TOWNSHIP OF PENNSVILLE

SALEM COUNTY, NEW JERSEY

ORDINANCE A-9-2006

Title: AN ORDINANCE AMENDING CHAPTER 2 OF THE REVISED ORDINANCES OF THE REVISED ORDINANCES OF THE TOWNSHIP OF PENNSVILLE, WHICH ORDINANCE WILL PROVIDE FOR A FAIR AND OPEN PROCESS FOR THE AWARD OF PROFESSIONAL SERVICES AGREEMENTS

Date of Introduction: March 2, 2006

Anticipated Date of Adoption: March 16, 2006

Contents:
Ordinance
First Resolution
Notice of Introduction
Final Resolution
Notice of Adoption

FILED
OCT 11 2006
NINA MITCHELL WELLS
SECRETARY OF STATE

ORDINANCE A-9-2006

Title: AN ORDINANCE AMENDING CHAPTER 2 OF THE REVISED ORDINANCES OF THE REVISED ORDINANCES OF THE TOWNSHIP OF PENNSVILLE, WHICH ORDINANCE WILL PROVIDE FOR A FAIR AND OPEN PROCESS FOR THE AWARD OF PROFESSIONAL SERVICES AGREEMENTS

WHEREAS, professional entities and persons are exempt from the provisions of NJS 40A:11-1, et seq, entitled "The Local Public Contracts Law"; and

WHEREAS, the members of the Township Committee of the Township of Pennsville have recognized that a "fair and open process" should be created for the awarding of professional service contracts in order to address the concerns of tax payers regarding political contributions, and to engender trust in the process of local government; and

WHEREAS, the State of New Jersey has enacted NJS 19:44A-20.5, which bars a municipality, agency or instrumentality thereof from entering into a contract in excess of $17,500.00 for professional services when the professional has made a political contribution reportable pursuant to NJS 19:44A-1, et seq, to any municipal committee of a political party in that municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded unless said contract is awarded pursuant to a "fair and open process",

NOW, THEREFORE, BE IT ORDAINED by the Mayor and members of the Township Committee of the Township of Pennsville, County of Salem and State of New Jersey, that a "fair and open process" for the award of professional services contracts is hereby established, which process shall consist of the following:

1. Any professional services contract having an anticipated value in excess of $17,500.00 to be entered into by the Township subsequent to January 1, 2006, shall be advertised on the Township's web site at least ten days prior to the date of the award. All applications submitted shall be publicly opened and announced.

2. The web site notice shall be as set forth in Exhibit A which is attached hereto and made a part hereof.

3. The Township Committee shall not authorize a contract having an anticipated value in excess of $17,500.00, as determined in advance and certified in writing by the Township's Chief Financial Officer, if during the preceding one-year period that professional entity or person has made a contribution that is reportable by the recipient under P.L. 1973, Chapter 83 (see 19:44A-1, et seq) to any municipal committee from a political party in the Township if a member of that political party is serving in an elective public office of the Township when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded, unless the "fair and open process" as set forth above is complied with.

I. Township of Pennsville Resolution No. 315-2005 which deals with the subject matter of this Ordinance is hereby vacated.

II. If any section or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not effect the validity of this Ordinance as a whole or any part thereof.

III. All Ordinances or parts of Ordinances heretofore adopted and that are inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

IV. This Ordinance shall be effective upon its final passage, adoption and publication in the manner prescribed by law.

ADOPTED: March 16, 2006

Approved by the Township Committee
Township of Pennsville - March 2, 2006

ATTEST:

Cynthia Dalessio

Cynthia Dalessio, Clerk

Thomas H. Strong

Chairman

Roll call vote:	Yes	No	Abstaining	Absent
David Birchmire	X	—	—	—
John Crawford	X	—	—	—
Diane Ford	X	—	—	—
John V. Marquette	X	—	—	—
Thomas H. Strong, Sr.	X	—	—	—