



**BOROUGH OF LAWN SIDE
ORDINANCE NO. 02-2024**

**AN ORDINANCE ESTABLISHING WHICH APPOINTED OFFICIALS WITHIN
THE BOROUGH OF LAWN SIDE ARE ELIGIBLE FOR PARTICIPATION IN
THE DEFINED CONTRIBUTION RETIREMENT PROGRAM (DCRP)**

WHEREAS, the State Legislature adopted Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) to create the Defined Contribution Retirement Program to provide retirement benefits to various county and municipal officials; and

WHEREAS, N.J.S. 43:15C-2 requires the governing Body of each county, municipality, and other local entity to adopt, as appropriate, either a resolution or ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by the Governor of the State, pursuant to guidelines or policy that shall be established by the local Finance board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and

WHEREAS, the Mayor and Borough Council of the Borough of Lawnside have considered the guidelines issues by the Local Finance Board;

THEREFORE, be it ordained by the Mayor and Borough Council of the Borough of Lawnside that:

1. Pursuant to N.J.S. 43:15C-2, the following positions are deemed to be eligible for the Defined Contribution Retirement Program:
 - a. Borough Administrator;
 - b. Borough Solicitor who does not meet the status as an independent contractor;
 - c. Municipal Court Judge;
 - d. Municipal Prosecutor;
 - e. Municipal Public Defender

2. Individuals serving in the following positions are exempt from Defined Contribution Retirement Program membership, pursuant to N.J.S. 43:15C-2:
 - a. Registered Municipal Clerk;
 - b. Chief Financial Officer;
 - c. Treasurer;
 - d. Public Works Director;
 - e. Tax/Utility Collector;
 - f. Tax Assessor;
 - g. Court Administrator;
 - h. Qualified purchasing Agent;
 - i. Code Enforcement Officer;
 - j. Zoning/Construction Code Official;
 - k. Licensed Uniform Sub Code Officials and Inspectors;
 - l. Registrar of Vital Statistics
3. This ordinance shall be implemented, construed and subject to the aforesaid Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) as amended from time to time, and any regulations or guidance documents from the Local Finance Board or the Division of Pension and Benefits.
4. Should any part or parts of this ordinance be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect.
5. A copy of this ordinance shall be filed with the Director of the Division of Pension & Benefits of the new Jersey Department of the Treasury.
6. This ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

INTRODUCTION & FIRST READING: MARCH 6, 2024

PUBLIC HEARING & ADOPTION: APRIL 3, 2024

ADOPTED: APRIL 3, 2024

BOROUGH OF LAWNSIDE



PAMELA SCOTT-FORMAN, RMC, CMR
BOROUGH CLERK



MARY ANN WARDLOW
MAYOR