

**TOWN OF WEST NEW YORK
COUNTY OF HUDSON, STATE OF NEW JERSEY**

ORDINANCE #7/21

AN ORDINANCE AMENDING CHAPTER 76 OF THE CODE OF THE TOWN OF WEST NEW YORK ENTITLED "PERSONNEL"

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Town of West New York ("Town") is desirous of regulating the professional affairs of its officers and employees to ensure public trust and integrity in the discharge of their public responsibilities on behalf of the Town.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey that Chapter 76 entitled "Personnel" shall be amended as follows:

Section One

Chapter 76 shall be amended to add Article III Public Trust and shall provide as follows:

§ 76-5 Public Trust.

- A. Town employees shall conduct themselves in a manner which will reflect credit upon the municipal service.
- B. The public shall at all times be treated with courtesy and respect and with complete impartiality in the performance of duties and rendering of municipal services without regard to race, religion, national origin or personal or family political affiliation.
- C. Town employees are also expected to:
 - (1) Set a good example in their observance of municipal, state and federal laws and generally accepted community standards of good behavior.
 - (2) Avoid circumstances which reasonably appear to create economic or other conflicts of interest including, but not limited to, the solicitation or advertising of personal business while engaged in the dispensing of public responsibilities or the using of Town employment status to advance or secure personal financial gain without express written authorization from the Municipal Administrator.
- D. Although all paid employees of the Town shall be subject to any rules of official conduct established by these policies, rules and regulations, whether full-time, part-time, probationary, temporary or permanent, wherever provision is made for leaves, allowances, benefits or privileges, such leaves, allowances, benefits or privileges shall only apply to full-time or part-time permanent paid employees unless otherwise specified by the Municipal Administrator.

- E. The Town maintains, to the extent possible, the right to add to, delete, modify, or change its personnel policies without notice. The policies herein do not create a contract of employment and may be modified or discontinued at any time.

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 affect 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 portions thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, or the extent of such conflict or inconsistency, it being legislative intent that all ordinances or portions of ordinances now existing or in effect shall remain in effect unless the they are in conflict or inconsistent with any provision of this Ordinance.

Section Four

When Effective. This ordinance shall take effect upon passage and publication as required by law.

SUMMARY OF ORDINANCE

This Ordinance amends Chapter 76 by establishing a code of conduct to for all Town officers and employees to ensure the public trust and integrity in the administration of the Town's public business.

Introduced: March 24, 2021

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 24, 2021 and ordered published, and will be further considered before final passage at a public hearing on April 14, 2021 at 6:30 p.m. held remotely. Instructions regarding attendance and participation in the meeting will be posted on the Town's website: <http://www.westnewyorknj.org/> . 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, N.J.

Carmela Riccio, RMC
Town Clerk