

ORDINANCE NO. 2019-06

**TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH**

**ORDINANCE AMENDING SECTION 2-5 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF HOLMDEL,
TITLED “TOWNSHIP ADMINISTRATOR”**

WHEREAS, pursuant to N.J.S.A. 40A:9-136 et seq., Holmdel Township Ordinance § 2-5 establishes the position of Township Administrator; and

WHEREAS, Holmdel Township Ordinance § 2-5.9 requires the Township Administrator to be nonpolitical by specifically providing that the Township Administrator “shall not engage in any political activity, nor shall make any financial or other contributions to any local political campaign, nor lobby the elected officials on behalf of a political party or campaign”; and

WHEREAS, Holmdel Township Ordinance § 2-5.3 restricts current members of the Township Committee from being appointed as Township Administrator during their term on the Township Committee and for one year thereafter; and

WHEREAS, the Township Committee of the Township of Holmdel seeks to expand this restriction to any elected officeholder during their time in elected office and for two years thereafter.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Holmdel in the County of Monmouth, State of New Jersey that the Revised General Ordinances of the Township of Holmdel be and are hereby amended as follows:

SECTION 1.

Section 2-5.3 is hereby amended as follows (additions are underlined, deletions contain ~~strikethroughs~~):

2-5.3 Qualifications.

a. The appointment of a Township Administrator shall be solely based on the administrative qualifications of the appointee, with special regard as to education, training and actual experience in governmental affairs.

b. No ~~elected~~ member of the Governing Body or any other federal, state, county, or municipal elected office, including boards of education, shall be eligible for appointment as Township Administrator during his/her term ~~of~~ in said office nor within ~~one (1) two (2) years~~ after the expiration of said term ~~separation from said office, whether the same occurs by expiration of term, resignation, or otherwise.~~

c. The person appointed to the Office of Township Administrator need not be a resident of the Township at the time of their appointment and may reside outside of the municipality if agreed to by the Township Committee.

SECTION 2. Severability.

If any section, subsection or paragraph of this ordinance be declared unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section subchapter or paragraph shall to the extent that is not held unconstitutional, invalid or inoperative remain in full force and effect and shall not affect the remainder of this ordinance.

SECTION 3. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 4. Effective Date.

This ordinance shall take effect after final adoption and approval pursuant to law.

LEGAL NOTICE

Publication by Summary Pursuant to N.J.S.A.40:49-2

This Ordinance restricts any current elected officeholder from appointment as Township Administrator during their term in office or for two years following separation from such office.

The foregoing ordinance was introduced and passed on the first reading at a meeting of the Township Committee of the Township of Holmdel held on June 25, 2019 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on July 9, 2019 at Township Hall, 4 Crawfords Corner Road, Holmdel, NJ at 7:30 PM at which time and place all persons desiring to be heard thereon will be given full opportunity.

Eric Hinds, Mayor

Attest:
Wendy L Patrovich, RMC/CMR
Township Clerk