

#08-02

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF CHATHAM
BY ADDING A NEW CHAPTER 3 TO BE ENTITLED “APPOINTED
POSITIONS REGISTRY”**

BE IT ORDAINED, by the Mayor and Council of the Borough of Chatham as follows:

Section 1.

The Code of the Borough of Chatham is hereby amended by adding thereto a new Chapter 3 to be entitled “Appointed Positions Registry,” as follows:

“Chapter 3

APPOINTED POSITIONS REGISTRY

§3-1. Intent and Purpose.

The purpose of this Ordinance is to foster the openness of government and provide citizens with information concerning the various Appointed Municipal Positions which exist within the Borough of Chatham. The Ordinance further provides for a procedure whereby a citizen can indicate his/her desire to serve in a particular Appointed Municipal Position. Finally, the Ordinance provides for a notification process so that those citizens who have indicated a desire to hold an Appointed Municipal Position will be notified when that position is under consideration for appointment and will be notified as to the action that was taken with report to such position.

§ 3-2. Definitions.

The following terms as used in this Ordinance shall have the meaning set forth below unless the context within which the term is used clearly provides for a different meaning:

- a. **Appointing Authority** – The official or body which by virtue of statutory law or by ordinance or resolution is given the authority to appoint a person to hold a particular Appointed Municipal Position.
- b. **Appointed Municipal Position** – Any appointed position within the Borough of Chatham, which is created by statutory law, or by ordinance, or by municipal resolution excluding positions required to be filled by municipal employees (such as Borough Engineer). Examples of such positions are members of any position created by statute and/or municipal ordinance of any board, commission, agency, or committee of the Borough of Chatham, and members of any board, commission, agency, or committee created by the Mayor and Council by resolution which is commonly known as a “Mayor’s Advisory Committee.”

§3-3. Registry of Appointed Municipal Positions.

The Municipal Clerk shall cause a register of Appointed Municipal Positions to be prepared and maintained. Such register shall be made available in the Clerk's office and on the Borough's website, www.chathamborough.org, and at the Municipal Building and shall set forth at least the following:

- a. Title of each Appointed Municipal Position;
- b. Brief description of the position's powers and duties;
- c. Any special credentials or qualifications required to hold the position;
- d. The length of term for the position;
- e. The name of the person currently holding the position, a copy or reference to the resolution appointing such person, the expiration date of his or her term, and the number of vacant seats on the board or commission;
- f. The dates/times and frequency of any meetings which the holder of the position must attend; and
- g. The Appointing Authority for each board or commission, and who confirms each appointment.

§3-4. Vacancies.

The Municipal Clerk shall maintain a current listing of all existing vacancies for Appointed Municipal Positions. Such list shall be made available free of charge at the Municipal Clerk's Office and shall, in addition, be posted by the Municipal Clerk on a bulletin board maintained for public announcements in the Municipal Building, and, with the Application Form, be placed on the Borough of Chatham website: www.chathamborough.org. and broadcast on the Public Access Channel.

§3-5. Applications.

A. The Municipal Clerk shall maintain an application form to be completed by any person interested in serving in an Appointed Municipal Position. Such application shall, at a minimum, contain the following information:

- a. Name;
- b. Address;
- c. Telephone number;
- d. E-Mail address;

- e. Appointed Municipal Position sought;
- f. Qualifications/experience for position; and/or a statement of interest indicating why the applicant seeks an Appointed Municipal Position.
- g. Signature.

§3-6. Filing Applications.

A. Any person interested in serving in an Appointed Municipal Position shall file an application for such position with the Municipal Clerk. Such application(s) may be filed at any time, whether or not the Appointed Municipal Position sought is vacant. A person may withdraw his or her application at any time.

B. The Municipal Clerk shall be responsible to reply and acknowledge receipt of the completed Application Form. An electronic signature is acceptable for the purpose of deeming the application complete.

C. The Municipal Clerk will respond and acknowledge receipt of the Application Form on or before seven (7) days after the receipt of the Application Form. The Borough Clerk's response must include a copy of the current year "Local Government Ethics Law Financial Disclosure Statement," and/or a notice that a downloadable, fill-in version of this form is available on the Internet at www.nj.gov/dca/lgs, under Ethics.

D. The Borough will also post the Internet address for the downloadable, fill-in version of the "Local Government Ethics Law Financial Disclosure Statement" on its web address: www.chathamborough.org. Until permitted by the State of New Jersey, an e-mail signature is not acceptable for the purpose of deeming the Disclosure Statement complete.

§3-7. Maintaining Applications.

The Municipal Clerk shall maintain all filed applications in a file or binder, segregated for each board or commission. Applications shall be considered void after two years unless renewed by the applicant.

§3-8. Filling Appointed Positions.

Prior to filling any Municipal Position, the appropriate Appointing Authority shall review each application filed for that position. Each person having submitted an application for an Appointed Municipal Position under consideration to be filled shall be notified of said vacancy. The Appointing Authority shall conduct such review, investigation and/or where an appointment must be approved by the Borough Council, a copy of the selected individual's application should be sent to each Council Member at least one week prior to the meeting at which the appointment is to be confirmed by the Council. The Appointing Authority shall conduct such review, investigation and/or interviews as the Appointing Authority deems necessary or advisable, in its discretion. After a decision is reached to fill a vacant Appointed Municipal Position, all those who had submitted an application for that position shall be notified of the appointing decision. Notwithstanding the

foregoing, the Appointing Authority may decide to recommend that an alternate member on such or commission, if such board or commission has alternate members, be appointed as full or regular member position while considering other applicants.

Section 2. Severability and Effectiveness Clause:

If any sentence, paragraph or section of this Ordinance, or the application thereof to any persons or circumstance shall be adjudged by a court of competent jurisdiction to be invalid, or if by any legislative action, any sentence, paragraph or section of this Ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this Ordinance.

Section 3. Effective Date:

This Ordinance shall take effect immediately upon passage and publication as required by law.

Susan Caljean, RMC

V. Nelson Vaughan, III Mayor

Introduced: February 11, 2008

Adopted:

Final Publication: