Borough of Manville
Ordinance #2022 -1280
An Ordinance By The Mayor & Council Of The Borough Of Manville Adopting An Anti-Nepotism Ordinance As Required By The NJ DCA Division Of Local Government Services' Memorandum Of Understanding With Manville As A New Jersey Transitional Aid Municipality

Statement of Purpose

The purpose of this Ordinance is to adopt a Borough Anti-Nepotism Ordinance as required by the New Jersey Department of Community Affairs Division of Local Government Services ("NJDCA-LGS") Memorandum of Understanding with the Borough as a Transitional Aid Municipality

WHEREAS, the Borough of Manville has received $600,000.00 in State Aid for calendar Year 2022; and

WHEREAS, as a condition of receiving such State Aid the Borough is required to agree to a Memorandum of Understanding with NJDCA-LGS setting financial guidelines for the Borough as a Transitional Aid Municipality (the "Memorandum of Understanding"); and

WHEREAS, Section 6 of the Memorandum of Understanding requires the borough to adopt an Anti-Nepotism Ordinance as set forth herein;

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Borough of Manville, County of Somerset, and State of New Jersey, as follows:

SECTION 1: COMPLIANCE WITH NJDCA-LGS MEMORANDUM OF UNDERSTANDING.
The terms and conditions set forth in Section 2 of this Ordinance **are** hereby adopted in order to bring the Borough into compliance with Section 6 of the NJDCA-LGS Memorandum of Understanding, which states:

> "6. **Anti-Nepotism Policy. The Municipality shall adopt and maintain an anti-nepotism policy.** The policy shall be reflected in the municipal personnel manual. Family members/relatives of municipal officials and employees may be eligible for employment with the Municipality only if individuals involved do not work in a direct supervisory relationship, or in job positions in which a conflict of interest could arise. The term "family member/relatives" should

be defined to include but not necessarily be limited to spouses, children, siblings, parents, in-laws, and step-relatives. Current employees who marry will be permitted to continue working in the job position held only if they do not work in a direct supervisory relationship with one another or in job positions involving conflict of interest. Barring conflicts of interest, the Municipality may "grandfather" employees from this policy that were hired prior to the date of the original Memorandum, with the understanding that if an employee is separated and re-hired, they must adhere to the new policy."

SECTION 2: BOROUGH ANTI-NEPOTISM STANDARDS

A). Family members/relatives of municipal officials and employees may be eligible for employment with the Municipality only if individuals involved do not work in a direct supervisory relationship, or in job positions in which a conflict of interest could arise.

B). The term "family member/relatives" should be defined to include but not necessarily be limited to spouses, children, siblings, parents, in-laws, and step-relatives.

C). Current employees who marry will be permitted to continue working in the job position held only if they do not work in a direct supervisory relationship with one another or in job positions involving conflict of interest.

D). Current employees who marry will be permitted to continue working in the job position held only if they do not work in a direct supervisory relationship with one another or in job positions involving conflict of interest.

E). Barring conflicts of interest, the Municipality may "grandfather" employees from this policy that were hired prior to the date of the original Memorandum, with the understanding that if an employee is separated and re-hired, they must adhere to the new policy.

F). The policy shall be reflected in the municipal personnel manual

SECTION 4: REPEALER

All other Ordinances or other local requirements that are inconsistent or in conflict with this ordinance are hereby repealed to the extent of any inconsistency or conflict, and the provisions of this ordinance shall apply.

SECTION 5: SEVERABILITY

In the event that any provision of this Ordinance, or the application of thereof to any person or circumstance is adjudged invalid, such adjudication of invalidity shall not affect the validity of the remaining provisions which shall be deemed severable therefrom.

SECTION 6: PURPOSE OF CAPTIONS

Captions contained in this Ordinance have been inserted only for the purpose of facilitation 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 7: EFFECTIVE DATE

This Ordinance shall take effect after adoption, passage and publication according to law.

Borough of Manville,

Richard M. Onderko

Richard M. Onderko, Mayor

ORDINANCE #2022-1280

FIRST READING:
ROLL CALL

Introduced	Seconded	Council	Yes	No	Abstain	Absent
	✓	Lukac	✓			
		Agans	✓			
		Madak	✓			
		Maeder	✓			
		Petrock	✓			
✓		Szabo	✓			
		Onderko				

Attest:

Wendy Barras

Wendy Barras, Borough Clerk

INTRODUCED this 12th day of September, 2022

SECOND READING AND FINAL ADOPTION:
ROLL CALL

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Lukac	✓			
	✓	Agans	✓			
		Madak	✓			
		Maeder	✓			
		Petrock	✓			
✓		Szabo	✓			
		Onderko				

Attest:

Wendy Barras

Wendy Barras, Borough Clerk

[ADOPTED] [DEFEATED] this 26th day of September, 2022