

**BOROUGH OF HILLSDALE
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 16-07
(Adoption)**

**AN ORDINANCE TO REVISE THE TERM OF THE ACTING BOROUGH CLERK IN
THE BOROUGH OF HILLSDALE**

WHEREAS, the General Code of the Borough of Hillsdale, Chapter 51, provides for Officers and Employees of the Borough of Hillsdale; and

WHEREAS, §51-28 provides for vacancies in the Office of the Borough Clerk; and

WHEREAS, §51-28 varies from the state statute N.J.S.A. 40A:9-133(c) in the length of time an Acting Borough Clerk may hold the position; and

WHEREAS, the Mayor and Council of the Borough of Hillsdale desire to amend the Borough Code §51-28 to assure that it is in compliance with the appropriate State statute.

BE IT ORDAINED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF HILLSDALE AS FOLLOWS:

§51-28 shall be amended to read as follows:

In the event of a vacancy in the office of Municipal Clerk, appointment shall be made for a new term and not the unexpired term. The governing body of the municipality shall appoint a person to a three-year term as Municipal Clerk within six (6) months after the Municipal Clerk has resigned or the office has otherwise become vacant. Should the office of Municipal Clerk become vacant, the governing body of the municipality, within 90 days of said vacancy, may appoint a person to serve as Acting Municipal Clerk for a period not to exceed one year and commencing on the date of the vacancy in compliance with N.J.S.A. 40A:9-133(c). Any person so appointed may be reappointed as acting Municipal Clerk, with the approval of the Director of the Division of Local Government Services, for a maximum of two subsequent one-year terms following the termination of the temporary appointment.

All Ordinances of parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

This Ordinance shall take effect upon passage and publication as provided by Law.

Council member	Motion	Second	Yes	No	Absent	Abstain	Recuse
DeRosa, Anthony			X				
Karcich, Scott			X				
Looes, Chrisoula		X	X				
Lundy, Abby			X				
Pizzella, Frank	X		X				
Ruocco, John			X				
Douglas Frank							

Adopted: April 5, 2016

ATTEST: Denise Kohan
Denise Kohan
Acting Borough Clerk

Douglas Frank
Douglas Frank
Mayor