

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A:61-1 to 40A: 61-8 (City form of government-- revise law)

LAWS OF: 1987 CHAPTER: 314

Bill No: S2782

Sponsor(s): Van Wagner

Date Introduced: November 17, 1986

Committee: Assembly: -----

Senate: County and Municipal Government

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: Assembly: November 30, 1986

Senate: June 29, 1987

Date of Approval: December 15, 1987

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: Yes

Hearings: No

Report, mentioned in statements:

- 974.90 New Jersey. County and Municipal Government Study Commission
- M966 Functional fragmentation and the traditional forms of municipal
- 1985f government . . . November, 1985. Trenton, 1985.

34 87  
12-13-87

[OFFICIAL COPY REPRINT]

SENATE, No. 2782

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 17, 1986

By Senator VAN WAGNER

Referred to Committee on County and Municipal Government

AN ACT providing for the city form of government, repealing parts of the statutory law and amending P. L. 1963, c. 149 and adding chapter 61 to Title 40A of the New Jersey Statutes.

1 BE IT ENACTED by the Senate and General Assembly of the State  
2 of New Jersey:

1 1. TITLE 40A  
CHAPTER 61  
CITIES

- 1 40A:61-1 Incorporation, Corporate Seal and Change of Name
- 2 40A:61-2 Elected Officers
- 3 40A:61-3 General Powers
- 4 40A:61-4 Powers of the Mayor
- 5 40A:61-5 Powers of the Council
- 6 40A:61-6 Organization of Council
- 7 40A:61-7 Miscellaneous
- 8 40A:61-8 Statutes Repealed

1 40A:61-1. *Incorporation; Corporate Seal; Change of Name*  
2 a. The inhabitants of each of the several cities are hereby  
3 continued as a body politic and corporate in law as heretofore  
4 constituted and established and shall be known by the name of  
5 the "the city of \_\_\_\_\_, in the county of \_\_\_\_\_" (as the  
6 case may be), and the boundaries of the several cities shall be  
7 and remain as heretofore established by law.

8-13 b. This act shall apply to any city that upon January 1, 1988

14 \***[uses]**\* *is governed by the provisions of*\* the 1897 city law (P. L.

**EXPLANATION**—Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

\*—Senate committee amendments adopted May 21, 1987.

15 \***[1987]**\* \*1897\*, c. 30; C. 40:108-1), the 1899 city law (P. L. 1899,  
 16 c. 52; C. 40:109-3), or any charter granted by the Legislature prior  
 16A to 1875.

17 c. Notwithstanding the provisions set out in b. above, any city  
 18 with a special charter granted by the Legislature prior to 1875  
 19 shall continue to use such charter to provide the term of office for  
 20 the mayor, the number of councilmen, their respective terms of  
 21 office, the number of wards used, if any, and whether they serve  
 22 for staggered or concurrent terms, until such city adopts the pro-  
 23 visions as set out in this law, by referendum of the voters. The  
 24 city council may, by ordinance, not less than sixty days preceding  
 25 any general election, call for a referendum of the legal voters of  
 26 the city on the question of whether the city should abandon its  
 27 then existing pattern of organization of the council and mayor  
 28 and adopt the provisions of this act.

29 d. Each city governed by the laws pertaining to the city form  
 30 of government shall have full power to sue and be sued and have  
 31 a corporate seal.

32 e. Any existing city may, by resolution of the council, adopt a  
 33 name, as prescribed in *subsection* a. **[above]** *of this sec-*  
 34 *tion*\*, and the city clerk shall then file a copy of the resolution  
 35 adopting the name with the county clerk, certified by the *city*\*  
 36 clerk. After the filing of the certificate the city shall be known and  
 37 designated by the name adopted, but no suit, proceeding or instru-  
 38 ment shall abate or in anywise be affected by any change of cor-  
 39 porate name. (Source: R. S. 40:86-2, R. S. 40:142-1, and New.)

1 40A:61-2. *Elected Officers*

2 a. (1) The mayor shall be elected by the voters of the city at  
 3 large and serve for a term of four years and until his successor  
 4 shall have qualified;

5 (2) Notwithstanding the provisions set out in *paragraph* (1)  
 6 **[above]** *of subsection a. of this section*\*, any city which elected  
 6A its mayor for a two or three year term prior to **[January 1, 1988]**\*  
 7 *the effective date of this act*\* shall continue to elect its mayor for  
 8 that term, until such time as the city has adopted by referendum  
 9 of the voters the provisions of this act.

