

**HOPATCONG BOROUGH
ORDINANCE #25-2011**

**ORDINANCE ESTABLISHING A LOWER ABSENTEE
THRESHOLD FOR MEMBERS OF LOCAL AUTHORITIES,
BOARDS AND COMMISSIONS**

WHEREAS, The Mayor and Council of the Borough of Hopatcong desire to establish a policy establishing an absentee threshold for members of local authorities, boards and commissions because absenteeism directly impacts the productivity and efficiency of business conducted by the Borough;

WHEREAS, N.J.S.A. 40A:9-12.1 allows a position to be declared vacant when a member is absent from meetings for eight (8) consecutive weeks, or four (4) consecutive regular meetings, whichever is longer;

BE IT ORDAINED by the Mayor and Council of the Borough of Hopatcong, Sussex County, State of New Jersey, as follows:

Section I.

The Code of the Borough of Hopatcong is hereby amended as to add Chapter 3 as follows:

**CHAPTER 3
APPOINTED OFFICIALS**

3-1. Attendance Policy Created.

A member of any board, committee, commission, authority or other agency of the Borough of Hopatcong not subject to state guidelines for removal of such members may be removed for absenteeism, and the vacancy created by such removal shall be filed in the same manner as originally appointed.

3-2. Vacancy as a result of Non-Attendance.

The office of any person appointed to a specified term, with or without compensation, by the Hopatcong Borough Mayor and Council of Administrator, including persons appointed to any board, committee, commission, authority or other agency relating to a joint or shared service, shall be deemed vacant whenever the member, without being excused by majority by the authorized members of such body, fails to attend and participate at meetings of such body for a period of six (6) consecutive weeks, or three (3) consecutive meetings, whichever shall be of longer duration, at the conclusion of such period, provided that such body shall notify the appointing authority in writing of such determination. Further, such Board, Committee, Commission, Authority or other Agency may refuse to excuse only with respect to those failures to attend and participate that are not due to legitimate illness.

Section II. Repealer

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

Section III. Severability

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section IV. When Effective

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Hopatcong held on August 3, 2011, at 7:30 p.m. and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on September 7, 2011, at 7:30 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 111 River Styx Road, Hopatcong, New Jersey 07843, at which time all persons interested may appear for or against the passage of said Ordinance.

Catherine Gleason
Borough Clerk

CERTIFICATION

I, Catherine Gleason, Clerk of the Borough of Hopatcong, do hereby certify that the Borough of Hopatcong Council duly adopted the foregoing Ordinance on the 7th day of September, 2011.

Catherine Gleason, Clerk
Borough of Hopatcong