

40:69A-60.1 and 40:69A-60.5

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40:69A-60.1 and 40:69A-60.5

(Mayor Council plan C--  
additional aides for mayor)

LAWS OF: 1985

CHAPTER: 159

Bill No: S204

Sponsor(s): Caufield and Lipman

Date Introduced: Pre-filed

Committee: Assembly: Municipal Government

Senate: County and Municipal Government

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

Date of Passage: Assembly: January 8, 1985

Senate: April 30, 1984

Date of Approval: April 26, 1985

Following statements are attached if available:

Sponsor statement: Yes Assembly amendments,  
adopted 1-3-85 and Senate  
amendments, adopted 2-  
23-85 (with statements)

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

159 4-26-85  
[SECOND OFFICIAL COPY REPRINT]  
**SENATE, No. 204**

**STATE OF NEW JERSEY**

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Senators CAUFIELD and LIPMAN

AN ACT concerning appointees of the mayor and municipal council in certain municipalities governed by the "Optional Municipal Charter Law," and amending P. L. 1963, c. 69 and P. L. 1973, c. 89.

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

1 1. Section 1 of P. L. 1963, c. 69 (C. 40:69A-60.1) is amended to  
2 read as follows:

3 1. The mayor of any municipality having a population of more  
4 than \***[80,000]**\* \*\*\***[\*200,000\*]**\*\*\* \*\*\*300,000\*\*\* which, prior to  
5 **[the effective date of this amendatory and supplementary act]**  
6 *January 9, 1982*, had adopted the form of government designated  
7 as "Mayor-Council Plan C" provided for in article 5 of the act of  
8 which this act is a supplement, may appoint one or two deputy  
9 mayors, a personal secretary, an executive secretary, and aides.  
10 **\*[not exceeding [five] 10 in number]\*** \*\**not exceeding 10 in num-*  
11 *ber\*\**, who shall serve, and be removable at the pleasure of the  
12 mayor, and who shall serve in the unclassified service of the civil  
12A service of the city and shall receive such salary as shall be fixed  
12B by ordinance.

13 No municipality shall adopt the provisions of this section on or  
14 after **[the effective date of this amendatory and supplementary**  
15 **act]** *the date occurring six months after the effective date of this*  
16 *amendatory act.*

17 *\*\*The mayor of any municipality having a population of more*  
18 *than 80,000 but less than \*\*\*[200,000]\*\*\* \*\*\*300,000\*\*\* which, prior*  
19 *to January 9, 1982, had adopted the form of government designated*

**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 amendments adopted February 23, 1984.**

**\*\*—Assembly committee amendments adopted September 20, 1984.**

**\*\*\*—Assembly amendments adopted January 3, 1985.**

20 as "Mayor-Council Plan C" provided for in \*\*\*[R. S. 40:69A-55  
 21 et seq.]\*\*\* \*\*article 5 of P. L. 1950, c. 210 (C. 40:69A-55 et seq.)\*\*\*  
 22 may appoint one or two deputy mayors, a personal secretary, an  
 23 executive secretary, and aides not exceeding five in number, who  
 24 shall serve, and be removable at the pleasure of the mayor, and who  
 25 shall serve in the unclassified service of the civil service of the  
 26 municipality and shall receive such salary as shall be fixed by ordi-  
 27 nance.\*\*

1 2. Section 1 of P. L. 1973, c. 89 (C. 40:69A-60.5) is amended to  
 2 read as follows:

3 1. The municipal council of any municipality having a population  
 4 of more than \*\*\*[200,000]\*\*\* \*\*\*300,000\*\*\* which, prior [to the  
 5 effective date of this amendatory and supplementary act] \*\*to\*\*  
 6 January 9, 1982 had adopted the form of government designated  
 7 as "Mayor-Council Plan C" provided for in article 5 of the act of  
 8 which this act is a supplement, may appoint an executive secre-  
 9 tary\*\*[, a community service worker]\*\* and \*[not more than [one  
 10 aide] four]\* \*\*not more than four\*\* aides for each councilman,  
 11 who shall serve, and be removable at the pleasure of the council-  
 12 man, and who shall serve in the unclassified service of the civil  
 12A service of the city and shall receive such salary as shall be fixed  
 13 by ordinance[, but said salary shall not exceed \$10,000.00]\*\*\*, but  
 13A said salary shall not exceed\*\*\* \*\*the salaries of persons presently  
 13B holding the positions of executive secretary or aide on the effective  
 13C date of this amendatory act. Persons appointed pursuant to this  
 13D section may have their salaries increased on a periodic basis, but  
 13E not in excess of the average percentage increase granted to other  
 13F municipal employees in the same period\*\*.

14 \*\*\*The municipal council of any municipality having a popula-  
 15 tion of more than 200,000, but less than 300,000, which, prior to  
 16 January 9, 1982, had adopted the form of government designated  
 17 as "Mayor-Council Plan C" provided for in article 5 of P. L. 1959,  
 18 c. 210 (C. 40:69A-55 et seq.) may appoint not more than one aide  
 19 for each councilman, who shall serve, and be removable at the  
 20 pleasure of the councilman, and who shall serve in the unclassified  
 21 service of the civil service of the city and shall receive a salary  
 22 as shall be fixed by ordinance, except that the salary so fixed shall  
 23 not exceed \$10,000.00.\*\*\*

24 No municipality shall adopt the provisions of this section on or  
 25 after [the effective date of this amendatory and supplementary  
 26 act] the date occurring six months after the effective date of this  
 27 amendatory act.

1 3. This act shall take effect immediately.

6 the form of government designated as "Mayor-Council Plan C"  
7 provided for in article 5 of the act of which this act is a supplement,  
8 may appoint *an executive secretary, a community service worker*  
9 *and not more than [one aide] four aides* for each councilman, who  
10 shall serve, and be removable at the pleasure of the councilman,  
11 and who shall serve in the unclassified service of the civil service  
12 of the city and shall receive such salary as shall be fixed by ordi-  
13 nance, but said salary shall not exceed \$10,000.00].

14 No municipality shall adopt the provisions of this section on or  
15 after [the effective date of this amendatory and supplementary  
16 act] *the date occurring six months after the effective date of this*  
17 *amendatory act.*

1 3. This act shall take effect immediately.

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#### STATEMENT

This bill permits the mayor of a municipality with a population over 80,000 and operating under a Mayor-Council Plan C prior to January 9, 1982 to appoint up to 10 aides, rather than the five aides now appointed.

The bill also permits each municipal councilman in a municipality with a population over 200,000 and operating under a Mayor-Council Plan C prior to January 9, 1982 to appoint an executive secretary, a community service worker, and not more than four aides for each councilman. Currently, each councilman is entitled to one aide. The bill also removes the current salary limitation of \$10,000.00 for each aide.

5204 (1985)

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 204**

[OFFICIAL COPY REPRINT]

with Assembly committee amendments

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**STATE OF NEW JERSEY**

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DATED: SEPTEMBER 20, 1984

As amended by the committee, Senate Bill No. 204 (OCR) permits the mayor of a municipality which has a population of over 200,000 and which has adopted a Mayor-Council Plan C form of government prior to January 9, 1982 to appoint a maximum of 10 aides, rather than the five or fewer aides now permitted in municipalities of over 80,000. In addition, the bill permits each municipal council in a municipality which has a population of over 200,000 and which has adopted a Mayor-Council Plan C form of government prior to January 9, 1982 to appoint an executive secretary, and a maximum of four aides for each council member. Currently, each council member is entitled to one aide. The bill also removes the current salary limitation of \$10,000.00 for each council aide and substitutes as a maximum salary that amount earned by an executive secretary or aide on the effective date of this act, with provision for periodic salary increases.