10 b. (1) The council shall consist of seven members; six shall be  
 11 elected from two wards for staggered three year terms and one  
 12 shall be elected at large for a four year term. The terms of the  
 13 councilmen elected from wards shall be arranged, by lot if neces-  
 14 sary, so that the terms of two councilmen, one from each ward,  
 15 shall expire at the end of each year.

16 \*[(2) Notwithstanding the provisions set out in (1) above, any  
 17 city which prior to January 1, 1988, has a different number of  
 18 councilmen, or a different pattern of ward or at large elections  
 19 of its members, or a different term for one or more council mem-  
 20 bers, or a different pattern of staggered or concurrent member-  
 21 ship, shall continue to use the pattern then in existence,]\* \*(2)  
 22 *Any city which, prior to the effective date of this act, had a council*  
 23 *whose method of election, composition, or tenure of its membership*  
 24 *differed in any way from the provisions of paragraph (1) of sub-*  
 25 *section b. of this section shall continue to be governed by those*  
 26 *provisions which determined the council's method of election, com-*  
 27 *position or tenure of its membership prior to the effective date of*  
 28 *this act,\* until such time as the city has adopted, by referendum*  
 29 *of the voters,\* the \*[(provision)]\* \*provisions\* of this act.*

30 c. No city shall elect any officers other than the mayor and council.

31 d. There shall be held annually, at the time provided by law  
 32 for holding general elections an election for city officers. (Source:  
 33 R. S. 40:108-1.)

1 40A:61-3. *General Powers*

2 Every city, governed by the city form of government, shall,  
 3 subject to the provisions of this act or other general law, have  
 4 full power to\*[:

5 a. Organize and regulate its internal affairs; establish, alter  
 6 and abolish offices, positions and employments; define the func-  
 7 tions, powers and duties thereof; and fix their term, tenure and  
 8 compensation;

9 b. Construct, acquire, operate or maintain all public improve-  
 10 ments, projects or enterprises for any public purpose, subject  
 11 to referendum requirements otherwise imposed by law; and]\*  
 12 exercise all powers of local government in such manner as council  
 13 may determine\*[:]\*

14 \*[:c. Contract and be contracted with; buy, sell, lease, hold and  
 15 dispose of real and personal property; appropriate and spend  
 16 moneys; and adopt, amend and repeal such ordinances and reso-  
 17 lutions as may be required for the good government thereof; and

18 d. Exercise powers of condemnation, borrowing and taxation  
 19 in the manner provided by general law. (Source: P. L. 1950,  
 20 c. 210 §§ 2-4.)\* \*.\*

1 40A:61-4. *Powers of the Mayor*

2 a. The mayor \*[:is]\* \*shall be\* the chief executive officer of the  
 2A city.

3 b. The mayor \*[:has]\* \*shall have\* all those powers \*[:placed in  
 4 the mayor]\* \*designated\* by general law.

5 c. The mayor may participate in any deliberation of the  
6 council and, on any occasion where the council is unable to agree  
7 with respect to the adoption of an ordinance or resolution, by  
8 reason of being equally divided in a vote therein, the mayor  
9 shall have the power to cast a vote to break a tie.

10 d. Every ordinance adopted by the council shall, within five  
11 days after its passage, Sundays excepted, be presented to the  
12 mayor by the city clerk. The mayor shall, within 10 days after  
13 receiving the ordinance, Sundays excepted, either approve the  
14 ordinance by affixing his signature thereto or return it to the  
15 council by delivering it to the clerk together with a statement  
16 setting forth his objections thereto or any item or part thereof.  
17 No ordinance or any item or part thereof shall take effect without  
18 the mayor's approval, unless the mayor fails to return the ordi-  
19 nance to the council, as prescribed above, or unless the council,  
20 upon consideration of the ordinance following its return, shall,  
21 by a vote of two-thirds of all the members of council, resolve  
22 to override the veto.

