

**TOWNSHIP OF NORTH BERGEN
COUNTY OF HUDSON**

**AN ORDINANCE AUTHORIZING AND RATIFYING THE
APPOINTMENT OF DEPUTY DIRECTORS BY THE SEPARATE
DEPARTMENTS IN THE TOWNSHIP NORTH BERGEN**

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF NORTH BERGEN** as follows:

Section 1. Background

A. The commission form of government law, N.J.S.A. 40:70-1, et seq., and specifically N.J.S.A. 40:72-9, authorizes the board of commissioners, in their discretion, to provide by ordinance for the appointment of a deputy by each of the directors of the departments as may be deemed necessary for the proper and efficient conduct of the affairs of such departments.

B. The Township of North Bergen ("Township") is a commission form of government, and all the Township Commissioners have historically appointed Deputy Directors, which have been referred to by varying titles such as "Deputy Director," "Confidential Aide to the Mayor," Confidential Aide to the Director," and "Confidential Aide".

C. Prior Township ordinances reflect that the salary ranges for these positions were routinely set by ordinance of the Board of Commissioners, but the available Township records reveal that the positions of Deputy Director were created only in the Department of Public Safety, the Department of Public Works, and the Department of Revenue and Finance. Record of the creation of the position of Deputy Director in the Department of Public Affairs and the Department of Parks and Public Property could not be located.

D. The Civil Service Commission presently has determined that the statutory Deputy Director position under N.J.S.A. 40:72-9 should be titled for Civil Service purposes as Deputy Municipal Department Head.

E. The Township Board of Commissions wishes to address these various inconsistencies in the historical Township ordinances, and clarify the title of the Deputy Director position from this time forward.

Section 2. Deputy Director Position

The appointment of a Deputy Director by each Director of the Township's Departments is hereby ratified, authorized and approved. For Civil Service purposes, the Deputy Director positions shall be known as Deputy Municipal Department Head, or such other title designation as the Civil Service Commission may determine to be appropriate in the future. Consistent with N.J.S.A. 40:72-9, the position shall be non-competitive and unclassified for Civil Service purposes.

Section 3. Deputy Director Hours & Duties

Pursuant to N.J.S.A. 40:72-9, each Director shall prescribe, in writing, work hours and the powers and duties of the Deputy Director appointed by that Director.

Section 4. Severability

If any article, section, sub-section, sentence, clause or phrase of this Ordinance is for any reason deemed to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining provisions of this Ordinance.

Section 5. Repealer

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed as to the inconsistency thereof. Prior Ordinances setting salaries for the titles by which Deputy Directors had been known in the Township are saved from repeal and continue to apply to the Deputy Director position.

Section 6. Effective Date

This Ordinance shall take effect immediately upon final passage and publication as required by law.

Introduced: April 26, 2017

Published: May 1 & 16, 2017

Adopted: May 10, 2017

Attest: Erin Barillas
Township Clerk

Comm. Cabrera	YES
Comm. Marengo	YES
Comm. Gargiulo	YES
Comm. Pascual	YES
President Sacco	YES