

ORDINANCE NO. 2016-20

ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING THE CODE OF THE BOROUGH OF RED BANK BY ADOPTING A NEW ARTICLE I, MUNICIPAL CLERK, TO BE ADDED TO CHAPTER 90, OFFICERS AND EMPLOYEES.

Councilman Zipprich offered the following ordinance and moved its adoption:

WHEREAS, the Mayor and Council has determined it to be in the best interests of the Borough of Red Bank to adopt new provisions regarding the Municipal Clerk; and

WHEREAS, the Borough is engaged in a codification project at this time; and

WHEREAS, it is the opinion of the Mayor and Council that said provisions should be adopted in conjunction with the adoption of the Code of the Borough of Red Bank and be designated as Article I of Chapter 90, Officers and Employees;

THEREFORE, the Mayor and Council of the Borough of Red Bank, County of Monmouth, State of New Jersey, do hereby ordain as follows:

SECTION ONE: The following shall be adopted as Chapter 90, Officers and Employees, Article I, Municipal Clerk, of the proposed Code of the Borough of Red Bank:

Chapter 90

OFFICERS AND EMPLOYEES

ARTICLE I

Municipal Clerk

§ 90-1. Appointment; qualifications.

There shall be a Municipal Clerk appointed by the Mayor and Council. The qualifications, term and duties of the Clerk shall be as per N.J.S.A. 40A:9-133 et seq. The Municipal Clerk shall hold a Registered Municipal Clerk Certificate as required by law.

§ 90-2. Duties.

The Municipal Clerk shall:

A. Act as secretary of the municipal corporation and custodian of the municipal seal and of all minutes, books, deeds, bonds, contracts, and archival records of the municipal corporation. The governing body may, however, provide by ordinance that any other specific officer shall have custody of any specific other class of record;

B. Act as secretary to the governing body, prepare meeting agendas at the discretion of the governing body, be present at all meetings of the governing body, keep a journal of the proceedings of every meeting, retain the original copies of all ordinances and resolutions, and record the minutes of every meeting;

C. Serve as the chief administrative officer in all elections held in the Borough, subject to the requirements of Title 19 of the Revised Statutes;

D. Serve as chief registrar of voters in the Borough, subject to the requirements of Title 19 of the Revised Statutes;

E. Serve as the administrative officer responsible for the acceptance of applications for licenses and permits and the issuance of licenses and permits, except where statute or municipal ordinance has delegated that responsibility to some other municipal officer;

F. Serve as coordinator and records manager responsible for implementing local archives and records retention programs as mandated pursuant to Title 47 of the Revised Statutes;

G. Perform such other duties as are now or hereafter imposed by statute, regulation or by municipal ordinance or regulation. (N.J.S.A. 40A:9-133e)

§ 90-3. Compensation.

The salary of the Municipal Clerk shall be such as fixed by resolution of the Borough Council or by the Borough's Salary Ordinance.

SECTION TWO: All ordinances or parts of ordinances inconsistent with this amending ordinance be and they are hereby repealed to the extent of such inconsistencies only.

SECTION THREE: If any section or provision of this ordinance shall be held unconstitutional or invalid by any court, the remaining sections and provisions shall, notwithstanding such holding, remain and be in full force and effect.

SECTION FOUR: This ordinance shall be in effect upon passage and publication according to law.

Seconded by Councilman Taylor and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	(x)	()	()	()
Councilman Zipprich	(x)	()	()	()
Councilwoman Horgan	(x)	()	()	()
Councilwoman Schwabenbauer	()	()	()	(x)
Councilman Taylor	(x)	()	()	()
Councilman Whelan	(x)	()	()	()

Dated: September 28, 2016

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Red Bank held on the _____ day of _____, **2016**, and will be considered for second and final passage at a meeting of the Borough Council to be held on the _____ day of _____, **2016**, at 8:00 p.m. at the Municipal Building located at 90 Monmouth Street, Red Bank, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

PAMELA BORGHI, Borough Clerk
Borough of Red Bank