23 \***[e.]** Every resolution appropriating money or directing the pay-  
24 ment of bills, together with the bills, shall be presented to the  
25 mayor for his approval or veto in the same manner and within  
26 the same time period as is provided for the presentation of  
27 ordinances, as described in d. above. A resolution vetoed by the  
28 mayor may be passed by the council over the objection of the  
29 mayor in the same manner as provided for passage of vetoed  
30 ordinances, as described in d. above.\*

31 \***[f.]**\* \*e.\* The mayor shall see to it that the laws of the State  
32 and the ordinances of the city are faithfully executed. He shall re-  
33 commend to the council such measures as he may deem necessary  
34 or expedient for the welfare of the city. He shall maintain peace  
35 and good order and have the power to suppress all riots and  
36 tumultuous assemblies in the city.

37 \***[g.]**\* \*f.\* The mayor shall be *the* head of the police depart-  
38 ment and shall have *the* power to appoint, suspend or remove all  
39 employees of the police department. He shall appoint the chief of  
40 police and such captains and sergeants\***[.]**\* as may be authorized  
41 by ordinance, with the advice and consent of council. He shall con-  
42 trol and direct the police force of the city and he may appoint such  
43 special policemen as he may deem necessary for the preservation  
44 of public order. He shall enforce the laws of the \***[state]**\* *State*  
45 and the ordinances of the city.

46 \***h.**\* *g.* The mayor shall supervise the official acts of the city  
 47 employees and report derelictions of duty to the council. (Source:  
 48 40:108-1 (3-4), R. S. 40:108-1 (15), R. S. 40:108-1 (24), R. S.  
 49 40:108-1 (148-9).)

1 40A:61-5. *Powers of the Council*

2 a. The council \***is**\* *shall be* the legislative body of the  
 3 municipality.

3A b. The council may\*, *subject to general law and the provisions*  
 3B *of this act*:

4 (1) pass, adopt, amend and repeal any ordinance or, where  
 5 permitted, any resolution for any purpose required for the  
 6 government of the municipality or for the accomplishment  
 7 of any public purpose for which the municipality is autho-  
 8 rized to act under general law;

9 (2) control and regulate the finances of the municipality  
 10 and raise money by borrowing or taxation;

11 (3) investigate any activity of the municipality;

12 (4) override a veto of the mayor by a two-thirds majority  
 13 of all the members of the council.

14 c. The council shall appoint the subordinate officials of the  
 15 municipality, except as provided elsewhere by law. In any case  
 16 where the council is unable to appoint an officer or fill a vacancy  
 17 to any appointed position by reason of being equally divided in  
 18 a vote therein, the mayor shall have the power to cast a vote to  
 19 break a tie. (Source: R. S. 40:108-1 (148-9), and New.)

1 40A:61-6. *Organization of Council*

2 a. The city council shall hold an annual meeting on the first  
 3 day of January at twelve o'clock noon, or during the first seven  
 4 days of January in any year.

5 b. At its \***annual**\* *annual* meeting, the council shall, by the  
 6 vote of a majority of \***the council, elect from their**\* *its*  
 7 number\*, *elect* a president of the council, who shall preside at all  
 8 its meetings, and *a* president pro tempore who shall preside in  
 8A the president's absence. They shall hold office for one year and until  
 8B the next annual meeting.

9 c. A majority of the council shall constitute a quorum for  
 10 transacting business.

11 d. The council may, at its annual meeting, establish for its  
 12 members such committees of the council as will assist it for the  
 13 ensuing year.

14 e. The council shall hold such other meetings, \***or adjourned**  
 15 meetings,\* at such time and place as \***they**\* *it* may by resolu-

16 tion direct, but all regular meetings shall be held within the city.

17 f. The president shall, when necessary, call special meetings of  
 18 the council. In case of his neglect or refusal, a majority of the  
 19 members of the council may call such meeting at such time and  
 20 place in the city as **\*[they]\*** *\*it\** may designate, and in all cases of  
 21 special meeting a notice shall be given to all members of the council,  
 22 or left at their place of residence.

23 g. Whenever there shall be a vacancy in the office of mayor,  
 24 or whenever the mayor shall be prevented by absence from the  
 25 city, sickness or other cause from attending the duties of his  
 26 office, the council president pro tempore shall act as mayor and  
 27 possess all the power of mayor for that period.

28 h. No officer, who has obtained tenure by any provision of any  
 29 section herein repealed by section 40A:61-8 of this act, shall be  
 30 affected in any way by such repeal. (Source: R. S. 40:108-1 (12),  
 31 R. S. 40:108-1 (14), R. S. 40:108-1 (26), and New.)

