

ORDINANCE NO. 2017-08
TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NJ

**ORDINANCE DELETING SECTION 2-5 OF THE TOWNSHIP CODE REGARDING
THE TOWNSHIP ADMINSTRATOR AND AMENDING SECTION 2-4.3 OF THE
TOWNSHIP CODE REGARDING THE MUNICIPAL CLERK DUTIES**

WHEREAS, the Green Township Committee feels that it is in the best interest of the Township and citizens to consolidate the positions of Township Clerk and Township Administrator; and

WHEREAS, under Section 2-5.2 of the Township Code, only the Township Clerk may be appointed as Township Administrator; and

WHEREAS, the duties of the Township Clerk and Township Administrator are presently being performed by the same individual; and

WHEREAS, Township Ordinance 2017-06 provides for an annual compensation of \$36,400 for the position of Township Administrator and an annual compensation of \$46,800 for the position of Municipal Clerk/Registrar; and

WHEREAS, pursuant to N.J.S.A. § 43:15A-25.2, a public employee with more than one position eligible for participation in the Public Employee Retirement System will only receive pension credit based on the highest-paid position; and

WHEREAS, under the Township's current system for appointing a Township Clerk and Township Administrator, the individual appointed is unable to receive pension credit for both the position of Township Administrator and the position of Municipal Clerk/Registrar; and

WHEREAS, it is contrary to the Township Committee's intent for one individual to serve as both the Municipal Clerk/Registrar and Township Administrator and to receive only partial pension credit; and

WHEREAS, the Township Committee finds that the Township Administrator duties should be absorbed with the Township Clerk duties, to provide for a fully pensionable position;

NOW, THEREFORE BE IT ORDAINED by the Township Committee of the Township of Green as follows:

SECTION 1. Section 2-5 of the Township Code, entitled "Township Administrator" is hereby deleted in its entirety.

SECTION 2. Section 2-4.3 of the Township Code, entitled "Duties", shall be amended by the addition of a new subsection, which states as follows:

- j. The Municipal Clerk shall also exercise all duties of a Township Administrator, as provided by N.J.S.A. 40A:9-136.

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SECTION 3. SEVERABILITY If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

SECTION 4. REPEALER All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

SECTION 5. EFFECTIVE DATE This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

ATTEST:



Mark Zschack, Clerk/Administrator



Margaret "Peg" Phillips, Mayor

cc: Linda Padula, CMFO

Record of Vote- Introduction:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip		√	√			
Mr. Conkling	√		√			
Mr. Qarmout			√			
Mrs. Raffay			√			
Mrs. Phillips			√			

Record of Vote- Adoption:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Mr. Chirip		√	√			
Mr. Conkling	√		√			
Mr. Qarmout			√			
Mrs. Raffay			√			
Mrs. Phillips			√			

INTRODUCED: September 6, 2017

ADOPTED: September 18, 2017

ADVERTISED INTRODUCTION: September 10, 2017 ADVERTISED ADOPTION: September 21, 2017

PUBLIC HEARING: September 18, 2017