

SUSSEX COUNTY ADMINISTRATIVE CODE (1989)

ARTICLE 1

SHORT TITLE, DEFINITIONS AND CONSTRUCTION

SECTION 1.1 SHORT TITLE

This Code shall be known and may be referred to as the "Sussex County Administrative Code (1989) Revised".

SECTION 1.2 DEFINITIONS

For the purpose of this Code and in the interpretation and application of all other resolutions and ordinances heretofore or hereafter adopted by the County, except as the context may otherwise require:

- (A) "Board" shall mean the Board of Chosen Freeholders.
- (B) "Code" shall mean the Sussex County Administrative Code (1989) as amended or supplemented.
- (C) "County" shall mean the County of Sussex, State of New Jersey.
- (D) "County Administrator" shall mean the officer by that title duly appointed by the Sussex County Board of Chosen Freeholders and serving pursuant to the Code.
- (E) "Department" shall mean an organizational unit or group of organizational units of the County government, established or designated as a department by the Code.
- (F) "Department Administrator" (County Department Head) shall mean the administrative head of a department, regardless of his title.
- (G) "Month" shall mean a calendar month unless otherwise specifically provided.
- (H) "Day" shall mean a calendar day unless otherwise specifically provided.
- (I) "Division" shall mean a sub-organizational unit or group of organizational units of a Department of the County Government established by or designated as a Division by the Code. The head of a Division shall be known as a "Director" (County Division Head).
- (J) "Person" shall mean any corporation, firm, partnership, association, organization or other entity, recognized by the State of New Jersey as a person, as well as an individual.

- (K) "Year" shall mean a calendar year unless otherwise specifically provided.
- (L) "Ordinance" shall mean and include any act or regulation of the Board (except an expense or capital budget) required to be reduced to writing, published after introduction, and considered for final passage.
- (M) "Resolution" shall mean and include any act or regulation of the Board, required to be reduced to writing but which may be finally passed at the meeting at which it is introduced.
- (N) The masculine gender includes the feminine and neuter.
- (O) "Office" shall mean a suborganizational unit or group of organizational units of a Division of the County Government established or designated as an office by the Code.

SECTION 1.3 LEGISLATIVE INTENT; SEPARATION OF POWERS

- (A) It is the intent of the Board in enacting the Code to exercise fully, according to its terms, the powers delegated by law to organize and reorganize County government, and the provisions of the Code shall be construed liberally to that end.
- (B) Nothing in the Code shall be construed as intending to impair, diminish or encroach upon the powers and duties of municipalities or other units of government under the laws of the State of New Jersey.
- (C) The Code shall be interpreted and administered so as to maintain the separation of legislative and administrative powers as provided herein.

SECTION 1.4 AMENDMENTS

The procedure for the abolishment or passage of amendments to this Code shall be as follows:

- (A) every amendment, after being introduced and having passed a first reading, which first reading may be by title, shall be published at least once in the manner provided herein, together with a notice of the introduction thereof and the time and place when and where it will be further considered for final passage;
- (B) at the time and place so stated in such publication, or at any time and place to which the meeting for the further consideration of the amendment shall from time to time be adjourned, all persons interested shall be given an opportunity to be heard concerning the amendment. Final passage thereof shall be at least ten (10) days from the date of first reading;
- (C) upon the opening of the hearing, the amendment shall be given a second reading, which reading may be by title, and thereafter, it shall be adopted only if approved by a majority of the whole number of the Board. Prior to the said second reading, a copy of the amendment shall be posted on the bulletin board or other place upon which public notices are customarily posted in the building in which the Board regularly meets, and copies of the amendment shall be made available to members of the general public who shall request such copies at the statutory allowable cost (N.J.S.A. 40:41A-101);
- (D) upon passage, every amendment, or its title, together with notice of the date of passage or approval, or both, shall be published at least once in the manner provided herein;

- (E) no amendment shall take effect less than twenty (20) days after its final passage by the Board and publication as provided herein;
- (F) whenever notice by publication is required under this Code the Clerk of the Board of Chosen Freeholders shall cause all such notices to be published once in a newspaper, unless otherwise required by law, qualified by law and designated by majority vote of the Board of Chosen Freeholders to publish the County's legal notices;
- (G) one certified copy of the full text of the Amendment shall be filed with the Clerk of each municipality within the County not later than 10 days after the date of final passage.