1 40A:61-7. *Miscellaneous.*

2 a. The municipality may, by ordinance, delegate all or a por-  
 3 tion of the executive responsibilities of the municipality to an  
 4 administrator, who **\*[is]\*** *\*shall be\** appointed pursuant to N. J. S.  
 4A 40A:9-136.

5 b. The municipality may, by ordinance, adopt an administrative  
 6 code. The administrative code shall restate the major provision  
 7 of the city's charter and the general law supplementing the  
 8 charter. The administrative code shall set forth *\*the manner in  
 9 which the council shall perform its duties. If the council organizes  
 10 itself into standing committees or if the council members serve as  
 11 heads of departments, the administrative code shall specify the  
 12 powers and duties of such committees or department heads and the  
 13 manner in which they are appointed. The administrative code shall  
 14 also set forth\** the titles of the principal municipal officers, how the  
 15 officers are **\*[elected or]\*** appointed, how they are organized into  
 16 departments, boards, commissions, and **\*[others]\*** *\*other\** agen-  
 17 cies; whom they supervise, by whom they are supervised; **\*[what]\***  
 18 *\*their\** powers **\*[they have]\***; and what procedures should be  
 19 followed to carry on the activities of the city government. The  
 20 administrative code shall not grant any power or authority nor  
 21 authorize any procedure, unless the power, authority or procedure  
 22 is authorized implicitly by the wording of the statute or derived  
 23 by reasonable implication therefrom.

24 c. The assets and liabilities of any board, commission or district  
 25 created pursuant to the statutes repealed in section 40A:61-8 of  
 26 this act shall be transferred to the municipality.

27 d. The \***borough**)\* \*city\* council may create such advisory  
 28 councils to the municipality as it may \***chose**)\* \*choose\*, including  
 29 councils for the functions absorbed by it of any heretofore existing  
 30 \***boards**)\* \*board\*, commission or \***districts**)\* \*district\*.  
 31 (Source: New.)

