

**TOWN OF WEST NEW YORK
COUNTY OF HUDSON**

ORDINANCE #1/14

**Ordinance Concerning Legal Services for the Town
Of West New York**

WHEREAS, the Commissioners seek to change the provision of legal services for the Town of West New York; and

WHEREAS, the Commissioners believe that the change will result in providing legal services on a more cost effective basis for the Town of West New York.

NOW THEREFORE, BE IT ORDAINED as follows:

SECTION ONE

Chapter 56 Law Department, Article I Sections 56-0.1 through 56-6 and Section 56-8 shall be deleted in their entirety and the following substituted therefore:

Article I, Corporation Counsel:

§ 56-1 Appointment of licensed attorney.

There will be a Corporation Counsel who is a duly licensed attorney of the State of New Jersey.

§ 56.2 Terms of office.

The Corporation Counsel shall serve for a term of one year.

§ 56.3 Duties.

The Corporation Counsel shall be the attorney of record in all proceedings wherein the Town of any of its officers, boards, bodies or commissioners shall be a party growing out of their official position or duties. The Corporation Counsel shall advise all Town officials, Town bodies and personnel as to all matters relating to Town government, when requested to do so, except for the Planning Board and Zoning Board of Adjustment, and shall supervise the execution, preparation and enforcement of all contracts, deeds, documents, statutes, ordinances, resolutions or legal correspondence. The Corporation Counsel, or designee, shall prosecute and defend all legal matters for or against the Town, or any of its officials, departments, employees or personnel, and in general, shall be counsel for the entire Town as well as all of its officials,

departments, employees and personnel, except for the Planning Board and Zoning Board of Adjustment. Nothing herein shall preclude the appointment of special counsel as from time to time may be deemed to be in the best interests of the Town.

§ 56.4 Approval of deeds, contracts and documents.

Before any deed, contract or other document or any compact agreement, ordinance, resolution or other document or matter having legal consequences shall be considered, the same shall be submitted to the Corporation Counsel for his/her opinion as to legality and legal form, and (s)he shall endorse thereon or communicate with respect thereto his/her opinion as to the legality and form of the document or matter.

§ 56.5 Reports.

The Corporation Counsel shall report to the department to which (s) he is assigned, and shall prepare a report, if requested by the Board of Commissioners as a whole.

§ 56.6 Authority to enter into agreements, compromises or settlements.

The Corporation Counsel may enter into any agreement, compromise or settlement of any controversy or litigation in which the Town is involved, subject to the approval of the Board of Commissioners.

§ 56.7 Compensation.

The Corporation Counsel shall be compensated through a contract with the law firm with which (s) he is associated in accordance with an agreement for such fees as shall be approved by the Board of Commissioners. The law firm shall be compensated by the Town for services rendered and reimbursed by the Town for disbursements made and expenses incurred, within the limits of available appropriations. There shall be no charge for attendance by the Corporation Counsel or, designee, at regularly scheduled meetings of the Board of Commissioners.

SECTION TWO

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION THREE

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being

the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FOUR

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

SUMMARY OF ORDINANCE

This ordinance changes the process for obtaining legal services for the Town of West New York

Introduced: 3/19/14

Notice

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **March 19, 2014** and ordered published, and will be further considered before final passage at a public hearing on **April 16, 2014 at 7:00 p.m.** at the Commission Chambers, Municipal Building, West New York, NJ. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, NJ.

Carmela Riccio, RMC, Town Clerk