

**TOWNSHIP OF ANDOVER
COUNTY OF SUSSEX, STATE OF NEW JERSEY**

ORDINANCE #2022-04

**ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND
STATE OF NEW JERSEY AMENDING CHAPTER 119 OF THE TOWNSHIP OF
ANDOVER CODE, SPECIFICALLY SECTION 5, TO PROVIDE ADMINISTRATION
WITH THE DISCRETION TO HIRE ENTRY LEVEL POLICE OFFICERS
PURSUANT TO N.J.S.A. 11A:4-1.3**

WHEREAS, the Township of Andover has established a Police Department as set forth in Chapter 119 of the Township Code; and

WHEREAS, on December 16, 2021, the Township passed Resolution 2021-123, establishing hiring classes for the Township of Andover; and

WHEREAS, the Township Committee wishes to reflect the hiring classes in the corresponding section of the Township Code; and

WHEREAS, the Township Committee also wishes to amend Chapter 119, entitled Police Department, specifically Section 119-5 entitled Qualifications for Appointment to give the appointing authority the discretion to hire entry level police officers in accordance with N.J.S.A. 11A:4-1.3 which provides for an exemption from general civil service regulations in the presence of an Ordinance such as this one; and

WHEREAS, the Township is authorized to pass an ordinance granting such discretion to the appointing authority as a result of its having previously established a Conflict of Interest and its current adoption of a Nepotism Policy as is required by N.J.S.A. 11A:4-1.3 as a condition precedent to the passage of this Ordinance; and

WHEREAS, N.J.S.A. 11A:4-1.3 authorizes the appointment of entry level police officers who have not passed a Civil Service Examination, but who have successfully completed a Basic Course for Police Officers at a school approved and authorized by the New Jersey Police Training Commission; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Andover that Section 4, of Chapter 119 of the Township Code is hereby amended as follows:

CHAPTER 119: POLICE DEPARTMENT

§119-5 Qualifications for appointment.

No person shall be appointed to the Police Department who is not qualified as provided in the New Jersey statutes. Appointments for entry level police officers may, in the sole discretion of the appointing authority, be made in accordance with the provisions of N.J.S.A. 11A:4-1.3. Pursuant to N.J.S.A. 11A:4-1.3, the State of New Jersey has

authorized that municipalities may hire entry-level police officers who have successfully completed a Basic Course for Police Officers at a school approved and authorized by the New Jersey Police Training Commission and such applicant may be exempt from the requirement to take the Civil Service examination for an entry-level law enforcement position in the discretion of the Township. In appropriate circumstances, therefore, an applicant may be hired without having taken a Civil Service examination. The Township Committee may also require that an applicant for appointment to the Police Department shall successfully complete a physical, mental and psychological examination.

As it pertains to initial appointments, applicants shall be classified as follows:

Class I: Residents of Andover Township;

Class II: Other residents of Sussex County;

Class III: Other residents of the State of New Jersey; and

Class IV: All other qualified applicants.

The appointing authority shall first appoint all qualified applicants in Class I and then qualified applicants in each succeeding class in the order listed above and shall appoint a person or persons in any such class only to a position of employment or employments remaining after all qualified applicants in the preceding class or classes have been appointed or have declined an offer of appointment. The preference established herein shall in no way diminish, reduce or affect the preferences and/or requirements pursuant to any other provisions of the law. This shall not impact the one-year mandatory residency requirements for all hired Police Officers pursuant to N.J.S.A. 40A:14-123.1.

This Ordinance shall take effect immediately.

NOTICE OF PENDING ORDINANCE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced and passed at first reading at a Regular Meeting of the Township Committee of the Township of Andover held on February 3, 2022. A public hearing regarding same will be held at a hybrid meeting scheduled for February 17, 2022, beginning at 7:00PM, to be held both in person and virtually via Zoom, which details for accessing the meeting are as follows:

Webinar ID: 832 6104 1515

Passcode: 100240

Join Zoom Meeting with browser:

<https://us02web.zoom.us/j/83261041515?pwd=dkkJOGJRMWc5MjUxcE9UWWxadlNRdz09>

or

Join Zoom Meeting by Phone:

+ 1 301 715 8592

All persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.

Patricia L. Bussow, RMC
Administrator/Municipal Clerk