ARTICLE 2

THE BOARD OF CHOSEN FREEHOLDERS

SECTION 2.1 COUNTY DEPARTMENTS AND DIVISIONS

The County recognizes the following as Departments, Divisions and Offices within County government:

The Board of Chosen Freeholders

The Clerk of the Board

**The County Counsel
The County Adjuster**

The County Administrator

The Department of Central and Shared Services

**Division of Central Administration
Office of Central Purchasing
Office of Central Services
Office of Employee Services
Office of Fleet Management
Office of Shared Services
Office of Risk Management**

Division of Facilities Management

**Division of Information Management
Office of Geographic Information Systems (G.I.S.) Management
Office of Records Management
Office of Technology
Office of Web Site Management**

The Department of Engineering and Planning

**Division of Engineering
Office of Bridge and Traffic Safety**

**Division of Public Works
Office of Roads**

Division of Planning

**Office of Conservation and Farmland Preservation
Office of Environmental Resource Planning
Office of Transportation Planning**

The Department of Environmental and Public Health Services

**Office of Environmental Health and Sanitation
Office of the Medical Examiner
Office of Mosquito Control
Office of Public Health Nursing
Office of Weights and Measures**

The Department of Finance and Library Services

**Division of Finance
Office of Budget Management
Office of Fiscal Management
Office of Treasury**

Division of Library Services

The Department of Human Services

Division of Community and Youth Services

Division of the Homestead

Division of Senior Services

**Division of Social Services
Office of Transit**

Independent Boards and Offices

**The Board of Elections
The Board of Taxation
Lake Hopatcong Commission
Insurance Fund Commission
Mental Health Board
Lake Musconetcong Regional Planning Board
Rutgers Cooperative Extension Service
Shade Tree Commission
The Superintendent of Schools
Sussex County Community College
Sussex County Municipal Utilities Authority
Sussex County Technical School
Sussex County Uniform Construction Code Board of Appeals**

Constitutional Officers

**The Office of the County Clerk
Elections
Registry**

The Office of the Prosecutor

**The Office of the Sheriff
County Jail
Division of Emergency Management
Office of the Fire Marshal
Judicial Functions (Sheriff's)
Sheriff's Office**

**The Office of the Surrogate
Deputy Clerk of Superior Court
Judge of Surrogate Court**

SECTION 2.2 LEGISLATIVE POWER

The legislative policy making and investigative powers of County government shall be vested in the Board. Inclusive of and in addition to the said powers, the Board shall have the power to:

- (A) adopt and amend an Administrative Code organizing the administration of County government, setting forth the duties, responsibilities and powers of all County officials and agencies, and the manner of performance needed;
- (B) conduct such investigations as are germane to the exercise of its legislative and budgetary powers under the Code and as otherwise authorized by law, including power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant evidence as is provided in this Code, in the County and Municipal Investigations Law (N.J.S.A. 2A:67A-1 et seq.) and in other general law;
- (C) designate which of the Board's staff shall be responsible for processing funding requests by the Board and its staff for submission and prompt payment by the Division of Treasury;
- (D) order cessation of expenditures in any appropriation it has approved for any agency, or for any grant to any non-governmental agency if it is apparent to the Board that funds are not being used for the purposes authorized or are being misused, or if the possibility of over-expenditure exists;
- (E) appoint such temporary advisory boards, task forces and groups of citizens as the Board from time to time may feel necessary to advise it in setting the legislative policies of the County government;

