

ORDINANCE NO. 2-2015

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER REPEALING CHAPTER 5 OF THE CODE OF THE TOWNSHIP ENTITLED BOARDS AND COMMISSIONS, VACANCIES ON AND THE ESTABLISHMENT OF A NEW CHAPTER 5 ENTITLED REGULATIONS GOVERNING BOARD MEETING ATTENDANCE AND REMOVAL FROM OFFICE FOR NON-EXCUSED ABSENCES

WHEREAS, the Township Committee adopted Ordinance No. 16-77 on May 26, 1977 which Ordinance described the manner in which non-elected members of a board or commission could be removed as a result of failing to attend three (3) successive regularly scheduled meetings of said board or commission; and

WHEREAS, in July, 1991, the Township Committee, by way of ordinance, codified all existing ordinances including Ordinance No. 16-77 which was subsequently established as Chapter 5 of the Code and entitled Boards and Commissions, Vacancies On; and

WHEREAS, it is the intention of the Township Committee to establish a new Chapter 5 by clarifying and revising the regulations governing the attendance and removal of non-elected members of boards, commissions, committees and authorities; and

WHEREAS, N.J.S.A. 40A:9-12.1(g) permits municipalities to adopt by ordinance, a policy regarding absences to permit the removal of a member who has been absent unexcused for the longer of six (6) consecutive weeks or three (3) consecutive meetings.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

Section 1. Chapter 5 of the Code of the Township entitled Boards and Commissions, Vacancies On is hereby repealed in its entirety and a new Chapter 5 entitled Regulations Governing Board Meeting Attendance and Removal From Office For Non-Excused Absences is hereby established as follows:

Section 2. "§5-1. Responsibility of Non-Elected Board, Commission, Committee and Authority Members." It shall be the responsibility of all non-elected individuals appointed to serve on a Township board, commission, committee or authority (hereinafter referred to as "board") to attend all regularly scheduled meetings and faithfully discharge their duties and responsibilities as established by State Statute or the Township's Code.

Section 3. "§5-2. Excused Absence." In the event that a non-elected member of a board as described in Section §5-4. below is unable to attend a meeting for a valid reason such as illness or business obligations, it shall be the responsibility of that board member to provide the secretary to the board with at least twenty-four (24) hours' notice that he/she will be unable to attend a regularly scheduled meeting. An absence shall be considered as an "excused absence" when approved by a majority of the members of the board, commission or committee. An absence shall be deemed as

excused when that absence occurs as a result of a legitimate illness or business obligation.

Section 4. "§5-3. Removal from Office by Township Committee and Declaration of Vacancy." If a board member has unexcused absences for the longer period of either six (6) consecutive weeks or three (3) consecutive meetings, it shall be the responsibility of the board secretary to immediately notify the Business Administrator/Township Clerk in writing. Upon notification by the Business Administrator/Township Clerk, the Township Committee shall remove that board member by the adoption of a formal resolution and declaring a vacant seat.

Section 5. "§5-4. Applicability of Regulations to the Following Boards, Commissions, Committees and Authorities." The following boards, commissions, committees and authorities shall comply with the attendance regulations described in this Ordinance:

Board of Adjustment
Cultural Arts Committee
Economic Development Advisory Committee
Environmental Commission
Board of Health
Landmark Commission
Planning Board
Open Space Advisory Committee
Hanover Sewerage Authority
Board of Recreation Commissioners
Substance Awareness Council


Section 6. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

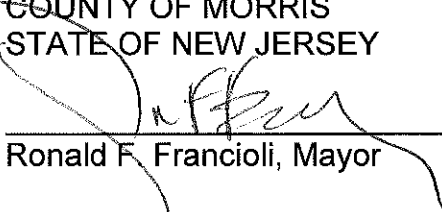
Section 7. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

Section 8. This ordinance shall take effect in accordance with the law.

TOWNSHIP COMMITTEE
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY

ATTEST:


Joseph A. Giorgio, Township Clerk


Ronald F. Francioli, Mayor

DATE OF INTRODUCTION: January 22, 2015
DATE OF ADOPTION: February 12, 2015