

**AN ORDINANCE AMENDING CHAPTER 2, SECTIONS 8.9, 55.3, and 55.6, AND
CHAPTER 25, SECTIONS 32.7, 47.5, and 47.6 OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(Update of Appointments from July to January)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 25 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The Municipal Council of the Township of West Orange previously adopted Ordinance 2558-19 which corrected the terms for the appointment to the Township of West Orange Zoning Board of Adjustment. The purpose of this ordinance is to correct additional provisions throughout the Municipal Code to reflect the change in appointment dates with the move of municipal elections from May to November.

II. CHAPTER 2, SECTION 8.9 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

2-8.9 Municipal Tax Assessor and Deputy(s).

- a. *Appointment; Term and Qualifications.* The Mayor shall appoint a Tax Assessor and Deputy Tax Assessor(s) as he/she may deem necessary, subject to the advice and consent of the Township Council. The Tax Assessor and Deputy Assessor(s) shall serve for a term of four (4) years commencing January 1, next following his/her appointment. Vacancies, other than those due to expiration of term, shall be filled by appointment for the unexpired term.

A Municipal Tax Assessor shall hold a Tax Assessor Certificate provided in N.J.S.A. 54:1-35.25 et seq. A Deputy Tax Assessor shall hold a Tax Assessor Certificate and shall act under the direct supervision of and assist the Tax Assessor.

- b. *Powers and Duties.* The Office of the Tax Assessor shall be subject to such general administrative procedures and requirements as are departments of the municipal government. The Tax Assessor shall:
1. Assess the value of property within the municipality for the purpose of general taxation.
 2. Maintain a current tax map of the municipality as a public record and cause to be recorded thereon all changes in ownership or character of assessed parcels of real property.
 3. Maintain adequate assessment records of each separate parcel of real property assessed or exempted and maintain such files, records and procedures as may be required for the valuation and assessment of property pursuant to law.
 4. Have, perform and discharge all of the functions, powers and duties prescribed by law for a Municipal Tax Assessor.

5. Make assessments for benefit of local improvements and/or damages procured to property resulting from local improvements.

III. CHAPTER 25, SECTION 55.3 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

2-55 ECONOMIC DEVELOPMENT COMMISSION

2-55.3 Appointment of Members; Terms and Meetings.

The Commission shall be appointed within thirty (30) days after the effective date of this section. The Mayor shall appoint five (5) Commissioners. The Council shall, by a majority vote, select one (1) non-council member as a Commissioner as a consensus member. The Council shall select one (1) of its members to serve as a Commissioner. The West Orange Downtown Alliance shall designate a liaison to serve as a non-voting member of the Commission.

The terms of all Commissioners shall be one (1) year effective January 1.

IV. CHAPTER 25, SECTION 55.6 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

2-55 ECONOMIC DEVELOPMENT COMMISSION

2-55.6 Chairperson.

The Mayor shall select a Chairperson from amongst the Commissioners for a one (1) year term effective January 1st. The Chairperson may serve multiple terms.

V. CHAPTER 25, SECTION 32.7 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

25-32.7 Membership.

4. The Board of Trustees, elected at the first Annual Meeting, will consist of eleven (11) voting members, composed of the following:
 - (a) One (1) Township Council Member to be appointed by the majority vote of the Township Council.
 - (b) Each Township Council Member and the Mayor shall appoint a trustee who either lives in the Township, works in the District or owns property in the Township. All terms shall run concurrent with the appointing official, and shall be effective from January 1 of the calendar year in which the appointment is made. In the event the appointing person's term ends, the trustee's term shall also terminate. The new Mayor or Council person filling the appointing person's position shall appoint a new trustee. Notwithstanding anything to the contrary, no term shall exceed four (4) years. However, any trustee may be reappointed for additional terms.

- (c) Two (2) persons, who either live in the Township, work in the District or own property in the Township, to be elected at the Annual Meeting by the Members. Except as hereinafter provided, these persons shall be elected for a term of four (4) years. The initial two persons elected shall randomly be chosen to serve a two (2)-year term, a three (3)-year term and a four (4)-year term.
- (d) Two (2) persons, who either live in the Township, work in the District or own property in the Township, shall be elected at the Annual Meeting by the members. Except as hereinafter provided, these persons shall be elected for a term of four (4) years. The initial two (2) persons elected shall randomly be chosen to serve a two (2)-year term, a three (3)-year term and a four (4)-year term.
- (e) The Township Planner will be a non-voting member who acts as a liaison between the Planning Department and the Corporation.

VI. CHAPTER 25, SECTION 47.5 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

25-47.5 Organization.

- a. The Zoning Board of Adjustment shall elect a Chairperson and Vice-Chairperson from its members. Each shall serve in such capacity for one (1) year, dated from January 1 of the calendar year in which elected. Members may not be elected to successive terms as Chairperson and Vice-Chairperson.
- b. The Zoning Board of Adjustment shall elect a Secretary, who may be a member of the Zoning Board of Adjustment or a Township employee or such other person as the Board may decide upon. If the Board wishes to select a Township employee, the Mayor shall designate the employee and the Mayor and Council shall provide that the employee shall be compensated for his or her services as Secretary.

VII. CHAPTER 25, SECTION 47.6 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

25-47.6 Experts and Staff.

The Zoning Board of Adjustment shall appoint an attorney of the State of New Jersey, in good standing, other than the Township Attorney, Assistant Township Attorney or Planning Board Attorney, as Zoning Board of Adjustment Attorney. Such appointment shall be for a one (1) year term dating from January 1 of the calendar year in which such appointment is made. An individual may be appointed to successive terms as Zoning Board of Adjustment Attorney; however, in no case shall the compensation provided exceed the amount appropriated by the Council in the municipal budget.

VIII. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IX. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

X. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

ROBERT D. PARISI, MAYOR

**JERRY GUARINO
COUNCIL PRESIDENT**

**KAREN J. CARNEVALE, R.M.C.
MUNICIPAL CLERK**

INTRODUCED: January 22, 2019

ADOPTED: February 5, 2019

Legislative History

In December 2013, the Township Council adopted Ordinance No. 2392-13 which moved non-partisan municipal elections from May to November, this ordinance simply updates the terms of officials, professionals and members of boards and commissions to reflect the change. This ordinance simply moves the appointments dates from July to January.

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