- (F) retain and employ such professional and clerical staff, consultants and interns as may be necessary to assist the Board in the proper performance of the responsibilities imposed on it by law or under this Code;
- (G) approve or disapprove site plans and subdivisions on appeal from the Planning Board;
- (H) designate authorized depositories for all funds of the County;
- (I) designate authorized check signers for all bank accounts maintained by the County;
- (J) Create a Capital Projects Committee to work with the Department Administrators of the Departments of Central and Shared Services, Finance and Library Services, Engineering and Planning, Environmental and Public Health Services and Human Services, along with the Division of Facilities Management to prepare a Capital Program for improvements of the County's roads and bridges, facilities, technology, infrastructure and any other improvements necessary for the good and well-being of the County.

SECTION 2.3 VACANCY

In the event of a vacancy in the office of Freeholder, the vacancy shall be filled as provided by N.J.S.A. 40:41A-145.1.

SECTION 2.4 ORGANIZATION

The Board shall organize within the first week of January in each year.

SECTION 2.5 PRESIDING OFFICER

At its organizational meeting the Board shall elect, from among its members, a Director and a Deputy Director. Each shall serve for a term of one (1) year or until the election and qualification of his successor. Election shall be by majority vote of the whole number of members of the Board. The Director shall preside over all meetings of the Board and appoint members to all committees of the Board with the advice and consent of the majority voting. The Director shall make all liaison appointments from the members of the Board. In the absence or inability to serve of the Director, the Deputy Director shall act in his place and stead. In the absence or inability to serve of both the Director and Deputy Director, the Board shall elect from among its members a Director pro-tempore for the meeting to serve only so long as both the Director and Deputy Director are absent or unable to serve.

SECTION 2.6 REGULAR AND SPECIAL MEETINGS

- (A) Regular meetings of the Board shall be determined at the Annual Reorganizational Meeting.
- (B) The Director may, and upon written request of a majority of the members of the Board, call a Special Meeting of the Board. In the call, he shall designate the purpose of the special meeting and no other business shall be considered at such meeting. Notice of said meeting shall be pursuant to N.J.S.A. 10:4-6, et seq.

SECTION 2.7 PUBLIC MEETINGS: CONFERENCES

All meetings of the Board shall be governed by N.J.S.A. 10:4-6 et seq. (Open Public Meetings Act). All reports, communications, resolutions, contract documents, or other matters to be submitted to the Board shall be delivered to the Clerk of the Board whereupon the Clerk shall furnish a copy thereof to each member of the Board, the Administrator of the County, and County Counsel as far in advance of the meeting as time for preparation will permit.

SECTION 2.8 RULES OF PROCEDURE

In addition to such rules of procedure as may be set forth in By-Laws adopted by Resolution of the Board, the following rules of procedure shall apply:

- (A) Presiding Officer: The Director, and in his absence the Deputy Director, shall take the chair at the hour appointed for the meeting, and shall immediately call the Board to order. In the absence of the Director and the Deputy Director, the Clerk shall call the Board to order and shall determine whether a quorum is present. In the event a quorum is present, the Clerk shall call for the election of a Director pro-tempore, elected by a majority of those present. Upon the appearance of the Director or Deputy Director, the Director pro-tempore shall forthwith relinquish the chair upon the conclusion of the business immediately before the Board, and when the Deputy Director is presiding, he shall likewise relinquish the chair upon the appearance of the Director.
- (B) Roll Call: At the beginning of each meeting of the Board, the Clerk of the Board shall call the roll of the members in alphabetical order, and the names of those present shall be entered in the minutes. If any member appears after the roll call, the Clerk shall enter in the minutes the time of attendance of such member. Also, if a member leaves before the meeting is over, the Clerk shall enter in the minutes the time that the member leaves the meeting.

