

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE #2025-03

Title: **AN ORDINANCE AMENDING CHAPTER 3, ADMINISTRATION OF GOVERNMENT, ARTICLE II, TOWNSHIP COUNCIL, SUBSECTION 8, POWERS AND DUTIES OF TOWNSHIP COUNCIL, OF THE CODE OF THE TOWNSHIP OF LOWER**

**WHEREAS**, N.J.S.A. 40A:9-165 regulates the procedures associated with establishing and/or modifying the salaries, wages, or compensation of the members of the governing body and officers and employees of the Township; and

**WHEREAS**, § 3-8(c) of the Township Code of the Township of Lower establishes regulations associated with the salaries of mayor and council which are inconsistent with N.J.S.A. 40A:9-165, that was revised subsequent to the enactment of § 3-8(c), and it is necessary modify this section of the Township Code to ensure consistency with governing statutes;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Chapter 3, Administration of Government, Article II, Township Council, Subsection 8, Powers and duties of Township Council, be and hereby is amended as follows:

**Section 1.** Chapter 3, Administration of Government, Article II, Township Council, Subsection 8, Powers and duties of Township Council, is hereby repealed and replaced as follows:

**3-8(c) Salaries of Mayor and Council.**

- (1) The salaries of the Mayor and Council shall be established in accordance with the provisions of N.J.S.A. 40A:9-165 in compliance with the terms and conditions of this subsection.
- (2) The salaries of the Mayor and Council shall be reviewed on an as needed, and same may be adjusted through the adoption of a salary ordinance, periodically in accordance with the provisions of N.J.S.A. 40A:9-165 and the New Jersey Faulkner Act, N.J.S.A. 40:69A-1 et seq.
- (3) All discussions and actions regarding modifications to the salaries of the Mayor and Council shall take place at an open public council meeting, duly scheduled and advertised in accordance with the provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6.

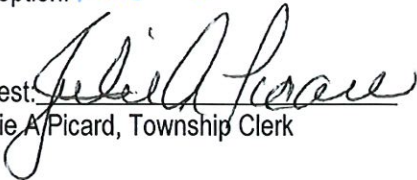
**Section 2.** All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

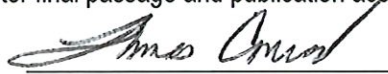
**Section 3.** Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

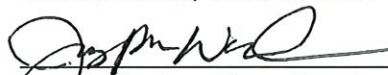
**Section 4.** This Ordinance shall become effective 20 days after final passage and publication according to law.

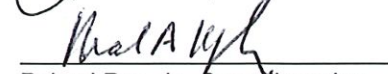
First Reading: January 22, 2025

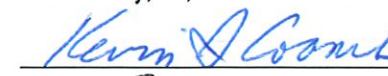
Adoption: Feb 19, 2025

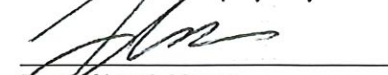
Attest:   
Julie A. Picard, Township Clerk

  
Thomas Conrad, Councilmember

  
Joseph Wareham, Councilmember

  
Roland Roy, Jr., Councilmember

  
Kevin Coombs, Deputy Mayor

  
Frank Sippel, Mayor