

**AN ORDINANCE REGULATING POLITICAL CONTRIBUTIONS
IN THE BOROUGH OF MILLTOWN**

WHEREAS, it is in the public interest and in furtherance of the policy of the Borough of Milltown that, in addition to insuring full compliance with the New Jersey Campaign Contributions and Expenditures Act, N.J.S.A. 19:44A-1 et seq. to prohibit political campaign contributions from employees and to limit political campaign contributions to Borough elected officials and candidates for Borough elective office by those persons, developers, businesses and professionals who may benefit from a business relation with or quasi-judicial actions of the Borough and its approving Boards,

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MILLTOWN, NEW JERSEY AS FOLLOWS;

Section 1. No employee of the Borough shall make a monetary campaign contribution to a candidate for or the holder of a Borough elective office or to the political action committee of a candidate for or the holder of a Borough elective office.

Section 2. No individual, business or professional that submits a bid or enters into negotiations for, or agrees to any agreement or contract with the Borough for goods, services, equipment or property shall make a monetary campaign contribution in excess of \$400.00 for a primary election and \$400.00 for a general election to a candidate for or the holder of a Borough elective office or to the political action committee of a candidate for or the holder of a Borough elective office between one year before the start of negotiations or submittal of the bid relative to such an agreement or contract, whichever is earlier, and the termination of negotiations or the completion of the agreement or contract, whichever is later. Any group of individuals forming a professional business entity under this section, including such principals, partners and officers of the entity in the aggregate, may not annually contribute for any purpose in excess of \$2,500 to all Borough candidates and Borough office holders, and all Borough political parties and political action committees of all Borough candidates and Borough office holders combined.

Section 3. No individual, business or professional doing business with the Borough, or any principal, partner or member of any such entity, shall make a monetary campaign contribution in excess of \$400.00 for a primary election and \$400.00 for a general election to a candidate for or the holder of a Borough elective office or to the political action committee of a candidate for or the holder of Borough elective office. Any group of individuals forming a professional business entity under this section, including such principals, partners and officers of the entity in the aggregate, may not annually contribute for any purpose in excess of \$2,500 to all Borough candidates and office holders, and all Borough political parties and political action committees of all Borough candidates and Borough office holders combined.

Section 4. No individual or developer who makes a development application before an Approving Board, shall make a monetary campaign contribution in excess of \$400.00 for a primary election and \$400.00 for a general election, to a candidate for or the holder of a Borough elective office or to the political action committee of a candidate for or the holder of a Borough elective office from ninety days prior to the time the development application is filed with the Approving Board to such time as the project is fully completed and constructed.

Section 5. An individual, developer, business or professional may cure a violation of Sections 2, 3 or 4 if no later than 30 days following the day of the primary election or general election next following the date on which the contribution is made, the individual, business or professional seeks and receives reimbursement of the prohibited contribution.

Section 6. An individual, developer, business or professional found to knowingly fail to reveal or misrepresent a monetary campaign contribution in excess of \$400.00 for a primary election and \$400.00 for a general election or a business entity in excess of

\$2,500.00 for a primary election and \$2,500.00 for a general election, given to a candidate for or the holder of a Borough elective office or to the political action committee of a candidate for or the holder of a Borough election office shall be considered to be in breach of the terms of any agreement or contract between that individual, developer, business or professional and the Borough then in effect or of an approval by an Approving Board and shall be subject to the penalties prescribed in Section 7 and any other penalties prescribed by law.

Section 7. An individual, developer, business or professional found to be in violation of Sections 2, 3, 4, 5 or 6 shall be disqualified from eligibility for future contracts, agreements or development applications with the Borough for a period of two calendar years from the date of the determination of the violation by the Borough Council and in addition shall have any contract or agreement with the Borough then in effect terminated immediately. An employee found to be in violation of Section 1 shall face disciplinary proceeding.

Section 8. The Borough Clerk shall provide a candidate for elective office with a copy of this Ordinance at such time as such candidate requests a petition for said office.

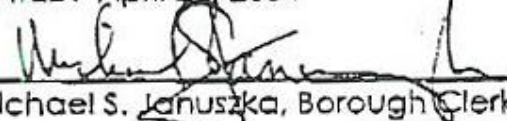
Section 9. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance shall be and the same are hereby repealed.

Section 10. If any section, paragraph, subdivision or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 11. This Ordinance shall take effect upon final passage and publication as provided by law.

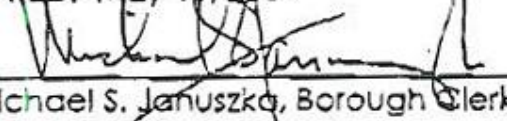
ADOPTED ON FIRST READING

DATED: April 26, 2004

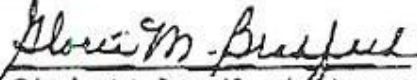

Michael S. Januszka, Borough Clerk

ADOPTED ON SECOND READING

DATED: May 17, 2004


Michael S. Januszka, Borough Clerk

APPROVAL BY MAYOR ON THIS 12th DAY OF MAY, 2004.


Gloria M. Bradford, Mayor