

ORDINANCE #2012-1116

AN ORDINANCE PROVIDING FOR THE CREATION OF A LIBRARY ADVISORY BOARD OF THE BOROUGH OF MANVILLE, NJ, AND THE APPOINTMENT OF COMMISSIONERS, FOR THE PURPOSE OF MANAGING FUNDS HELD BY THE MANVILLE PUBLIC LIBRARY AS OF JUNE 30, 2012 AND ASSISTING IN THE PLANNING OF LIBRARY SERVICES.

**Section 1. CREATION .**

Pursuant to the authority of NJSA 40:33-13.1 et seq. and as required by a pending a Branch Library Agreement (hereinafter the "Agreement") between the Borough of Manville and the Somerset County Library Commission and Somerset County Board of Chosen Freeholders, a Library Advisory Board (hereinafter collectively the "Commission") is hereby established.

**Section 2 AUTHORITY OF LIBRARY BOARD**

1.) Manage all funds held by or on behalf of the Manville Public Library as of June 30, 2012.

2.) Meet periodically with the branch director (as defined by the Agreement) to assist in the planning of library services.

3.) In the event of a vacancy in the position of branch director, a member of the Library Advisory Board will participate in the interview process and in making a recommendation to the Director of the Somerset County Library System.

**Section 3 . PERSONNEL; APPOINTMENT.**

1.) The Library Advisory Board shall consist of three members and two alternates members.

2.) The members and alternate members shall be appointed by the Mayor.

3.) The members and alternate members shall serve without compensation.

**Section 4. APPOINTMENT; TERMS; ALTERNATES; VACANCIES**

1.) Appointments; Terms

a.) Within thirty days after the effective date of this Ordinance the first members and alternates shall be appointed, and shall commence their offices upon the date of appointment.

b.) The terms the members of the first commission shall however be calculated from the date of January 1st next succeeding appointment.

c.) Of the first members and alternates one member and one alternate will have a term of one year; one member and one alternate will have a term of two years; and one member shall have a term of three years.

d.) All subsequent members and alternates shall be appointed for a term of three years.

2.) Vacancies

a.) Any vacancy occurring by reason of the death, resignation or removal of any member or alternate shall be filled for the unexpired term by the Mayor.

### 3.) Duties of Alternates

a.) An alternate member may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member.

b.) A vote shall not be delayed in order that a regular member may vote instead of an alternate member.

### **Section 5. INCONSISTENCY .**

Should any provision of this ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of said prior ordinances are hereby repealed, but only to the extent of such inconsistencies

### **Section 6. SEVERABILITY .**

In the event that any provision of this ordinance, or the application thereof to any person or circumstances is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and to realize this intent, the provisions and application of this ordinance are declared to be severable.

### **Section 7. CAPTIONS.**

Captions contained in this ordinance have been inserted in this ordinance only for the purpose of facilitation of reference to the various sections, and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

### **Section 8. EFFECTIVE DATE**

This Ordinance shall take effect upon its adoption and publication according to law, and upon the final execution of the hereinabove defined Agreement by all parties thereto.

Borough of Manville,

Angelo Corradino, Mayor

**ORDINANCE #2012- 1116**

**FIRST READING:**

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		ASHER	√			
	√	KOMOROSKI	√			
		LYNN	√			
		ONDERKO	√			
√		PETZINGER	√			
		SZABO		√		
		MAYOR CORRADINO				

**PASSED** this 29<sup>th</sup> day of May, 2012

Attest:

Philip E. Petrone, Borough Clerk

**SECOND READING:**

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		ASHER	√			
		KOMOROSKI	√			
√		LYNN	√			
		ONDERKO	√			
	√	PETZINGER	√			
		SZABO	√			
		MAYOR CORRADINO				

**PASSED** this 11<sup>th</sup> day of June, 2012

Attest:

Philip E. Petrone, Clerk