

**BOROUGH OF BERNARDSVILLE
ORDINANCE #2023-1962**

**REPEALING LOCAL PAY TO PLAY ORDINANCE THAT HAS BEEN PREEMPTED
BY P.L.2023, c.30 AND AMENDING CHAPTER 2 OF THE BOROUGH CODE
ENTITLED “ADMINISTRATION”**

WHEREAS, P.L.2023, c.30 provides in relevant part that:

“25. (New section) Notwithstanding the provisions of any law, rule, or regulation to the contrary, any local ordinance, resolution, or regulation, as may be appropriate, adopted by a county, municipality, independent authority, board of education, or fire district pursuant or prior to section 1 of P.L.2005, c.271 (C.40A:11-51), limiting the awarding of public contracts therefrom to business entities that have made a contribution pursuant to "The New Jersey Campaign Contributions and Expenditures Reporting Act," P.L.1973, c.83 (C.19:44A-1 et seq.) and limiting the contributions that the holders of a contract can make during the term of a contract, shall cease to be in effect and shall expire on the effective date of this act. . . . The awarding of public contracts by a county, municipality, independent authority, board of education, or fire district shall be in compliance with the provisions of sections 3 through 11 of P.L.2004, c.19 (C.19:44A-20.4 through C.19:44A-20.12), sections 2 and 3 of P.L.2005, c.271 (C.19:44A-20.26 and C.19:44A-20.27), and any other applicable provision of current law.; and

WHEREAS, as a result, Section 2-16 of the Borough Code entitled “Local Pay to Play Policies” has been preempted;

NOW, THEREFORE, BE IT ORDAINED by the Borough Committee of the Borough of Bernardsville in the County of Somerset, New Jersey, that Chapter 2 of the Borough Code entitled “Administration” is hereby amended as follows:

Section 1. Section 2-16 of the Borough Code entitled “Local Pay to Play Policies” is hereby repealed in its entirety.

Section 2. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. This ordinance shall take effect immediately upon final passage and publication as required by law.

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

ATTEST:

Anthony Suriano, Borough Clerk

By: _____
Mary Jane Canose, Mayor

First Reading and Introduction: April 10, 2023

1st Publication: _____

Second Reading and Adoption: _____

2nd Publication: _____