

ORDINANCE NO. 1614-16

TOWNSHIP OF SADDLE BROOK  
BERGEN COUNTY, NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 29 ENTITLED "PERSONNEL POLICIES" TO  
ADD SECTION 10 ENTITLED "ANTI-NEPOTISM POLICY"

WHEREAS, the Mayor and Council of the Township of Saddle Brook recognize the need to amend the Chapter 29 of the Township Ordinance to include an anti-nepotism policy as follows:

Now, therefore, be it ordained as follows:

**SECTION 1.**

Chapter 29 is amended and supplemented to add a Section 10 entitled Anti-Nepotism Policy.

29-10.1 Title.

This section shall be known as "The Anti-Nepotism Policy of the Township of Saddle Brook."

29-10.2 Applicability.

- A. The prohibitions set forth in these Anti-Nepotism regulations shall apply to all full-time, part-time, temporary and seasonal positions of the Township of Saddle Brook.
- B. Subject to the exception in Subsection 29.10.4 below, this section and the prohibition against certain hiring contained herein shall be applied prospectively only from the effective date of its enactment and shall not in any way be construed to prohibit or make unlawful any current employment relationship or situation or the hiring or promotion of any person currently employed by the Township of Saddle Brook as of the effective date of this section which may technically be in violation of the terms hereof but for its prospective application. For purposes of interpreting this exception, persons appointed to positions of employment with the Township for a set term shall be considered current employees notwithstanding the fact that the then term may have ended. Such persons holding positions of employment with the Township under a set term may be hired to any position in the township, rehired, reappointed or promoted, as may be the case, without violating this section.

### 29-10.3 Definitions

As used in this section:

*Contractors* shall mean contractors, independent contractors, subcontractors, vendors, professionals appointed pursuant to the Fair and Open Process or the Non-Fair and Open Process or person, persons or business working for the Township whose employment is limited in scope or duration to a specific project with the Township and subject to either a bid proposal or a solicitation of quotes. (Examples would include, but not be limited to: road projects; construction projects; projects). Employment with contractors shall be considered for the purpose of this section as employment with the Township.

*Elected Official* shall mean persons holding the position of either Mayor or Council member of the Township of Saddle Brook.

*Relative* shall mean a spouse, natural or adopted child, parent, or sibling.

*Supervisor* shall mean any employee of the Township of Saddle Brook having supervisory duties and powers over another employee or employees within the respective Township of Saddle Brook.

*Temporary Employment* shall mean any employment which is not full-time, regular part-time, or seasonal employment.

*Department or Division Head* shall mean those individuals who hold such positions in accordance with the Township Code of the Township of Saddle Brook, or as described in the laws of the State of New Jersey.

### 29-10.4 Restrictions on Hiring, Supervision and Promotions of Employees.

The following restrictions shall apply to the hiring and promotion of employees to employment positions for the Township of Saddle Brook:

- A. *Elected Officials.* No elected official of the Township of Saddle Brook shall be considered for employment or hired to a position of employment with the Township of Saddle Brook either during his or her term of office or within three (3) years after the expiration of the term. No elected official shall serve as Council liaison to any department that employs any relative of that elected official.
- B. *Relative of Elected Officials.* No person who is a relative (as defined herein) of any elected official of the Township of Saddle Brook shall be considered for employment as an employee of the Township. This shall not restrict nor prohibit the continued employment of individuals to a position or positions with the Township where a relative of an employee is elected as a Mayor or Councilmember after the date of the employee's start of employment with the Township.

- C. *Promotion of Existing Employees.* Notwithstanding the prospective applications as to the remainder of this section as applied above, no elected official may participate in the promotion process or hiring process in the department of any existing employee who is a relative of the elected official as the case may be. The elected official shall abstain from participation in such personnel action as it applies to such relative.
- D. *Appointments.* No relative of an elected official of the Township of Saddle Brook shall be appointed to the position of any Township professional who receives compensation, or any Township Board or Commission which has more than an advisory role and/or one in which the members receive compensation.
- E. *Department or Division Heads.* No person who is a relative (as defined herein) of any department or division head of the Township of Saddle Brook shall be considered for employment as an employee of the Township. This shall not restrict nor prohibit the continued employment of individuals to a position or positions with the Township where a relative of a department or division head is hired before the date of this executive order.

29-10.5 Purpose.

This policy is not for the purpose of depriving any citizen of an equal change for employment with the Township, but is solely intended to eliminate the potential for preferential treatment of the relatives of the members of the Governing Body and/or any Department or Division Head.

20-10.6 Current Employees.

Except as may be otherwise expressly provided for herein, this section shall not affect the employment of any present Township employees and/or any existing contractual obligations with employees by the Township of Saddle Brook.

**SECTION 2.**

All other parts, portions and provisions of Chapter 29 of the Township of Saddle Brook Code, be and the same, are hereby ratified and confirmed, except where inconsistent with the terms thereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

**SECTION 3.**

The terms of this Ordinance are hereby declared to be severable; should any part, portion or provision hereof be declared invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

**SECTION 4.**

This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

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Peter LoDico, Township Clerk

APPROVED:  
TOWNSHIP OF SADDLE BROOK

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Mayor Robert D. White

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Joseph Camilleri,  
Council President