

## **ORDINANCE 17-2022**

### **ORDINANCE OF THE TOWNSHIP OF ABERDEEN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING SECTION 2-19.2 OF THE CODE OF THE TOWNSHIP OF ABERDEEN AUTHORIZING THE POLICE DEPARTMENT TO HIRE ENTRY-LEVEL LAW ENFORCEMENT OFFICERS WITHOUT AN EXAMINATION REQUIREMENT**

WHEREAS, on July 18, 2022, P.L. 2021, c. 7, became effective, which requires the Civil Service Commission to exempt from the requirement to take an examination for an entry-level law enforcement position a person who successfully completes a full Basic Course for Police Officers training at a school approved by the New Jersey Police Training Commission within nine months from the date of hire as a temporary entry-level officer; and

WHEREAS, a municipal police department may hire as a temporary entry-level officer a person exempt from the requirement to take an examination for an entry-level law enforcement position pursuant to P.L. 2021, c. 7, upon the adoption of an ordinance or resolution by the governing body authorizing such hiring by the police department and the adoption of a conflict of interest and nepotism policy; and

WHEREAS, upon successful completion of the training course, any person temporarily hired in accordance with P.L. 2021, c. 7, shall be appointed from a temporary to a permanent entry-level law enforcement police officer; and

WHEREAS, the Township of Aberdeen desires to hire entry-level law enforcement officers in accordance with P.L. 2021, c. 7, and a determination has been made that the municipal code concerning the Police Division needs to be amended.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Township of Aberdeen, County of Monmouth, and State of New Jersey that the Aberdeen Police Department is authorized to hire entry-level law enforcement officers in accordance with P.L. 2021, c. 7, and that the Township Code shall be amended as follows:

#### **SECTION 1**

Section 2-19.2 of the Municipal Code of the Township of Aberdeen is hereby amended as follows:

##### **§ 2-19.2 Requirements for probationary patrolman; appointment.**

A. To be eligible for appointment as a probationary patrolman, the applicant must have the following qualifications:

Be a citizen of the United States.

Be of good moral character.

Be able to read and write the English language intelligently.

Be not less than 18 years of age nor more than 35 years of age at the announced closing date for filing applications for the position or as otherwise approved by the New Jersey Police and Fireman Retirement System.

Persons having served in the active military service of the United States during “time of war” and conflict as defined in N.J.S.A. 43:16A-11.7 can for the purpose of meeting the maximum age requirement, as allowed by the New Jersey Police and Fireman Retirement System, may reduce their actual age by the stipulated period of such military service. Should this reduced age meet the age maximum in effect, the applicant will be considered as having met the age maximum for enrollment. The period of time to be deducted from an individual’s age is limited to actual time served during the war or conflict. Earlier or later periods of military service cannot be used to reduce individuals’ ages so as to enable them to meet any maximum age limits. Any active military service terminating in dishonorable discharge is not creditable.

An applicant shall also be permitted to reduce their actual age in order to meet the maximum age requirement of 35 years if, in accordance with N.J.S.A. 40A:14-127.1, they have previous service as a former State trooper, sheriff’s officer or deputy, or county or municipal police officer. Prior experience in Federal law enforcement agencies or in law enforcement agencies of other states that would meet the requirements of police officer in New Jersey would also qualify for the purpose of reducing the applicant’s age. “Age reductions” may also be granted for persons who have prior service with the Delaware River Port Authority Police, Amtrak or South Eastern Pennsylvania Transportation Authority (SEPTA) police departments. No person may be appointed over the age of 45 except for those who were previously involuntarily terminated from their former law enforcement officer employment.

Be in good health, sound in mind and body.

Exhibit, prior to appointment, a certificate from the Township Physician that the applicant is physically capable of performing the duties which will be required as a probationary patrolman.

B. Except as outlined in § 94-5(C), Probationary patrolmen shall be appointed on the basis of merit and as the result of a competitive examination that fairly tests and determines the qualifications, fitness and ability of the applicant to perform the duties of the position to which they seek appointment. Preference shall be given to those applicants who are residents of the Township of Aberdeen at the time they file for the examination for appointment to the Police Department as allowed by N.J.S.A. 40A:14-123.1a. The aforesaid examination shall be conducted at such time and in such manner as the Mayor shall determine.

C. In accordance with P.L. 2021, c. 7 (N.J.S.A. 11A:4-1.3) and in the sole discretion of the appointing authority, temporary entry-level law enforcement officers may also be appointed without taking a competitive examination, provided that within nine months of appointment they

successfully complete a full Basic Course for Police Officers training course at a school approved and authorized by the New Jersey Police Training commission.

## SECTION 2

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity of constitutionality of any other sections or parts thereof.

## SECTION 3

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

## SECTION 4

This Ordinance shall take effect immediately as provided by law.

Introduced: September 1, 2022

Adopted: September 15, 2022

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Fred Tagliarini, Mayor

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Melissa Pfeifer, Township Clerk