1 40A:61-8. *Statutes Repealed:*

2 The following acts are hereby repealed:

3 P. L. 1897, c. 30, § 1 to 3 (R. S. 40:108-1 (1) to R. S.  
 4 40:108-1 (3))

5 P. L. 1955, c. 176, § 1 (C. 40:108-1 (3.1))

6 P. L. 1897, c. 30, § 14 to 17 (R. S. 40:108-1 (14) to R. S.  
 7 40:108-1 (17))

8 P. L. 1953, c. 304 (C. 40:108-1 (17.1))

9 P. L. 1897, c. 30, § 18 to 34 (R. S. 40:108-1 (18) to R. S.  
 10 40:108-1 (34))

11 P. L. 1897, c. 30, § 38 to 39 (R. S. 40:108-1 (38) to R. S.  
 12 40:108-1 (39))

13 P. L. 1897, c. 30, § 43 to 51 (R. S. 40:108-1 (43) to R. S.  
 14 40:108-1 (51))

15 P. L. 1897, c. 30, § 56 (R. S. 40:108-1 (56))

16 P. L. 1897, c. 30, § 58 to 64 (R. S. 40:108-1 (58) to R. S.  
 17 40:108-1 (64))

18 P. L. 1897, c. 30, § 67 to 149 (R. S. 40:108-1 (67) to R. S.  
 19 40:108-1 (149))

20 P. L. 1899, c. 52, § 1 to 34 (R. S. 40:109-3 (1) to R. S.  
 21 40:109-3 (34))

22 P. L. 1899, c. 52, § 38 to 39 (R. S. 40:109-3 (38) to R. S.  
 23 40:109-3 (39))

24 P. L. 1899, c. 52, § 43 to 51 (R. S. 40:109-3 (43) to R. S.  
 25 40:109-3 (51))

26 P. L. 1899, c. 52, § 56 (R. S. 40:109-3 (56))

27 P. L. 1899, c. 52, § 58 to 102 (R. S. 40:109-3 (58) to R. S.  
 28 40:109-3 (102))

29 P. L. 1939, c. 358 (C. 40:171-106A)

30 P. L. 1947, c. 332 (C. 40:171-109.1)

31 R. S. 40:171-188.1 to R. S. 40:171-188.2

32 P. L. 1947, c. 270 (C. 40:171-188.3)

33 R. S. 40:171-191

34 P. L. 1965, c. 155 (C. 40:171-217.1 to 40:171-217.3)

35 P. L. 1952, c. 162 (C. 40:171-221.1 to 40:171-221.2)

36 P. L. 1950, c. 55 (C. 40:171-234)

37 R. S. 40:173-1 to R. S. 40:173-3

38 P. L. 1953, c. 69 (C. 40:173-3.1 to C. 40:173-3.2)



- 39 R. S. 40:173-4 to R. S. 40:173-20  
 40 R. S. 40:174-148  
 41 R. S. 40:175-1  
 42 R. S. 40:176-3 to R. S. 40:176-8  
 43 P. L. 1966, c. 248 (C. 40:176-8.1)  
 44 R. S. 40:176-9 to R. S. 40:176-10  
 45 R. S. 40:176-13 to R. S. 40:176-19  
 46 P. L. 1957, c. 26 (C. 40:176-20)  
 47 R. S. 40:177-1 to R. S. 40:177-12  
 48 R. S. 40:178-1 to R. S. 40:178-30  
 49 P. L. 1947, c. 311 (C. 40:178-30.1)  
 50 R. S. 40:178-31 to R. S. 40:178-48  
 51 R. S. 40:179-1 to R. S. 40:179-125  
 52 R. S. 40:180-1 to R. S. 40:180-4  
 53 R. S. 40:181-1 to R. S. 40:181-6  
 54 R. S. 40:182-1 to R. S. 40:182-2  
 55 R. S. 40:183-1 to R. S. 40:183-50  
 56 R. S. 40:183-52 to R. S. 40:183-76  
 57 R. S. 40:184-1 to R. S. 40:184-28  
 58 R. S. 40:184-29 to R. S. 40:184-37  
 59 R. S. 40:185-1 to R. S. 40:185-3  
 60 P. L. 1954, c. 42 (C. 40:185-4 to 40:185-5)  
 61 R. S. 40:186-1 to R. S. 40:186-4  
 62 R. S. 40:188-1 to R. S. 40:188-14  
 63 R. S. 40:189-1 to R. S. 40:189-6  
 64 R. S. 40:190-1 to R. S. 40:190-12
- 1 2. Section 1 of P. L. 1963, c. 149 (C. 40:103-5 (71)) is amended  
 2 to read as follows:  
 3 1. Any city of the State that **[may adopt]** *has adopted* the  
 4 provisions of this act *prior to* \***[January 1, 1988]**\* *the effective*  
 5 *date of this act*\* shall thereby be and become a body corporate,  
 6 and shall have the officers, government and powers that are herein  
 7 provided for or conferred and by all applicable provisions of  
 7A general law.
- 8 Upon the adoption of this act the name of the city adopting  
 9 its provisions shall be, and it shall thereafter be known as “The  
 10 City of \_\_\_\_\_” (Inserting in the said blank the terri-  
 11 torial name by which said city has been theretofore designated  
 12 or known, not including in said name such words as the mayor  
 13 and city council or other like words.)
- 1 3. Section 27 of P. L. 1963, c. 149 (C. 40:103-5 (97)) is amended  
 2 to read as follows:

3 27. a. The city council by resolution may, and upon the filing  
 4 with the city clerk of a written petition signed by 100 residents  
 5 of the city registered to vote in the last preceding general election  
 6 requesting said action, shall place on the ballot for the next general  
 7 election a proposition for the establishment, merger, consolida-  
 8 tion or abolition of a board of police commissioners, board of  
 9 fire commissioners or board of water commissioners, except that  
 10 if no general election is to be held within 90 days of such reso-  
 11 lution, the council may provide for a special election to consider  
 12 such a proposition. Each proposition shall relate to only one  
 13 such board provided, however, that more than one proposition  
 14 may appear on the same ballot. The proposition shall be pub-  
 15 lished and advertised and any such special election shall be con-  
 16 ducted in the manner hereinafter provided in this act.

17 The proposition shall be presented in the following general  
 18 form:

	Yes.	“Shall there be established a Board of Water Commissioners (or as the case may be, fire commissioners or police commissioners) in lieu of regulation, supervision and operation of the water department under the direction of the Mayor and City Council?”
	No.	

	Yes.	“Shall the Board of Water Commissioners (or as the case may be, the fire commissioners or police commissioners) be abolished (or merged or consolidated, as the case may be) and the department be regulated, supervised and operated by direction of the Mayor and City Council (or otherwise, as the case may be)?”
	No.	

