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TOWN OF MORRISTOWN

ORDINANCE O-3-09

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2, "ADMINISTRATION", ARTICLE II, "THE COUNCIL", SECTION 2-2.3 "APPOINTMENTS", BY ADDING A NEW SUBSECTION 2-2.3(C) ENTITLED, "CITIZEN SERVICE", TO PROVIDE FOR OPEN APPLICATIONS AND A PUBLIC DIRECTORY OF TOWN COUNCIL APPOINTED MUNICIPAL POSITIONS

WHEREAS, the Town Council of the Town of Morristown desires to foster openness of government and to provide its citizens with information concerning the various Town Council appointed municipal positions which exist within the Town of Morristown; and

WHEREAS, in order to foster such openness of government, it is necessary to amend the Code of the Town of Morristown to set forth procedures whereby a citizen may indicate their desire to serve in a particular Town Council appointed municipal position and to further provide for notification processes so that such citizens who have indicated a desire to hold such Town Council appointed municipal position shall be notified when such position is under consideration for appointment, and shall ultimately be notified as to the action taken.

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Morristown, County of Morris and State of New Jersey, being the governing body thereof, that Chapter 2 Administration, Article II, The Council, Section 2-2.3, Appointments, be and is hereby amended and supplemented by adding a new Sub-Section 2-2.3(c) entitled, Citizen Service, to provide for open applications and a public directory of Town Council appointed municipal positions as follows:

§2-2.3. **Appointments.**

§§2-2.3(c). **Citizen Services.** The purpose of this Section is to foster the openness of government and to provide citizens with information concerning the various Town Council appointed municipal positions which exist within the Town of Morristown, and to further provide for notification processes so that such citizens who have indicated a desire to hold such Town Council appointed municipal position shall be notified when such position is under consideration for appointment and shall ultimately be notified as to the action taken.

1. The following terms as used in this Section shall have the meaning set forth below unless the context within which the term is used clearly provides for a different meaning:

Appointing Authority – The Town Council of the Town of Morristown, which, by virtue of statutory law or by ordinance or resolution, is given the authority to appoint a person to hold a particular appointed municipal position.

Appointed Municipal Position – Any Town Council appointed municipal position within the Town's Municipal Government, which is created either by New Jersey State Law, or, by ordinance or resolution of the Town of Morristown. Examples of such positions are: Zoning Board of Adjustment, Housing Authority and Parking Authority members, among others.

2. Registry of Town Council Appointed Municipal Positions. The Town Clerk shall cause a register of Town Council appointed municipal positions to be prepared and maintained. Such register shall be made available on the Town's website and at the Town Hall and shall set forth at least the following:

- (a) Title of each Town Council appointed municipal position.
- (b) Brief description of the positions' powers and duties.
- (c) Any special credentials or qualifications required to hold the position.
- (d) The name of the person currently holding the position, the expiration date of such term and the number of vacant seats on the board or commission.
- (e) The dates, times and frequency of any meetings which the holder of the appointed municipal position must attend.

3. Vacancies. The Town Clerk shall maintain a current updated listing of all existing vacancies for each Town Council appointed municipal position within the Town of Morristown. Such list shall be made available free of charge at the Town Clerk's Office and shall, in addition, be posted by the Town Clerk on a bulletin board maintained for public announcements in the Morristown Town Hall.

4. Filling Vacancies. Unless essential for the proper functioning and/or carrying on of business of the local agency within which the vacancy has occurred, a vacancy shall not be filled for a period of thirty (30) days from its posting in order to allow interested persons time to submit applications as provided in §2-2.3(c)(5) hereinbelow.

5. Applications. The Town Clerk shall maintain an application form to be completed by any person interested in serving in a Town Council appointed municipal position. Such application shall, at a minimum, contain the following information:

- (a) Name.
- (b) Address.
- (c) Telephone number.
- (d) E-Mail address.
- (e) Town Council appointed municipal position being sought.
- (f) Qualifications/experience for the position.
- (g) Boards/commissions in which the applicant is interested.
- (h) Signature.

6. Applications to be of Public Record. All applications made by persons interested in serving in a Town Council appointed municipal position shall become a public record. Any applicant who desires to denote that their phone numbers and e-mail addresses be kept confidential may do so at the time of their application.

7. Filing Applications. Any person interested in serving in a Town Council appointed municipal position may file an application for such position with the Town Clerk. Such application(s) may be filed at any time, whether or not the Town Council appointed municipal position sought is vacant. A person may withdraw their application at any time.

8. Maintaining Applications. The Town Clerk shall maintain all filed applications in a file or binder, segregated for each board or commission.

9. Filling Voluntary Town Council Appointed Municipal Positions. Prior to filling any Town Council appointed municipal position, the Town Council or designated committee thereof, shall review each application filed for that position. Each person having submitted an application for a Town Council appointed municipal position under consideration to be filled, shall be notified of said vacancy. The Town Council, or designated committee thereof, shall conduct such review(s), investigation(s) and/or interview(s) as the Town Council or designated committee thereof, deems necessary or advisable, in its discretion. After a decision is reached to fill a vacant Town Council appointed municipal position, all those who had submitted an application therefor shall be notified of the appointing decision.

**BE IT FURTHER ORDAINED**, If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

**BE IT FURTHER ORDAINED**, Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

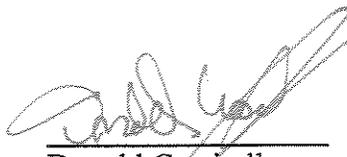
**BE IT FURTHER ORDAINED**, This Ordinance shall take effect upon passage and publication in accordance with applicable law.

**ATTEST:**



Matthew Stechauner,  
Town Clerk

**ADOPTED:**



Donald Cresitello  
Mayor

DATE: 2/19/09