BOROUGH OF EMERSON
BERGEN COUNTY, NEW JERSEY

ORDINANCE NO. 1726-26

AN ORDINANCE AMENDING CHAPTER 77, "POLICE DEPARTMENT," ARTICLE II, § 77-8, "PROMOTIONS," OF THE CODE OF THE BOROUGH OF EMERSON

WHEREAS, the Mayor and Council of the Borough of Emerson have reviewed the promotional procedures contained in Chapter 77 of the Code of the Borough of Emerson governing promotions within the Emerson Police Department; and

WHEREAS, the Mayor and Council have determined that it is in the best interests of the Borough to revise and clarify the promotional procedures to ensure they are based upon merit, qualifications, experience, education, demonstrated ability, and applicable statutory requirements; and

WHEREAS, the Mayor and Council further find that updating the promotional procedures will promote consistency, transparency, and efficiency in the administration of promotional opportunities within the Emerson Police Department;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Emerson, County of Bergen, State of New Jersey, as follows:

§ 77-8. Promotions.

A. The governing body desires to promote the most qualified candidates to positions of higher rank. This chapter establishes the eligibility requirements and the process for promotion to all higher ranks. The promotion process shall be on the basis of merit, experience, education, demonstrated ability and competitive written submissions. "Competitive written submissions" are defined as a letter of intent/cover letter, resume and any supporting documentation. Also, for the promotion process to the rank of Sergeant only, there shall be a competitive written examination as well. In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from the membership of the department. No person shall be eligible for promotion to be a superior officer unless he or she has previously served as patrol officer in such department or force (N.J.S.A. 40A:14-129). [Amended 5-5-2009 by Ord. No. 1370; 7-21-2009 by Ord. No. 1380; 2-7-2012 by Ord. No. 1439]

B. Upon receiving instructions from the governing body to do so, the Chief of Police shall announce the promotional process to members of the Department at least 30 days before the written examination is to be given. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates who qualify shall notify the Chief of Police of his or her interest in taking the examination by submitting a letter of interest no later than 10 calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

C. Where two or more candidates are ranked equally, pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service, pursuant to N.J.S.A. 40A:14-129, or a resident over a nonresident, pursuant to N.J.S.A. 40A:14-122.6.

D. The reviewing committee for departmental promotions shall, at a minimum, consist of the Chief of Police and the appropriate authority. If a member of the appropriate authority cannot attend or be part of the process, then another member of the governing body, designated by the Mayor, may take that member's place in the process. The Captain, at the Chief's discretion, may also be part of the reviewing committee. [Amended 2-7-2012 by Ord. No. 1439; 9-20-2016 by Ord. No. 1533; 12-29-2020 by Ord. No. 1621-20]

E. Promotional standards for promotion to rank of Sergeant. [Amended 5-5-2009 by Ord. No. 1370; 7-21-2009 by Ord. No. 1380; 2-7-2012 by Ord. No. 1439; 9-15-2015 by Ord. No. 1509; 9-20-2016 by Ord. No. 1533]

1. Promotion policy. Promotion denotes vertical movements in the organization hierarchy from one rank classification to another. Validity of the promotional process can only be accomplished through clear and concise procedures. A promotional process has been developed to identify employees who possess the ability to assume greater responsibilities combined with the necessary skills and knowledge to perform competently at a higher organizational level. This policy is established for the position of Sergeant.

2. Eligibility for promotion. In order to be eligible for promotion from patrol officer to the rank of Sergeant, said officer must serve for a period of five full calendar years as a patrol officer within the Borough of Emerson and possess: a bachelor's degree, (minimum four years), from an accredited college or university; an associate's degree, (minimum of two years), from an accredited college or university, plus a minimum of two years of military service with honorable discharge; or military service of a minimum of four years with an honorable discharge.

3. Promotional criteria.

    a. All candidates seeking promotion to the rank of Sergeant shall be evaluated based upon the following criteria:
    b. Written examination: 20% of total score.
    c. Oral in-house examination: 30% of total score.
    d. Job performance evaluation: 15% of total score.
    e. Seniority: 15% of total score.
    f. Mayor and Council interview: 20% of total score.
    g. Criteria described.
    h. Written examination.

    All candidates for promotion shall submit to a written examination. the written examination shall be administered by the Chief of Police, the New Jersey State Association of Chiefs of Police or the Department of Personnel (DOP), at the discretion of the appropriate authority. [Amended 8-14-2018 by Ord. No. 1563-18]

    At least 30 days prior to the date a written examination is scheduled, a notice shall be posted at the Police Department that will set forth the following:

    a. Position available through promotion.
    b. Date the examination will be conducted.
    c. The location of the examination.
    d. The time the examination will begin.

e. A list of study materials.
f. Candidates must score at least 70% to proceed. The applicant shall receive the following percentages toward overall score based upon the score attained on the written examination:

WRITTEN SCORE:	PERCENTAGE OVERALL SCORE:
70 to 71.99	6%
72 to 73.99	7%
74 to 75.99	8%
76 to 77.99	9%
78 to 79.99	10%
80 to 81.99	11%
82 to 83.99	12%
84 to 85.99	13%
86 to 87.99	14%
88 to 89.99	15%
90 to 91.99	16%
92 to 93.99	17%
94 to 95.99	18%
96 to 97.99	19%
98 to 100	20%

The results of the written examination shall be valid for a period of two years from the completion of the testing process.

4. Oral examination:

a. Candidates must have passed the written portion with a grade of 70 or above, (≥70%), to be eligible to participate in the oral examination phase. The oral examination shall be administered by the Chief of Police, together with up to two additional members of the Borough of Emerson Police Department to be selected by the Chief of Police or by the New Jersey State Association of Chiefs of Police, at the discretion of the governing body. These same individuals will determine the final oral scores of the candidates.

b. Candidates shall be notified by the Chief of Police of their scheduled examination date at least 10 days prior to the date.

c. The oral examination phase shall consist of questions posed to the candidate to which the candidate must provide oral answers. The same questions shall be given to each of the candidates. The individuals administering the oral examination phase shall provide the following percentages towards the candidate's overall score:

ORAL TEST SCORE:	PERCENTAGE OVERALL SCORE:
70 to 71.99	2%
72 to 73.99	4%
74 to 75.99	6%
76 to 77.99	8%
78 to 79.99	10%
80 to 81.99	12%
82 to 83.99	14%
84 to 85.99	16%
86 to 87.99	18%
88 to 89.99	20%
90 to 91.99	22%
92 to 93.99	24%
94 to 95.99	26%
96 to 97.99	28%
98 to 100	30%

The results of the oral examination shall be valid for a period of two years from the completion of the testing process.

Those applicants receiving a grade of 70 or above on the oral examination shall be eligible to take the Mayor and Council interview.

5. Job performance.

    1. The job performance of each applicant shall be evaluated based upon a standardized checklist to be developed by the Chief of Police. The job performance evaluation checklist shall include attendance, awards received, ability to relate to members of the public, ability to handle emergencies, computer skills and knowledge of current law and arrest procedures. The checklist shall also include such other information as the Chief of Police shall deem appropriate. This evaluation checklist must be completed anew each time a candidate applies for a promotion.

    2. Upon evaluation of review of the standardized checklist, the Chief of Police shall assign a percentage to the scores, which percentage shall be counted towards the overall evaluation checklist score. The maximum score to be assigned shall be 15% and the minimum shall be 5%.

6. Seniority. Seniority will be assessed as one of the stages of the promotional process. This assessment must be completed anew each time a candidate applies for a promotion. Seniority shall be determined by the number of years of service completed, as of the process start date, commencing on the date on which the employee was sworn in or the date first placed on the

payroll, whichever date first occurred. Seniority shall count in the following percentages towards the overall score: [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

a. Years 6–12: 3%.
b. Years 13–15: 6%.
c. Years 16–18: 9%.
d. Years 19–20: 12%.
e. Years 21+: 15%.

7. Personal interview by Mayor and Council. A personal interview shall be conducted with all candidates for promotion that met the requirements for the written and oral examinations. A new interview shall be conducted each time a candidate applies for a promotion. The information to be viewed during the interview will come from each candidate's personnel file. Each candidate shall be given the opportunity to make a personal statement if he or she chooses to do so. Each candidate will be asked the same series of questions by a governing body member who is part of the appropriate authority. Each Council member shall grade each candidate based on the interview. The maximum attainable score for the interview shall be 20%, which shall be determined based upon the average of each individual Council member's score. Factors to be considered by the Borough Council in scoring the candidate's interview shall include Town volunteerism.

8. In the event a Sergeant position is available within two years of completion of the testing process, the written examination score and the oral examination score remain valid for the first successor testing process only; however, the job performance evaluation checklist, seniority assessment and the Mayor and Council Interview must be conducted anew.

F. Promotional standards for promotion to rank of Lieutenant. Candidates for the position of Lieutenant shall participate in a promotional procedure administered by the governing body which will consist of the following:

1. Any candidate for the position of Lieutenant must hold the rank of Sergeant for one year and possess at least 12 years' experience as a police officer.

2. Leadership evaluation review: poise, alertness, ability to communicate clearly and effectively, and ability to effect good work and public relations and moral character. A promotional committee, consisting of the Police Chief, Police Captain and the appropriate authority will meet and review each candidate's job performance, seniority in grade, educational and special training, leadership ability and examination of personnel file. The promotional committee will articulate the merit of each candidate at the Mayor and Council interview, as mentioned in the opening statement regarding the process.

3. Interview with Mayor and Council, Borough Administrator, Police Chief and Police Captain: interview to include review of leadership, performance, seniority and education. Each candidate will be asked the same series of questions by a governing body member who is part of the appropriate authority; all candidates will be asked the same question.

G. Promotional standards for Promotion to Rank of Captain. The Borough of Emerson requires that the Captain have held the rank of Sergeant for at least three (3) years and/or Lieutenant for at least one (1) year and possess at least 15 years' experience as a police officer with the Borough of Emerson Police Department. Candidates for the position of Captain shall participate in a

promotional procedure administered by the governing body which will consist of the following:

1. Interview with Mayor and Council, Borough Administrator and Police Chief: interview to include review of leadership, performance, seniority and education. Each candidate will be asked the same series of questions by a governing body member who is a member of the appropriate authority.

2. Leadership evaluation review: poise, alertness, ability to communicate clearly and effectively, ability to effectuate good working and public relations, and moral character.

3. Candidates shall possess a minimum of four (4) years' supervisory and management experience in law enforcement as a Lieutenant and/or Sergeant.

Section 1. Chapter 77, "Police Department," Article II, § 77-8, entitled "Promotions," is hereby amended and supplemented as set forth below.

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is held to be invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

Section 4. This ordinance shall take effect upon final passage, approval, and publication according to law.

Council	Motion	Second	Yes	No	Abstain	Absent
Ciolino						X
Argenzia		X	X			
Ellis	X		X			
Rice			X			
Timmerman			X			
Sayers			X			

I hereby certify that Ordinance No. 1725-26 was adopted by the Governing Body of the Borough of Emerson at a meeting held on August 19, 2026.

Triessa DeSimone, RMC
Borough Clerk

Introduced: July 14, 2026
Adopted: August 19, 2026

Danielle DiPaola, Mayor