

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

ORDINANCE #34/17

**AN ORDINANCE AMENDING CHAPTER 10 OF THE CODE OF THE TOWN OF
WEST NEW YORK ENTITLED “BOARD OF EDUCATION”**

WHEREAS, Chapter 10 of the Code of the Town of West New York (“Town”) regulates the composition and manner in which a resident can become a member of the Board of Education (“Board”); and

WHEREAS, on November 29, 2013, the Town received information that on the November 5, 2013 general election, the citizens of the Town passed a public question by a majority vote, causing the Board to reclassify itself from a Type I appointed board to a Type II elected board; and

WHEREAS, beginning on January 1, 2014 the Board was reorganized from a Type I appointed board to a Type II elected board, consisting of nine elected members; and

WHEREAS, the governing body wishes to clarify that the Board of Education is an elected board pursuant to the provisions outlined in N.J.S.A. 18A:12-11.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Commissioners of the Town of West New York, that Chapter 10 entitled “Board of Education” shall be deleted in its entirety and replaced as follows:

Section One

§ 10-1. Election and Number of Board Members.

The members of the Board of Education of the Town of West New York shall consist of nine members, who are elected in accordance with the provisions of Title 18A, Education, governing Type II school districts.

§ 10-2.Term.

Board members are elected for a three-year term in accordance with N.J.S.A. 18A:12-11.

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 All ordinances or portions thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, or the extent of such conflict or inconsistency, it being legislative intent that all ordinances or portions of ordinances now existing or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 10 “Board of Education” to update that the Board of Education for the Township of West New York is an elected board.

Introduced: 12/21/2017

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 **December 21, 2017** and ordered published, and will be further considered before final passage at a public hearing on **January 18, 2018 at 6:30 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, N.J.

Carmela Riccio, RMC

Town Clerk