

**LEGAL NOTICE  
ORDINANCE NO. 3  
2021  
TOWNSHIP OF WAYNE  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 4  
(ADMINISTRATION OF GOVERNMENT), ARTICLE XI  
(DEPARTMENT OF HEALTH) OF THE CODE OF  
THE TOWNSHIP OF WAYNE.**

**WHEREAS**, on January 6, 2021, the Township Council of the Township of Wayne adopted Resolution No. 51 of 2021 Authorizing the Transfer of the General Assistance Program to the Passaic County Board of Social Services pursuant to the Work First New Jersey General Public Assistance Act, N.J.S.A. 44:8-107 et seq. (P.L.1997, c.37) ("WFNJ/GA Act" or "Act"); and

**WHEREAS**, specifically, N.J.S.A. 44:8-145.1 and N.J.A.C. 10:90-12.3(b) provide that a municipality may choose to transfer administration of its WFNJ/GA program to the county in which it is located at any time by resolution of its governing body; and

**WHEREAS**, as a result, it is necessary to amend Chapter 4 (Administration of Government), Article XI (Department of Health), Section 4-29 (Office of Senior Services; Local Assistance Board) of the Code of the Township of Wayne ("Code") to eliminate the Local Assistance Board and revise the powers and duties of the Office of Senior and Social Services to effectuate this change.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Wayne in the County of Passaic, State of New Jersey as follows:

**SECTION 1.** Chapter 4 (Administration of Government), Article XI (Department of Health), Section 4-29 (Office of Senior Services; Local Assistance Board) is hereby amended to read as follows [additions by **bold**, deletions by ~~striketrough~~]:

ARTICLE XI DEPARTMENT OF HEALTH

§ 4-29. Office of Senior and Social Services; ~~Local Assistance Board.~~

~~A. Organization of the Local Assistance Board; appointment and term of members.~~

~~(1) There shall be a Local Assistance Board, consisting of five members, one of whom shall be a woman, appointed by the Mayor with the approval of the Council, and shall serve without compensation. (See also § 4-60, Local Assistance Board.)~~

~~(2) The term of one member shall be for one year, and such member only may be appointed from among the members of the Council. The terms of the other four members shall be four years. The Local Assistance Board shall meet four times annually on a regular quarterly basis.~~

~~(3) The Local Assistance Board shall select a Chairman and a Secretary and shall appoint a Director of Senior and Social Services, who shall be the executive and administrative officer of the Board and perform the duties specified in Laws of 1947, Chapter 156, § 12 (N.J.S.A. 44:8-118) and other provisions of general law and the Township ordinances.~~

~~(4) The Director of Senior and Social Services shall hold office for a term of five years from the date of appointment and shall be paid such salary as may be fixed by such Board, subject to the approval of the Council. The Director of Senior and Social Services shall make monthly reports to the members of the Local Assistance Board.~~

**A.B.** Powers and duties of the Office of Senior and Social Services. The Office of Senior and Social Services shall:

~~(1) Administer the general assistance program with strict adherence to state laws and regulations and determine applicant eligibility in accordance with the General Assistance Manual.~~

~~(2) Grant public assistance on a budget-deficit basis for living expenses and certain medical services for eligible clients, and refer ineligible applicants to the proper agencies for assistance.~~

**(1)** ~~(3)~~ Provide social services for eligible residents and initiate action to help clients obtain an adequate standard of living and become self-supporting.

~~(4) Process assistance applications for all nursing home residents, whether or not they are residents of Wayne. For a person in such a facility who is a resident elsewhere in New Jersey, the Director of Senior and Social Services shall process all parts of the application (to include authorization and costing of the provision of medical services) and all parts of subsequent case review and supervision, except the actual making of payments.~~

~~(5) Advise applicants or recipients of their right to a local or state fair hearing regarding any action on the part of the municipal welfare program concerning a denial or reduction of assistance. The Director shall schedule the hearing within 15 days.~~

**(2)** ~~(6)~~ Maintain and protect all records and appropriate documents required by the New Jersey Department of Health and Senior Services, and act as liaison officer between the Local Assistance Board and the Department of Human Services.

**B.C.** Duties of the Director of Senior and Social Services. The duties of the Director of Senior and Social Services shall be as set forth in N.J.S.A. 44:8-118 and, as follows:

**SECTION 2.** All other provisions of Chapter 4 (Administration of Government) of the Code of the Township of Wayne shall remain unchanged.

**SECTION 3. Severability.** The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause, phrase, or any other part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the validity of the remaining sections, subsections, sentences, clauses, and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 4. Repeal of Inconsistent Provisions.** All ordinances or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

**SECTION 5. Codification.** This Ordinance shall be a part of the Code of the Township of Wayne as though codified and fully set forth therein. The Township Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Township Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Wayne in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

**SECTION 6.** This ordinance shall take effect twenty days after final passage, adoption, and publication in the manner prescribed by law.

ATTEST:

\_\_\_\_\_  
PAUL V. MARGIOTTA  
TOWNSHIP CLERK

\_\_\_\_\_  
RICHARD JASTERZBSKI  
COUNCIL PRESIDENT

**NOTICE**

I hereby certify that the aforementioned ordinance was published in the Herald News, a newspaper published in the County of Passaic and circulated in the Township of Wayne, in the issues of January 13, 2021 and

\_\_\_\_\_  
PAUL V. MARIOTTA,  
Township Clerk

This ordinance is hereby  
approved this            day  
of                            2021

ADOPTED ON: January 20, 2021

\_\_\_\_\_  
CHRISTOPHER P. VERGANO,  
Mayor