- (C) Quorum: A majority of the whole number of members of the Board shall constitute a quorum. Should no quorum attend within thirty (30) minutes after the hour appointed for the meeting of the Board, the person presiding may thereupon adjourn the meeting until the next available date making allowance for the required notice pursuant to law. The names of the members present and their action at such meeting shall be recorded in the minutes by the Clerk.
- (D) Order of Business: At each regular meeting of the Board the order of business shall include the following:
- (1) Call to order by Freeholder Director
 - (2) The Clerk of the Board shall call the roll
 - (3) Moment of silent prayer, Pledge of Allegiance
 - (4) Public Statement
 - (5) Public Hearings
 - (6) Proclamations/Certificates/Presentations
 - (7) Public Session from the floor
 - (8) Approval of Consent Agenda
 - (9) Approval of the summary of the minutes of the previous meeting, which need not be read at length if they have been made available to members at least 24 hours before the meeting
 - (10) Appointments/Resignations
 - (11) Resolutions
 - (12) Awards of Contracts/Change Orders/Bids
 - (13) Financial

- (14) Personnel
 - (15) Administrator's Report
 - (16) County Counsel's Report
 - (17) Unfinished Business
 - (18) New Business
 - (19) Public Session from the Floor
 - (20) Freeholders' Comments
 - (21) Executive Session
 - (22) Reminders
 - (23) Adjournment
- (E) Rules of Order: The procedure for the conduct of the business of the Board shall be governed by Robert's Rules of Order Revised (75th Anniversary Edition), except as otherwise provided by the Code.
- (F) The Director or such other member of the Board as may be presiding may move, second and debate from the chair and no member shall be deprived of any of the rights and privileges of a member of the Board by reason of his being the presiding officer.
- (G) Minutes: The Clerk of the Board shall keep minutes of all meetings. The minute records generally shall contain the roll call and every formal action of the Board, whether such action is presented by motion, resolution or ordinance. The Clerk shall include in the minutes the substance of other matters coming before the Board.

SECTION 2.9 CLERK

(A) The Clerk of the Board shall:

- (1) be appointed by the Board pursuant to N.J.S.A. 40A:9-26 to serve for a term of three (3) years;
- (2) have and exercise all the powers and duties now or hereafter conferred on him by the Code or other applicable laws or acts of the New Jersey Legislature and also such duties as may from time to time be assigned to him by the Board;
- (3) prepare agendas for all Board meetings and forward copies of all pertinent materials in advance of each meeting to each Freeholder, Freeholder-elect, County Administrator and County Counsel;
- (4) in serving as recording secretary to the Board, attend all meetings of the Board, and record all ordinances and resolutions adopted by the Board and at the close of each year, with the advice and assistance of County Counsel, compile or codify true copies of all the ordinances and resolutions adopted during that year, properly indexed. He shall cause such copies thereof to be printed as the County governing body may require.

A copy of the codified ordinances and resolutions shall be transmitted to each municipality within the County, upon request and without charge, and to any member of the general public upon request and at cost;
- (5) attest to all ordinances and resolutions as being duly adopted;
- (6) have custody of all records of the Board;

- (7) retain copies of all formal contracts in which the County is a party;
- (8) retain all official surety bonds furnished by any County officer or employee;
- (9) have custody of the County Seal and affix the seal to such documents as may require it;
- (10) receive on behalf of the Board copies of all personnel actions taken by the Administrator;
- (11) provide for the mailing of all notices and copies of documents to municipalities as required by law;
- (12) publish any legal notices required in connection with actions taken by the Board.

(B) Deputy Clerk

There shall be a Deputy Clerk of the Board of Chosen Freeholders appointed by the Clerk of the Board with the advice and consent of the Board. The Deputy Clerk shall be responsible to the Clerk of the Board. The Deputy Clerk shall by education, experience and ability be qualified to perform the duties established for the position. The Deputy Clerk need not be a resident of the County at the time of appointment, but during tenure may live outside the County only with the permission of the Board. The Deputy Clerk will:

- (1) under the direction and supervision of the Clerk of the Board, perform whatever supervisory and administrative duties the Clerk of the Board deems necessary and proper;

- (2) be available to serve in the place and stead of the Clerk of the Board during the temporary absence or disability of the Clerk.

