

ORDINANCE NO. 2021:17

AN ORDINANCE TO AMEND CHAPTER II, ARTICLE VII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED “ADMINISTRATIVE PROCEDURES AND POLICIES” TO ADD SECTION 2-54D, ENTITLED “ANTI-NEPOTISM POLICY”

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; and

WHEREAS, the Mayor and Borough Council recognize the need to amend the Revised General Ordinances of the Borough of New Milford to include an anti-nepotism policy.

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

Section 1. Chapter II, Section VII of the Revised General Ordinances of the Borough of New Milford, entitled “Administrative Procedures and Policies,” shall be amended and supplemented to add Section 2-54D, entitled “Anti-Nepotism Policy,” which shall read in its entirety as follows:

§2-54D.1 Anti-Nepotism Policy.

The Borough of New Milford declares that an anti-nepotism policy should be enacted.

§2-54D.2 Definitions.

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

A. Family Member

Spouse, child, parent, sibling, grandparent, grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-law, stepfather, stepmother, step-sibling, half-sibling, nephew, niece, first cousins, aunt, uncle, foster children, domestic partner or parties to a civil union. [Hereinafter referred to as “Family Member.”]

B. Current Employee

A person who is employed by the Borough full-time, part-time or seasonal at the time this ordinance is enacted.

§2-54D.3 Hiring and Supervision of Employees.

- A. No person who is a Family Member of any elected official of the Borough of New Milford shall be considered for employment or hired. Employees who are Family Members at the time this ordinance is enacted are exempt from this requirement and may remain employed.
- B. No elected official shall serve as Council liaison to any board, commission, committee, or department that employs a Family Member of that elected official.
- C. No employee of the Borough of New Milford shall be in a supervisory position over a Family Member. No employee of the Borough may accept employment from a Family Member. This policy does not apply to current employees of the Borough of New Milford.
- D. 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 Family Members of New Milford elected officials. These policies will not deprive any current employee of any promotional right, and this ordinance shall not affect the existing status of any current employee.
- E. This section shall not apply to the Family Member of any member of any local government agency, board, commission, and committee where that member is serving as a volunteer.
- F. With the exception of Paragraph “B” above no other provision of this section shall apply to any volunteer positions in the Fire Department of the Borough of New Milford.

§2-54D.4 Promotion of Employees.

No elected official of the Borough of New Milford or supervisor may participate in the promotion process or any other personnel matter, of any Borough employees who is a Family Member of such elected official or supervisor.

§2-54D.5 Appointments.

No Family Member of an elected official of the Borough of New Milford 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.