Qualified municipalities will have six months from the effective date of the act within which to adopt its provisions. The bill, as amended by the committee, holds harmless those municipalities which were authorized to make appointments under the provisions of P. L. 1963, c. 69 (C. 40:69A-60.1) before it was amended by the provisions of this bill.

The committee favorably reported this bill.

SENATE COUNTY AND MUNICIPAL GOVERNMENT  
COMMITTEE

STATEMENT TO

**SENATE, No. 204**

**STATE OF NEW JERSEY**

DATED: JANUARY 23, 1984

Senate Bill No. 204 permits the mayor of a municipality which has a population of over 80,000 and which has adopted a Mayor-Council Plan C form of government prior to January 9, 1982 to appoint 10 or fewer aides, rather than the five or fewer aides now permitted. In addition, the bill permits the municipal council of a municipality which has a population of over 200,000 and which has adopted a Mayor-Council Plan C form of government prior to January 9, 1982 to appoint an executive secretary, a community service worker, and not more than four aides for each council member. The first two positions are new positions; the ceiling of four aides represents an increase from the single appointment per council member currently permitted. The bill also removes the current salary limitation of \$10,000.00 for a council members aide.

Qualified municipalities will have six months from the effective date of the act within which to adopt the provisions.

OK  
MK

ADOPTED

JAN 3 1985

R-49  
1/3/85

Assembly Amendments

(Proposed by Assemblyman Brown)

to **ASSEMBLY REPRINT**  
**OCR**

Senate Bill No. 204 AR

(Sponsored by Senator Caufield)

Amend:

Page	Sec.	Line	
1	1	4	Omit "200,000" insert "300,000"
1	1	18	Omit "200,000" insert "300,000"
1	1	20	Omit "R.S. 40:69A-55 et seq." insert "article 5 of P.L. 1950, c. 210 (C.40:69A-55 et seq.)"
2	2	4	Omit "200,000" insert "300,000"
2	2	13A	After " <del>\$210,000</del> " insert ", but said salary shall not exceed"
2	2	After 17 13F	<p>Insert new paragraph as follows:</p> <p>"The municipal council of any municipality having a population of more than 200,000, but less than 300,000, which, prior to January 9, 1982, had adopted the form of government designated as "Mayor-Council Plan C" provided for in article 5 of P.L. 1950, c. 210 (C.40:69A-55 et seq.) may appoint not more than one aide for each councilman, who shall serve, and be removable at the pleasure of the councilman, and who shall serve in the unclassified service of the civil service of the city and shall receive a salary as shall be fixed by ordinance, except that the salary so fixed shall not exceed \$10,000."</p>
			<u>Statement</u>
			The purposes of these Assembly Amendments are threefold:
			(1) to clarify the appointive powers granted to certain mayors and municipal councils under Senate Bill 204 AR.

ASSEMBLY Amendments  
(Proposed by Assemblyman Brown)  
to

SENATE Bill No. 204 AR  
(Sponsored by Senator Caufield)

Amend:

Page	Sec.	Line

(2) to clarify the salary authorization permitted under Senate Bill 204 AR for aides appointed to serve councilmen pursuant to section 1 of P.L. 1973, c. 89 (C.40:69A-60.5); and

(3) to correct a technical error in statutory citation.

**ADOPTED**

**FEB 23 1984**

write  
OK  
11/8

Senate Amendments

to

Senate Bill No. 204

By Senator Caufield

Amend:

Page	Sec.	Line	
1	1	4	Delete "80,000" insert "200,000".
1	1	9	Delete "not exceeding [five] 10 in number".
2	2	9	Delete "not more than [one side] four"

Statement

These amendments will give governing bodies of local municipalities the right to determine the number of confidential aides in the office of the Mayor and City Council.

198/11

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Matter printed in italics *thus* is new matter.  
Matter enclosed in asterisks or stars has been adopted as follows:  
\*—Senate committee amendments adopted June 30, 1983.