

**BOROUGH OF EMERSON  
COUNTY OF BERGEN  
NOTICE OF ADOPTION**

**Introduced: April 7, 2015**

**Adopted: April 21, 2015**

**NOTICE IS HEREBY GIVEN** that the following ordinance was adopted on the second reading after a Public Hearing at the Regular Meeting of the Borough Council of the Borough of Emerson on the 21st day of April, 2015. A copy of Ordinance 1499-15 is on file in the Borough Clerk's Office in the Municipal Building, 1 Municipal Pl., Emerson, NJ 07630.

**ORDINANCE 1499-15**

**AN ORDINANCE AMENDING ARTICLE II OF CHAPTER  
57 OF THE CODE OF THE BOROUGH OF EMERSON  
REGARDING THE POSITION OF BOROUGH  
ADMINISTRATOR.**

**BE IT ORDAINED**, by the Mayor and Council of the Borough of Emerson, within the County of Bergen and State of New Jersey, as follows:

**Section 1. Amending Section 57-6 – Appointment and Term.**

Section 57-6, "Appointment and Term," of the Borough Code, is hereby deleted in its entirety and replaced with a new Section 57-6, "Appointment and Term," to read as follows:

§ 57-6 Appointment and term.

The Borough Administrator shall be appointed by the Mayor, with the advice and consent of the Council. Pursuant to N.J.S.A. 40A:9-137, the term of office of the Borough Administrator shall be at the pleasure of the governing body.

**Section 2. Amending Section 57-9.1 – Removal.**

Section 57-9.1, “Removal,” of the Borough Code, is hereby deleted in its entirety and replaced with a new Section 57-9.1, “Removal,” to read as follows:

§ 57-9.1 Removal.

Pursuant to N.J.S.A. 40A:9-138, the Borough Administrator may be removed by a  $\frac{2}{3}$  vote of the governing body. The resolution of removal shall become effective 3 months after its adoption by the governing body. The governing body may provide that the resolution shall have immediate effect; provided, however, that the governing body shall cause to be paid to the Administrator forthwith any unpaid balance of his salary and his salary for the next 3 calendar months following adoption of the resolution.

**Section 3. Severability and Repealer.**

- A. If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.
- B. All ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.

**Section 4. Effective Date.**

This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

Attest:

\_\_\_\_\_  
Jane Dietsche, RMC  
Deputy Clerk

\_\_\_\_\_  
Louis Lamatina  
Mayor

Introduced:\_\_\_\_\_

Adopted:\_\_\_\_\_