

# NOT ADOPTED

## TOWNSHIP OF HILLSIDE COUNTY OF UNION, STATE OF NEW JERSEY

### ORDINANCE NUMBER O-16-04

#### ORDINANCE AMENDING THE TOWNSHIP OF HILLSIDE TOWNSHIP CODE AT CHAPTER 4 "ADMINISTRATION OF GOVERNMENT", ARTICLE VI, AT SECTIONS 10.

**WHEREAS**, the Township Council of the Township of Hillside has considered the implementation of certain amendments to the Township Code in order to maximize the productivity of the Township; and

**WHEREAS**, the Township Council seeks clarity and specificity pertaining to interim appointments of directors;

**NOW THEREFORE BE IT ORDAINED** by the Township Council of the Township of Hillside, in the County of Union, as follows:

1. Chapter 4 be and is hereby amended at §10 only, as set forth herein below:

#### **§ 4-10. Department directors.**

##### D. Interim appointments of acting directors.

In the event that there shall be a vacancy for any reason in any Director position, the Mayor may appoint an acting Director for a period not to exceed forty-five (45) days to fill the vacancy. Within forty-five (45) days of continuous service of an acting unclassified official, the appointment of the acting Director shall be sent to the Council for advice and consent of permanent appointment. Should the Mayor not be prepared to request permanent appointment, the Council may determine by resolution to allow the appointee to continue as an acting Director for a term not to exceed an additional forty-five (45) days. Should the Mayor fail to act within ninety (90) days of the date of appointment, or should the Council decline to continue the appointment of the acting Director, the employment of the Director in the acting position shall terminate automatically. Acting unclassified Directors shall receive compensation as set forth in the Salary Ordinance for the Director position.

**AND BE IT FURTHER ORDAINED** that all provisions of the Township of Hillside Code that are inconsistent with the provisions of this ordinance are repealed to the extent of such inconsistency.

2. Severability. Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase. If any portion of

this Ordinance, or its application to any person or circumstances, shall be adjudged or otherwise determined to be invalid, unconstitutional, void, or ineffective for any cause or reason, such determination shall not affect the remaining provisions of this Ordinance, and the application of such remaining provisions shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this Ordinance are severable.

3. Conflicts. This Ordinance is not meant to repeal any provisions of the Code, other than those specified herein above, but to add to its requirements, and all Ordinances or parts thereof inconsistent or in conflict with the provisions of this Ordinance are repealed only to the extent of such inconsistency or conflict.

This Ordinance shall take effect 20 days after final passage and publication as provided by law.

Motion Failed: May 17, 2016

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT	EXCUSED
		Alston		X			
		Freedman		X			
		Mobley		X			
	X	Murray		X			
X		Whitaker		X			
		Hyatt, VP		X			
		DeAugustine, CP					X