

TOWNSHIP OF EAST BRUNSWICK



ORDINANCE NO: 24-16

ADOPTED: JUNE 24, 2024

AN ORDINANCE OF THE TOWNSHIP OF EAST BRUNSWICK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER 3, OF THE TOWNSHIP CODE AMEND THE DEFINITION OF MANAGERIAL EXECUTIVES

WHEREAS, the East Brunswick Township Ethics Board has requested the Council to revised the current definition of “managerial executives” as referenced in the township code, Section 3-101.D.(6)(t), and to replace it with the State’s current definition as outlined in N.J.A.C. 5:35-2.1; and

WHEREAS, the Township Council supports the recommendations of the Ethics Board, and finds that is in the best interest of the Township to amend Chapter 3, to ensure uniformity with the state’s requirements as it pertains to an individual’s title or responsibility as a Local Government Officer required to file an annual Financial Disclosure Statement.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of East Brunswick, County of Middlesex, State of New Jersey, that Chapter 3, “ Article XV Regulations Applicable to Officers and Employees,” under the authority of the Local Government Ethics Law, and under the provisions of Titles 40 and 40A of New Jersey Statutes, that the Revised General Ordinances of the Township of East Brunswick is hereby amended with additions in italics and deletions in brackets/crossed out as follows:

Deletions in [brackets]
Additions in *italics/bolded*

§ Section 3-101. Code of Ethics

Definitions. As used in this Section:

(6) “Officer” means any person whether compensated or not, whether part-time or full time who is one of the following:

- (a) Member of the Township Council
- (b) Mayor
- (c) All municipal employees in grade 90 and above or subsequently designated in the salary ordinances that are adopted by the Township Council from time to time.

- (d) Director of Law
- (e) Members of the Planning Board
- (f) Members of the Zoning Board
- (g) Attorney for the Planning Board
- (h) Attorney for the Zoning Board
- (i) Township Engineer
- (j) Township Planning Consultant
- (k) Township Auditor
- (l) Municipal Court Judge
- (m) Township Prosecutors
- (n) Local Assistance Board Members
- (o) [Deleted 9-27-10 by Ord. No. 10-22]
- (p) [Deleted 9-27-10 by Ord. No. 10-22]
- (q) Members of the Board of Fire Commissioners for all Township Fire Districts
- (r) Member of Library Board of Trustees
- (s) Director of East Brunswick Township Library
- (t) Any other person who is a managerial executive [~~or confidential employee,~~] as defined in N.J.A.C. 5:35-2.1 [~~Section 3 of the "New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-3 of the Township of East Brunswick or of an agency created under the authority of or appointed by the Township of East Brunswick.~~] as follows:

1. *Chief of Staff;*
2. *Business administrator;*
3. *Municipal or county manager;*
4. *Chief financial officer;*
5. *Treasurer;*
6. *Municipal clerk or clerk of governing body;*
7. *Department heads, including executive directors, division directors, deputy directors, and assistant directors;*
8. *Chief or acting chief of police, part-paid fire departments, and paid fire departments, or "officer in charge" in lieu of a chief or acting chief title;*
9. *Deputy chiefs and assistant chiefs of police, part-paid fire departments, and paid fire departments;*
10. *Chief or acting chief of a beach patrol;*
11. *Municipal and county engineer;*
12. *Health officer;*
13. *Municipal attorney and county counsel;*
14. *Planning board or zoning board of adjustment attorney;*
15. *Planning board or zoning board of adjustment engineer;*
16. *Local government agency attorney;*
17. *Local government agency engineer;*
18. *Municipal and county emergency management coordinators;*
19. *Trustees on a library board of trustees;*
20. *Municipal prosecutor;*
21. *County prosecutors;*
22. *County agriculture board members;*

- 23. County college board of trustees;
- 24. Board of recreation commissioners;
- 25. Local ethics board members;
- 26. Rent leveling board members;
- 27. Special taxing district executive director/director and its commissioners;
- 28. Joint insurance fund executive director/director and its commissioners;
- 29. Local pension board commissioners;
- 30. Tax collector;
- 31. Qualified purchasing agent;
- 32. Construction official; and
- 33. Tax assessor.

BE IT FURTHER ORDAINED, that if any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED, that all other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

This Ordinance shall take effect twenty (20) days after final passage, adoption and publication according to law.

Rejected
 Approved



 Brad Cohen, Mayor

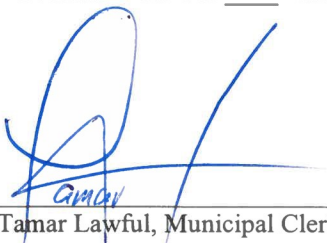
6/25/24
 Date

Reconsidered by Council _____

Override Vote Yes ___ No ___

DATE OF INTRODUCTION: JUNE 24, 2024


 Kevin McEvoy, Council President


 Tamar Lawful, Municipal Clerk

RECORDED VOTE OF COUNCIL ON FINAL PASSAGE						
Council Members	Motion	Second	Yes	No	Abstain	Absent
Behal		X	X			
Wendell	X		X			
Winston			X			
Zimbicki			X			
McEvoy			X			