19 If at an election held as herein above provided the voters by  
 20 a majority of those of the legal voters of the city who vote  
 21 on the proposition, assent to the establishment, merger, con-  
 22 solidation or abolition as the case may be of any board, an ordi-  
 23 nance effectuating the expressed desire of the voters shall be  
 24 adopted within 60 days from the date thereof.

25 b. *Notwithstanding the provisions* **\*[set out in]** *of subsection*  
 26 *a.* **\*[above]** *of this section*, the city council may, by ordinance,  
 27 abolish any of the boards created herein. **\*[All]** *Upon the*  
 28 *adoption of an ordinance abolishing any of the boards created*  
 29 *herein, all of* the assets and liabilities of the board **\*[will then]**

30 *\*shall\* become the assets and liabilities of the municipality. The*  
31 *municipality may, however, create such advisory councils for its*  
32 *police, fire and water functions as it may deem necessary.*

1 4. This act shall take effect on January 1, 1988.

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MUNICIPAL GOVERNMENT

Revises the law concerning the city form of government.

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	Yes.	“Shall there be established a Board of Water Commissioners (or as the case may be, fire commissioners or police commissioners) in lieu of regulation, supervision and operation of the water department under the direction of the Mayor and City Council?”
	No.	

	Yes.	“Shall the Board of Water Commissioners (or as the case may be, the fire commissioners or police commissioners) be abolished (or merged or consolidated, as the case may be) and the department be regulated, supervised and operated by direction of the Mayor and City Council (or otherwise, as the case may be)?”
	No.	

19 If at an election held as hereinabove provided the voters by  
20 a majority of those of the legal voters of the city who vote  
21 on the proposition, assent to the establishment, merger, con-  
22 solidation or abolition as the case may be of any board, an ordi-  
23 nance effectuating the expressed desire of the voters shall be  
24 adopted within 60 days from the date thereof.

25 *b. Notwithstanding the provisions set out in a. above, the city*  
26 *council may by ordinance, abolish any of the boards created*  
27 *herein. All the assets and liabilities of the board will then become*  
28 *the assets and liabilities of the municipality. The municipality*  
29 *may, however, create such advisory councils for its police, fire*  
30 *and water functions as it may deem necessary.*

1 4. This act shall take effect on January 1, 1988.

#### STATEMENT

This bill is a revision of laws pertaining to the city form of government. It repeals all the laws presently enacted, concerning the organization of the city forms of government, except P. L. 1963, c. 149, and rewrites them in a clear and simplified form. (P. L. 1963, c. 149, which is used only by East Orange, has been amended to prevent any other city from using that act.) The aim of the bill is to provide a law describing the city form of government which is readily understandable by both citizens and municipal officials alike.

This bill is a result of recommendations of a report made to the Legislature and the Governor by the County and Municipal Government Study Commission on the traditional forms of municipal government in New Jersey. A major finding of the report was that these municipal laws were last revised thoroughly in the 1890s and contain much which is now outdated, redundant

52782 (1987)

and even in conflict with more modern general municipal law. Thus, the bill aims to provide for city officials clear guidelines as to the operation of their municipal government and, at the same time, to reduce the ambiguity or conflict with more recent law inherent in the present city laws, while retaining for its citizens the positive characteristics of the city form of government.

The bill provides for the operation of city government in seven cities operating now under P. L. 1897, c. 30 and three cities operating now under P. L. 1899, c. 52. The mayor is to serve for a term of four years and the council is to consist of seven members, six elected from two wards for staggered three year terms and one elected at large for a term of four years. The bill provides also for such variations to this pattern in all those municipalities where the method of election for the mayor and council is differently prescribed at present. Five cities operating under pre-1875 special charters granted by the Legislature will use the revised city law as described in this bill, with the exception that the legislative charter shall still determine the number of councilmen and the terms of the mayor and council. This bill repeals over 600 sections of law.

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#### MUNICIPAL GOVERNMENT

Revises the law concerning the city form of government.

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SENATE COUNTY AND MUNICIPAL GOVERNMENT  
COMMITTEE

STATEMENT TO

**SENATE, No. 2782**

with Senate committee amendments

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**STATE OF NEW JERSEY**

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DATED: MAY 21, 1987

The Senate County and Municipal Government Committee reports favorably and with committee amendments Senate Bill No. 2782.

