



**BOROUGH OF FLORHAM PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
ORDINANCE # 16-16**

**AN ORDINANCE AMENDING CHAPTER 2 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF FLORHAM PARK BY ADDING A NEW
SECTION, ENTITLED “ANTI-NEPOTISM POLICY,” TO PREVENT NEPOTISM AND
FAVORITISM IN HIRING AND ADMINISTRATION**

WHEREAS, in order to maintain confidence in Borough government, it is imperative that residents can be assured that Borough employment is free from nepotism, patronage, and favoritism; and

WHEREAS, it is imperative that Borough employment be based on merit, so that residents are assured that Borough employees will be providing the highest quality service to those deserving residents; and

WHEREAS, the Mayor and Borough Council recognize the need to amend Chapter 2 of the Ordinances of the Borough of Florham Park to include an anti-nepotism policy; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Florham Park, in the County of Morris and State of New Jersey as follows:

Section 1. Chapter 2 of the Revised General Ordinances of the Borough of Florham Park, entitled “Administration of Government,” shall be amended and supplemented to add a Section 36, entitled “Anti-Nepotism Policy,” which shall read in its entirety as follows:

§ 2-36. Anti-Nepotism Policy.

The governing body of the Borough of Florham Park declares that an anti-nepotism policy should be enacted.

§ 2-36.1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

Appointed Official

“Appointed official” refers to any person, appointed by the Mayor and/or Council of the Borough of Florham Park, to any “local government agency” as that term is defined within N.J.S.A. 40A:9-22.3(e), including, but not limited to, appointees to the Zoning Board of Adjustment, Planning Board, Library, and any board, commission, agency or other instrumentality of the Borough of Florham Park, as well as any other independent local authority or entity created by the Borough of Florham Park, which performs functions other than of a purely advisory nature and/or in which members receive compensation.

Department Head

The administrative head with designated responsibility for the operation of a particular organizational unit, group of organizational units or department of the government of the Borough of Florham Park.

Elected Official

Any person holding the position of Mayor or Council Member of the Borough of Florham Park.

Family Member or Relative

Spouse, child, parent, sibling, grandparent, grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepsibling, half-brother, half-sister, nephew, niece, first cousins, aunt, uncle, foster children, domestic partner or cohabitants.

Supervisor

Any employee of the Borough of Florham Park having supervisory duties and authority over another employee or employees of the Borough of Florham Park.

§ 2-36.2. Hiring and Supervision of Employees.

- A. No person who is a relative or family member of any elected official, appointed official, department head or supervisor of the Borough of Florham Park shall be considered for employment as an employee of the Borough. This applies to full-time, part-time and seasonal employment. This policy does not apply to present employees and shall not restrict nor prohibit the continued employment of individuals to a position or positions with the Borough where a relative of a permanent employee is elected before the date of the permanent employee's start date of employment with the Borough.
- B. No elected official can serve as Council liaison to any department that employs any member of that elected official's family.
- C. These policies are not for the purpose of depriving any citizen of an equal chance for a government job, but solely to eliminate the potential for preferential treatment of the family and relatives of elected officials, appointed officials, department heads and supervisors. These policies will not deprive any permanent employee as of the date of these policies of any promotional right in the normal career development nor affect the existing status of any permanent employee.

§ 2-36.3. Promotion of Existing Employees.

No elected official, appointed official, department head or supervisor of the Borough of Florham Park may participate in the promotion process or any other personnel matter, of any existing Borough employees who is a relative or family member of such elected official, department head or supervisor.

§ 2-36.4. Appointments.

No relative or family member of an elected official of the Borough of Florham Park shall be appointed to the position of any Borough professional who receives compensation, or any Borough Board or Commission which has more than an advisory role and/or one in which the members receive compensation.

Section 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3. All Ordinances, or parts of Ordinances, which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect immediately after final passage in the manner provided by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Florham Park introduced on August 16, 2016, and will be further considered for adoption after Public Hearing held on September 15, 2016 at 7:00 p.m. in the Municipal Building located at 111 Ridgedale Avenue, Florham Park, New Jersey.

INTRODUCED: August 16, 2016

ADOPTED: September 15, 2016

Mark Taylor, Mayor

Attest:

Sheila A. Williams, R.M.C., Borough Clerk

Certified to be a true copy of an Original Ordinance adopted on September 15, 2016.

Sheila A. Williams, R.M.C., Borough Clerk