 98-8. Line of Authority**

The line of authority of the Township of Franklin Police Department shall consist of the Chief of Police as the head of the Department followed by Captain, Lieutenant, Sergeant, Corporal, and Patrol Officer

**§ 98-8. Police Captain.**

The position of Captain shall be in second in command to the Chief of Police. The Captain's powers, functions and duties shall be as currently prescribed by Article IV, Subsection B of the Franklin Township Police Department Rules and Regulations Manual.

**§ 98-9. Police Lieutenant.**

The position of Lieutenant shall be third in command to the Chief of Police and Captain. The Lieutenants' powers, functions and duties shall be as currently prescribed by Article IV, Subsection E of the Franklin Township Police Department Rules and Regulations Manual

**§ 98-10. Police Sergeant.**

The position of Sergeant shall be fourth in command to the Chief of Police, Captain and Lieutenant. The Sergeants' powers, functions and duties shall be as currently prescribed by Article IV, Subsection F of the Franklin Township Police Department Rules and Regulations Manual. The position of Sergeant within the Detective Bureau however, shall fall under the authority of a Lieutenant but shall only direct the activities of the Detective Bureau and shall only have authority over the detectives and any other positions which the Chief of Police shall deem necessary to grant to a Sergeant in the Detective Bureau. The detectives within the Detective Bureau shall fall under the authority of the Sergeant assigned to the Detective Bureau.

**§ 98-11. Police Corporal.**

The position of Corporal shall be fifth in command to the Chief of Police, Captain, Lieutenant and Sergeant. The Corporal's powers, functions and duties shall be as currently prescribed by Article IV, Subsection J of the Franklin Township Police Department Rules and Regulations Manual.

**§ 98-12. Patrol Officer.**

The position of Patrol Officer shall be sixth in command to the Chief of Police, Captain, Lieutenant, Sergeant and Corporal. The Patrol Officer's powers, functions and duties shall be as currently prescribed by Article V, Subsection B of the Franklin Township Police Department Rules and Regulations Manual.

**§ 98-13. Detective Sergeant.**

Future positions are eliminated.

**§ 98-14. Detective.**

The position of Detective shall be sixth in command to the Chief of Police, Captain, Lieutenant, Sergeant, and Corporal. The position of Detective shall fall under the authority of the Sergeant assigned to the Detective Bureau. The Detective's powers, functions and duties shall be as currently prescribed by Article V, Subsection A of the Franklin Township Police Department Rules and Regulations Manual.

**AND WHEREAS** the Township Committee wishes to clarify and establish by Ordinance a clear policy and procedure for promotion within the Police Department the following promotional procedures are hereby Ordained:

**Article I. Statutory requirements.** The provisions of N.J.S.A. 40A shall apply to all appointments and promotions.

**Article II. Eligibility requirements.** No member of the Police Department shall be promoted to a position of Corporal, Sergeant, Lieutenant or Captain unless:

- (1) For the rank of Captain - they have at least three (3) years of consecutive service, prior to the closing date of the test announcement, in the position of Lieutenant within the Franklin Township Police Department.
- (2) For the rank of Lieutenant - they have at least three (3) years of consecutive service, prior to the closing date of the test announcement, in the position of Sergeant within the Franklin Township Police Department.
- (3) For the rank of Sergeant — they have at least three (3) years of consecutive service prior to the closing date of the test announcement, in the position of Corporal within the Township of Franklin Police Department.

(4) For the rank of Corporal – they have at least three (3) years of consecutive service prior to the closing date of the test announcement, in the position of Patrolman within the Township of Franklin Police Department.

(5) At the discretion of the Chief of Police, the required years of consecutive service set forth above to be considered for promotion may be waived in the event that there are no candidates that meet the consecutive service requirement for a particular rank.

### **Article III. Testing Process for Promotion**

A. Promotion shall be on the basis of merit, demonstrated ability and competitive examination and shall otherwise comply with the provision of N.J.S.A. 40A:14-129. The promotional procedure will consist of four (4) sections with the exception of the position of Corporal (Section B). Each section will be valued as indicated.

(1) Section 1: Written examination — 25%

A written examination relating to law enforcement shall be conducted by a qualified testing association selected by the Chief of Police and approved by the appropriate authority.

A candidate for the position of Sergeant, Lieutenant or Captain, must receive a minimum written score of 70% on the written examination. The actual numerical number of the written score shall remain confidential until final determination of the promotion.

(2) Section 2: Oral Examination — 25%

The Chief of Police shall select an independent oral review board through the New Jersey State Association of Chiefs of Police which shall interview and evaluate the successful candidates from Section 1.

(3) Section 3: Performance Evaluation — 40%

The candidate shall be evaluated by the Chief of Police, based on, but not limited to the candidates career development, job performance, work history, and leadership skills.

Each criterion will be assigned a fixed number of points, adding up to the total for this section of 40%, and will be calculated using the following scales.

#### **Career Development = 10 points**

This score is based on the candidate's education/military service and is assigned the following values:

- Masters Degree = 5
- Bachelors Degree = 4
- Associates Degree — 3
- Completion of advanced police-related classes = 1-2
- Active military service at or above the rank of E-5 = 2

#### **Disciplinary History = 10 points**

This portion is comprised of commendations and negative discipline, each worth 5 points.

Commendations 5 points

Above average commendations = 5  
Average commendations = 4  
Below average commendations = 2.5  
Only 1 commendations = 1  
No commendations = 0

**Negative 5 points**

No negative discipline = 5  
\*\*Each negative discipline decreases the number of points given by 1  
1 instance of negative discipline = 4  
2 instances of negative discipline = 3  
3 instances of negative discipline = 2  
4 instances of negative discipline = 1  
5 instances of negative discipline = 0

**Leadership Skills and Job Performance = 20 points**

The candidates will be evaluated on leadership traits and job performance. Examples of factors that will be considered include but are not limited to:

Directing others  
Initiative  
Innovation  
Interpersonal skills  
Collaborative Leadership skills  
Decision making  
Oral communication skills  
Written communication skills  
Projection as role model  
Self-sacrifice  
Honesty  
Acceptance of responsibility  
Knowledge of Policy and Procedures  
Judgment and decisions  
Quality of work  
Performance under stress  
Community involvement  
Maturity  
Leadership potential  
Team building

(4) Section 4: Seniority Scale — 10%

A candidate will receive one-half (.5) points for every year of service to the Franklin Township Police Department for every year over three (3), to a maximum of 5 points.

B. The promotion process for the rank of Corporal shall consist only of Section 3 of Article III, A. The maximum point total will be on a scale of 40 points.

**Article IV. Vacancy**

(1) Upon determining that a need exists to fill a vacancy of an open Corporal, Sergeant, Lieutenant or Captain position, the Township shall post a promotional testing announcement within sixty (60) days of the Township's determination. However, nothing within this Ordinance shall be interpreted or deemed to require the Township to make a vacancy determination or to fill a specific rank within the Department.

(2) All applicants shall notify the Township in writing of their intent to participate in the promotional testing process within two (2) weeks of the promotional testing announcement being posted.

(3) At the discretion of the Chief of Police, the provisions of Article III, Section 1 and/or Section 2 may be waived in situations where the number of candidates is equal to or less than the number of vacancies for a particular rank. In this case, the provisions of Article III, Section 3 and Section 4 shall be used to determine a candidate's suitability for promotion. A candidate shall be considered suitable for promotion with a total number of points awarded equal to or greater than 25.

(4) The promotional testing shall occur within three (3) months of that posting which includes written and verbal testing.

(5) The entire promotional process shall be completed within one (1) year from the date of the Township's determination of a vacancy.

(6) A list of eligible candidates shall be established based upon all final scores of all candidates. The list shall remain in effect for three (3) years. All permanent promotions shall be made from this list of eligible candidates.

(7) The Appropriate Authority and the Chief of Police shall create a list of the three candidates for each available vacancy, with the highest total scores on the applicable eligibility list.

(8) All promotions shall be recommended by the Chief of Police then approved by the Mayor with advice and consent of the Township from that list of three candidates. Nothing in this ordinance, however, shall be deemed to require the Township to promote on a permanent promotional basis. However, if the Township does promote on a permanent promotional basis, it must promote from the list of eligible candidates.

**BE IT FURTHER ORDAINED**, any Ordinance or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed; and

**BE IT FURTHER ORDAINED**, that if any section, sentence, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such holdings shall not effect or impair any other section, sentence, clause, provision or portion of this Ordinance.

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect immediately upon its final passage, adoption and publication as provided by law.

Attest

Township of Franklin

\_\_\_\_\_  
BARBARA FREIJOMIL, Clerk

\_\_\_\_\_  
EDWARD LEOPARDI, Mayor

### CERTIFICATION

I, Barbara Freijomil, Clerk of the Township of Franklin, County of Gloucester, do here certify that the foregoing Ordinance was introduced at a meeting of the Township of Franklin held on December 8, 2015 and thereafter duly advertised in the legal newspaper of the Township at least ten (10) days prior to it being considered for final passage and adoption at a subsequent meeting to be held on December 28, 2015, at which time any person interested therein will be given an opportunity to be heard.

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BARBARA FREIJOMIL, MUNICIPAL CLERK

Introduced December 8, 2015

Name	Yes	No	Abstain	Absent
Ms. Vassallo	x			
Mr. Krevetski	x			
Mrs. Neely	x			
Mr. Gonzalez	x			
Mayor Leopardi	x			

Adopted December 28, 2015

Name	Yes	No	Abstain	Absent
Ms. Vassallo				
Mr. Krevetski				
Mrs. Neely				
Mr. Gonzalez				
Mayor Leopardi				