Senate Bill No. 2782 Sea is a revision of laws pertaining to the city form of government. It repeals all the laws presently enacted concerning the organization of the city forms of government, except P. L. 1963, c. 149, and rewrites them in a clear and simplified form. (P. L. 1963, c. 149, which is used only by East Orange, has been amended to prevent any other city from using that act.) The aim of the bill is to provide a law describing the city form of government which is readily understandable by both citizens and municipal officials alike.

This bill is a result of recommendations of a report made to the Legislature and the Governor by the County and Municipal Government Study Commission on the traditional forms of municipal government in New Jersey. A major finding of the report was that these municipal laws were last revised thoroughly in the 1890s and contain much which is now outdated, redundant and even in conflict with more modern general municipal law. Thus, the bill aims to provide for city officials clear guidelines as to the operation of their municipal government and, at the same time, to reduce the ambiguity or conflict with more recent law inherent in the present city laws, while retaining for its citizens the positive characteristics of the city form of government. The bill is not intended to alter the current division of powers between the mayor and council in cities governed by its provisions.

The bill provides for the operation of city government in seven cities operating now under P. L. 1897, c. 30 and three cities operating now under P. L. 1899, c. 52. The mayor is to serve for a term of four years

and the council is to consist of seven members, six elected from two wards for staggered three-year terms and one elected at large for a term of four years. The bill provides also for such variations to this pattern in all those municipalities where the method of election for the mayor and council is differently prescribed at present. Five cities operating under pre-1875 special charters granted by the Legislature will use the revised city law as described in this bill, with the exception that the legislative charter shall still determine the number of councilmen and the terms of the mayor and council. This bill repeals over 600 sections of law.

The committee amended the bill to remove certain provisions which are redundant of general law and which expand the contents of the administrative code, which a municipality may adopt. The amendments also make various technical changes which bring the text into conformity with the style and form of statutory law.

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# OFFICE OF THE GOVERNOR

## NEWS RELEASE

**CN-001**

**Contact:** JOHN SAMERJAN  
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**TRENTON, N.J. 08625**

**Release:** TUES., DEC. 15, 1987

Governor Thomas H. Kean today signed legislation appropriating \$3 million from the Jobs, Science and Technology Bond Act of 1984 for the establishment and construction of a Northern/Central Computer Integrated Manufacturing Center at the New Jersey Institute of Technology.

A-4269, was sponsored by Assemblyman Frank Gargiulo, R-Hudson. Identical legislation was sponsored in the Senate by Senator John Lynch, D-Middlesex.

The new center, operated by a consortium of twelve central and northern New Jersey county colleges, brings to \$54 million the amount committed from the original \$90 bond issue.

The legislation is effective immediately.

Governor Kean also signed the following legislation:

S-1777, sponsored by Senator Matthew Feldman, D-Bergen, increases state aid to local libraries by amending the basic per capita formula.

This bill will increase aid to local libraries by \$1.86 million in fiscal year 1988. The legislation is effective immediately.

S-2782, sponsored by Senator Richard Van Wagner, D-Monmouth, Assemblyman J. Edward Kline, R-Atlantic and Assemblywoman Lisa Randall, R-Bergen, revises the law concerning the city form of government. This legislation, part of a continuing attempt to modernize the statutes affecting local government, impacts 15 municipalities: Burlington, Woodbury, Beverly, Salem, Egg Harbor, Linden, Corbin, Linwood, Northfield, Pleasantville, Port Republic, Somers Point, Summit, Absecon and North Wildwood.

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The legislation, effective January 1, 1988, originated from a report of the County and Municipal Government Study Commission.

S-2912, sponsored by Senator Frank Graves, D-Passic, increases the fine for driving overweight motor vehicles over bridges from a fine not exceeding \$100 to a fine not to exceed \$1,000.

The legislation is effective immediately.

S-3462, sponsored by Senator Matthew Feldman, D-Bergen, expands the membership of the Board of Trustees at the New Jersey Institution of Technology from eight to ten members.

The legislation is effective immediately.

S-977, sponsored by Senator Thomas Cowan, D-Hudson, directs the State Board of Higher Education to contract with the Morehouse School of Medicine in Atlanta, Georgia, for the acceptance of two to four New Jersey residents per year to study medicine.

The legislation is effective immediately.

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