

**SUSSEX BOROUGH
ORDINANCE NO. 2016-21**

**AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF
NEW JERSEY AMENDING SECTION 2-6A, ENTITLED “RESERVED”, OF CHAPTER II,
ENTITLED “ADMINISTRATION”, OF THE GENERAL REVISED ORDINANCES OF THE
BOROUGH OF SUSSEX**

BE IT ORDAINED by the Mayor and Council of the Borough of Sussex as follows:

Section 1. Section 2-6A, entitled “Reserved”, of Chapter II, entitled “Administration”, of the General Revised Ordinances of the Borough of Sussex is amended to read as follows:

2-6A. BOROUGH ADMINISTRATOR.

A. The position of borough administrator of the Borough of Sussex is hereby created, and employment of a qualified person for that position is hereby authorized.

B. Method of appointment; term and qualifications.

(1) The borough administrator shall be appointed by the Mayor with the advice and consent of the council. The borough administrator's employment shall be evidenced by a contract approved by the mayor and council.

(2) The term of office of the borough administrator shall be at the pleasure of the mayor and council and as specified in the contract as approved per subparagraph 1 hereof.

(3) The borough administrator may be removed by a two-thirds vote of the mayor and council, the resolution of removal to become effective three months after its adoption. The mayor and council may provide, however, that the resolution shall have immediate effect, provided that there shall be paid to the administrator forthwith any unpaid balance of his/her salary and his/her salary for the next three months following adoption of the resolution.

(4) The borough administrator shall be appointed on the basis of administrative qualifications, with special regard to education and training in government affairs and experience therein. Members of the mayor and council may not receive such appointment during their term or within two years after the expiration of said term.

(5) The borough administrator shall be reviewed annually by the Personnel Committee in November, and its performance evaluation report shall be presented to the mayor and council and privately to the borough administrator by the council president.

C. Disability or absence. During any approved absence or disability of the borough administrator, an officer or employee of the borough may be appointed by the mayor and council to temporarily perform the duties and responsibilities of the position.

D. Compensation. The compensation of the borough administrator shall be fixed by the council by appropriate ordinance.

E. Duties and responsibilities.

(1) The borough administrator shall work with the administrative team, which shall include the borough clerk, the chief financial officer and the mayor.

(2) The Borough Administrator shall have the responsibility and authority to perform the following duties as may be assigned to him or her by the mayor with the consent of the borough council:

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- (a) Serve as the chief administrative officer of the borough.
- (b) Attend all meetings of the mayor and council and other boards, as required, with the right to participate in all discussions, but without the right to vote.
- (c) Advise the mayor and council on policy decisions.
- (d) Execute all applicable laws of the State of New Jersey and ordinances and resolutions of the Borough.
- (e) Recommend the appointment and/or removal of employees for whose selection and removal no other method is provided by law.
- (f) As instructed by the council, negotiate contracts which are subject to the approval of the mayor and council.
- (g) Represent, or so direct the administrative team to represent, the borough, with the approval of the mayor and council, in its relations with the federal government, state, county and other municipalities and assess the borough's interest in contracts, franchises and other business transactions.
- (h) Investigate the affairs of any officer, employee or department at the request of the mayor and council and report thereon.
- (i) Work with the residents and business owners of the borough to ensure that their inquiries or complaints are properly followed up by the appropriate borough department.
- (j) Work with the borough clerk, chief financial officer and mayor to establish and maintain effective personnel practices and maintain appropriate records of all employees, including the development of a systematic review of employee performance.
- (k) Carry out or so direct the borough staff to carry out the policies established by the mayor and council.
- (l) Oversee and disseminate information to the mayor and council.
- (m) Work with the chief financial officer, prepare the annual and capital budgets, in consultation with department heads and committees as may be established by the mayor and council, and submit them to the mayor and council as needed or requested by the mayor and council.
- (n) Work with the mayor and council, chief financial officer, and borough clerk to annually establish the priority of capital projects needed in the borough, research the projects and budget the necessary funding to adequately and realistically complete the projects in a prudent and expedient time frame.
- (o) Work with the borough clerk to receive copies of all reports and documents required by the mayor and council of all borough department heads, officers, employees, committees, commissions, authorities and/or contractors/vendors.
- (p) Work with the chief financial officer, qualified purchasing agent and borough clerk to develop procedures for the purchase and distribution of materials, supplies and equipment.
- (q) Serve as one of the borough's purchasing agents. In such capacity, the borough administrator shall purchase, in accordance with the provisions of the governing statutes and generally accepted purchasing practices and in coordination as applicable with the qualified purchasing agent, supplies and equipment for the various boards, departments and offices of the borough.
- (r) Delegate to such individuals, officers or departments as may be appropriate, as he or she may deem necessary for the efficient administration of the borough.
- (s) Keep the mayor and council informed as to federal aid projects and state aid projects and other aid programs or grants that the borough may qualify for.
- (t) Perform such other duties as may be required by ordinance, resolution or direction of the mayor and council.

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(u) Work with the borough's water operator, Department of Public Works and other staff and vendors providing services in connection with the operation of the borough's water and sewer system with respect to the financial, personnel, administrative and office needs and requirements. The borough administrator shall report to the mayor and council on these matters.

F. Reports to council members. All requests by individual council members for information, documents, research and reports shall be directed to the borough administrator. If the borough administrator determines that the effort required to comply with an individual council member's request will be extraordinary or will unduly interfere with staff requirements, the request shall be placed on the next available regular council meeting agenda for discussion and decision. The foregoing shall not result in an obligation by the borough administrator to provide information or documents with regard to confidential or privileged communications and matters.

G. Consistency with law. Nothing herein shall derogate from or authorize the borough administrator to exercise the powers and duties of elected officials of the borough and of the boards and agencies thereof established pursuant to law.

H. Residency not required. The person appointed to the office of borough administrator need not be a resident of the borough.

Section 2. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

Section 3. Repealer.

All ordinances or parts of ordinances or resolutions inconsistent with or contrary to the provisions of this Ordinance are hereby repealed to the extent of such inconsistency or contrariness.

Section 4. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the attached Ordinance #2016-21 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on the 6th day of September, 2016 and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at the regular meeting of the Mayor and Council to be held on the 20th day of September, 2016 at Borough Hall, 2 Main Street, in the Borough of Sussex, at 7:30 p.m., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

Antoinette Smith,
Acting Municipal Clerk

Katherine Little, Mayor

Introduced: September 6, 2016

Adopted: September 20, 2016