

ORDINANCE NO. 2023-3401

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**ORDINANCE REAPPOINTING THE TOWNSHIP OF MIDDLETOWN'S
CERTIFIED TAX COLLECTOR DEBRA MARCHETTI WITH TENURE**

WHEREAS, section 7-38 of the Code of the Township of Middletown (the "**Township**") establishes the position of Tax Collector within the Department of Finance; and

WHEREAS, N.J.S.A. 40A:9-141 requires the appointment of all Tax Collectors be made by ordinance; and

WHEREAS, pursuant to N.J.S.A. 40A:9-142 "[e]very municipal tax collector shall hold . . . office for a term of 4 years from the first day of January next following [her] appointment"; and

WHEREAS, on August 19, 2019, the Township adopted Ordinance No. 2019-3257 appointing Debra Marchetti as the Township's Certified Tax Collector for an initial term running through December 31, 2023; and

WHEREAS, pursuant to N.J.S.A. 40A:9-145 and 40A:9-145.8, any Certified Tax Collector who has served for a continuous period of not less than 5 years or who has been reappointed upon the completion of one full term of 4 years is granted tenure so that they may not be removed from office except for good cause shown after a fair and impartial hearing; and

WHEREAS, the Township Committee concurs with the recommendations of the Township Administrator and Director of Finance to reappoint Debra Marchetti as the Township's Certified Tax Collector, thereby granting her tenure.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey as follows:

SECTION 1. Appointment

Pursuant to N.J.S.A. 40A:9-145 and 40A:9-145.8, Debra Marchetti, CTC, shall hereby be reappointed as the Township's Certified Tax Collector upon the completion of her one full term of 4 years on December 31, 2023.

SECTION 2. Compensation

The Tax Collector's compensation shall be as set forth in the Township's salary ordinance adopted pursuant to N.J.S.A. 40A:9-165.

SECTION 3. Severability.

If any section, subsection or paragraph of this ordinance be declared unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section subchapter or paragraph shall to the extent that is not held unconstitutional, invalid or inoperative remain in full force and effect and shall not affect the remainder of this ordinance.

SECTION 4. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 5. Effective Date.

This ordinance shall take effect immediately after final adoption and approval pursuant to law.