ORDINANCE NO. 2490

AN ORDINANCE AMENDING CHAPTER II, ARTICLE I, SECTION 5
OF THE CODE OF THE BOROUGH OF ROSELLE PARK INSERTING
"POWERS AND DUTIES OF THE COUNCIL"

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, and State of New Jersey that Chapter 2, Article 1, Section 5 be and here is amended to be titled "Powers and Duties of the Council" and is hereby divided as follows:

SECTION 1: **4-5.1** ~~RESERVED~~ **STATUTORY PROVISIONS**

a. The council shall be the legislative body of the municipality.

b. The council may, subject to general law and the provisions set forth by New Jersey State statute:

(1) Pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general law;

(2) Control and regulate the finances of the municipality and raise money by borrowing or taxation;

(3) Create such offices and positions as it may deem necessary. The officers appointed thereto shall perform the duties required by law and the ordinances of the council. Other than the borough attorney, engineer, and building inspector, these officers shall be residents of the borough and shall serve at the pleasure of the council, except the clerk, who also shall be exempt from the borough residency requirement, the tax collector and tax assessor who shall serve for terms as provided in chapter 9 of Title 40A of the New Jersey Statutes. The council may exempt officers from the residency requirements but only pursuant to the adoption of an ordinance to that effect;

(4) Investigate any activity of the municipality;

(5) Remove any officer of the municipality, other than those officers excepted by law, for cause; and

(6) Override a veto of the mayor by a two-thirds majority of all the members of the council.

c. The council shall have all the executive responsibilities of the municipality not placed, by general law or New Jersey State statute, in the Office of the Mayor.

d. The council, whenever it fails to confirm the nomination by the Mayor of any official to a subordinate office of the Borough within thirty (30) days of being presented such nomination, shall make the appointment to that office, provided that at least three affirmative votes shall be required for such purpose, the Mayor to have no vote thereon except in the case of a tie.

e. This Section shall be consistent with and governed by N.J.S.A. 40A:60-6 and any amendments thereto.

<u>SECTION 2:</u> 4-5.2 COMMITTEE REQUIREMENTS

a. It shall be a requirement that each member of the Council serve as a member of at least one (1) of the governing body's standing committees and serve as a liaison to at least one (1) of the various committees or entities established by the Borough.

<u>SECTION 3</u>: If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

<u>SECTION 4</u>: All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

<u>SECTION 5</u>: This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.