

THE TOWNSHIP OF PENNSVILLE

Salem County, New Jersey

Municipal Building  
90 North Broadway, Pennsville, NJ 08070

Telephone: (856) 678-3089  
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September 29, 2006

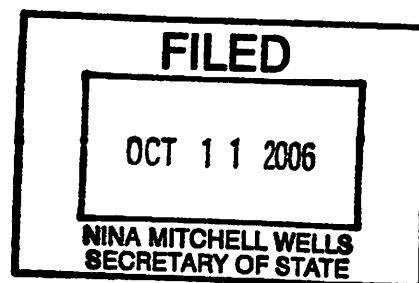
Secretary of State  
Laws & Commissions Section  
P.O. Box 300  
Trenton, NJ 08625-0300

Please find enclosed a copy of Ordinance A-9-2006 adopted by the Township of Pennsville establishing a "fair and open process" for awarding professional service agreements.

Please call if you have any questions.

Very truly yours,

*Cynthia Dalessio*  
Cynthia Dalessio  
Township Clerk



TOWNSHIP OF PENNSVILLE  
SALEM COUNTY, NEW JERSEY

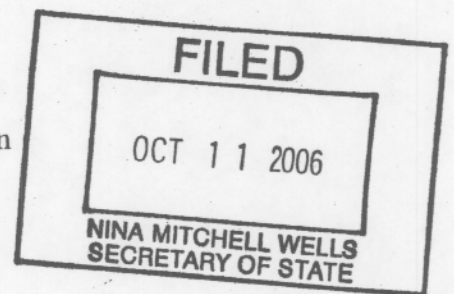
ORDINANCE A-9-2006

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



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	<u>X</u>	—	—	—
John Crawford	<u>X</u>	—	—	—
Diane Ford	<u>X</u>	—	—	—
John V. Marquette	<u>X</u>	—	—	—
Thomas H. Strong, Sr.	<u>X</u>	—	—	—