

**TOWNSHIP OF HAMILTON  
COUNTY OF MERCER, NEW JERSEY**

**ORDINANCE**

No. 20-020

1ST READING **March 17, 2020** \_\_\_\_\_

DATE TO MAYOR \_\_\_\_\_

2ND READING & PUBLIC HEARING **April 7, 2020** \_\_\_\_\_

DATE RESUBMITTED TO COUNCIL \_\_\_\_\_

WITHDRAWN \_\_\_\_\_ LOST \_\_\_\_\_

DATE EFFECTIVE \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY

FACTUAL CONTENTS CERTIFIED TO BY

\_\_\_\_\_  
TOWNSHIP ATTORNEY

\_\_\_\_\_  
TITLE

**ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF ORDINANCES,  
HAMILTON TOWNSHIP, NEW JERSEY, CHAPTER 45, PERSONNEL POLICIES, §  
45-20, EMPLOYMENT OF RELATIVES OF ELECTED OFFICIALS**

*Be It Ordained* by the Council of the Township of Hamilton, in the County of Mercer and State of New Jersey, that the *Code of Ordinances of Hamilton Township, New Jersey, Chapter 45, Personnel Policies, § 45-20, Employment of relatives of elected officials*, as amended and supplemented, be further amended and supplemented as follows:

HF

**Chapter 45**

**PERSONNEL POLICIES**

**§ 45-20. Employment of relatives of elected officials and other municipal employees.**

- [A. No elected municipal official shall employ, or advocate employment for, in any Township position the following:
- (1) Any person who is a member of the elected municipal official's immediate family; or
  - (2) Any person in exchange for or in consideration of the employment of any member of the elected official's immediate family by any other employee or official.]
- [B. No elected municipal official shall use or permit the use of his/her position to assist any member of the elected municipal official's immediate family in securing employment or contracts with any Township department exercising authority over said employment or contracts.]
- [C. The term "immediate family" shall include: spouse; child; parent; brother, sister; grandparent; grandchild; nephew, niece; father-in-law, mother-in-law; brother-in-law, sister-in-law; stepfather, stepmother; stepson, stepdaughter; stepbrother, stepsister; half brother, half sister.]

**TOWNSHIP OF HAMILTON  
COUNTY OF MERCER, NEW JERSEY**

**ORDINANCE**

No. 20-020

**ORDINANCE AMENDING AND SUPPLEMENTING *THE CODE OF ORDINANCES, HAMILTON TOWNSHIP, NEW JERSEY, CHAPTER 45, PERSONNEL POLICIES, § 45-20, EMPLOYMENT OF RELATIVES OF ELECTED OFFICIALS***

- A. Unless otherwise provided by law (or the New Jersey Department of Personnel rule if the position is subject to Civil Service) or collective bargaining unit agreements, immediate relatives of a Township Elected Official, Director, Business Administrator, or Assistant Business Administrator, shall not be hired, transferred or recommended to a regular full-time or regular part-time position. No immediate relative of any Township employee shall have the authority to appoint, remove, discipline, evaluate the performance, or audit the work of a related municipal employee.
- B. No Township officials or employees identified in § 45-20A shall advocate for an immediate relative related to the full spectrum of Township commercial activities, including but not limited to buying, contracting, licensing, or leasing or otherwise involving the expenditure of Township funds or use of Township resources. HF
- C. For purposes of this section, "immediate relative" includes:
- (1) Spouse, domestic partner, civil union partner or romantic significant other of the Township officials and employees identified in § 45-20A;
  - (2) Child, step-child, daughter-in-law or son-in-law of the municipal officials or employees identified in § 45-20A or of those individuals identified in § 45-20(C)(1);
  - (3) Parents of the municipal officials or employees identified in § 45-20A or of those individuals identified in § 45-20(C)(1);
  - (4) Grandparents or grandchildren of the municipal officials or employees identified in § 45-20A or of those individuals identified in §45-20(C)(1);
  - (5) Siblings and half-siblings of the municipal officials or employees identified in § 45-20A or of those individuals identified in § 45-20(C)(1); and
  - (6) Any person related by blood or marriage residing in the household of the municipal officials or employees identified in § 45-20A or of those individuals identified in § 45-20(C)(1).
- D. Any employee immediately related to another employee will not be employed within the same division. This policy is not for the purpose of depriving any person of equal opportunities within the Township, but is intended to prevent the potential for preferential treatment of immediate relatives of Township personnel.
- E. This ordinance does not apply to instances of work relationships of immediate relatives that existed before the enactment of this ordinance. Any existing relationships must be disclosed immediately to the Business Administrator, Township Attorney and Director of Personnel to be evaluated and managed in the best interests of the Township and in accordance with law and any relevant collective bargaining agreements, as applicable.

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**ORDINANCE**

No. 20-020

**ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF ORDINANCES, HAMILTON TOWNSHIP, NEW JERSEY, CHAPTER 45, PERSONNEL POLICIES, § 45-20, EMPLOYMENT OF RELATIVES OF ELECTED OFFICIALS**

Any Ordinance or Ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

This Ordinance shall become effective immediately upon final adoption and publication thereof according to law.

HF

\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
MUNICIPAL CLERK

RECORD OF VOTE													
First Reading							Second Reading						
COUNCIL	AYE	NAY	NV	AB	ORD	SEC	COUNCIL	AYE	NAY	NV	AB	ORD	SEC
ANTHONY P. CARABELLI, JR.	✓						ANTHONY P. CARABELLI, JR.						
NANCY PHILLIPS	✓					✓	NANCY PHILLIPS						
CHARLES F. WHALEN	✓				✓		CHARLES F. WHALEN						
PASQUALE "PAT" PAPERIO, JR.	✓						PASQUALE "PAT" PAPERIO, JR.						
RICHARD L. TIGHE, JR.	✓						RICHARD L. TIGHE, JR.						

X - Indicates Vote    A.B. - Absent    N.V. - Not Voting    ORD. - Moved    SEC. - Seconded

REJECTED \_\_\_\_\_

\_\_\_\_\_  
JEFFREY S. MARTIN, MAYOR

\_\_\_\_\_  
DATE

APPROVED \_\_\_\_\_

RECONSIDERED BY COUNCIL \_\_\_\_\_

OVERRIDE VOTE

AYE \_\_\_\_\_ NAY \_\_\_\_\_

L:\COUNCIL\Ordinance\MUNCODE\Cht45.Sec45-20.EmploymentOfRelativesOfElectedOfficials.3-12-2020.doc

**EXPLANATION**    Matter UNDERLINED thus in this legislation is new matter.  
Matter contained in **BRACKETS [thus]** is to be omitted from the law.