SECTION 2.10 COUNTY COUNSEL

The County Counsel shall be appointed by the Board and shall serve for a term of three (3) years, pursuant to N.J.S.A. 40A:9-43.

Duties - County Counsel shall be the chief legal advisor to the Board and the Constitutional Officers. He shall be the attorney of record in all civil proceedings where the County, the Board or any Constitutional Officer is a party. County Counsel shall:

- (A) advise the Board and all County agencies and advise the Constitutional Officers when requested to do so;
- (B) approve the legal form and sufficiency of all contracts, deeds and other documents and prepare all ordinances and resolutions requested by the Board;
- (C) represent the Board and the agencies under the Board's jurisdiction in all litigation, appeals, proceedings before the administrative agencies and recommend settlement in any matter where he feels it appropriate;
- (D) maintain records of all actions, suits and proceedings relating to the County's interest and submit reports to the Board on such matters on request;
- (E) represent the Constitutional Officers in all legal matters related to their official duties;
- (F) render advisory opinions requested by the Board;
- (G) within the County Counsel's office, the Board shall appoint a County Adjuster pursuant to N.J.S.A. 30:4-34;

- (H) there may be appointed in the County Counsel's office Assistant County Counsels who shall be recommended by the County Counsel and appointed by the Board. County Counsel may appoint, subject to the approval of the Board, such assistants or special counsels, as are necessary and within the allocation of the County budget as approved and adopted. All of the Counsels shall have been duly admitted to practice law in New Jersey;
- (I) the County Counsel shall be permitted to conduct private law practices.

SECTION 2.11 RESOLUTIONS

A resolution in writing may be introduced by any member of the Board at any meeting, in the proper order of business, pursuant to the Open Public Meetings Act. Where possible it shall be duplicated and distributed to members of the Board prior to the meeting. It shall be thereupon read by title by the Freeholder Director or by the Clerk of the Board. A motion to adopt the resolution shall then be in order, and upon it being duly seconded, the motion shall be open to debate and acted upon.

SECTION 2.12 ORDINANCES

- (A) Ordinances shall set forth the statutory authority for proceeding by ordinance and the statutory or other authority for the proposed action by the Board. Ordinances shall be drafted and approved as to form and legality by County Counsel. Each ordinance shall be prepared in writing, duplicated and distributed to the members of the Board at least forty-eight (48) hours before the Board meeting at which it may be considered.
- (B) An ordinance may be introduced by any member of the Board. After passage on first reading, which reading may be by title, it shall be published. A copy of the proposed Ordinance shall also be sent by regular mail to the Clerk of each municipality in the County not less than one (1) week prior to the date of hearing on second reading. Prior to the second reading, a copy of the ordinance shall be posted on the bulletin board or other place upon which public notices are customarily posted in the building in which the Board regularly meets, and copies of the ordinance shall be made available to the general public upon request at the statutory allowable cost.
- (C) A public hearing shall be held on the proposed ordinance in the manner provided by New Jersey Statute and this Code, at which time all persons interested shall be given an opportunity to be heard concerning the ordinance. Upon the opening of the hearing, the ordinance shall be given a second reading, which reading may be by title and thereafter, it may be passed by a majority of the whole number of the Board, with or without amendments, or rejected. If any amendment be adopted altering the proposed ordinance, the ordinance as so amended may only

be finally adopted, if readvertised, pursuant to N.J.S.A. 40:41A-101b(3).

- (D) Upon passage, every ordinance, or its title, together with a notice of the date of passage or approval, or both, shall be published in the manner provided by law.
- (E) Effective Date - No ordinance shall take effect less than twenty (20) days after its final passage by the Board unless the Board shall adopt a resolution declaring an emergency and at least two-thirds of all members of the Board vote in favor of such resolution.

SECTION 2.13 APPOINTMENTS

- (A) Where the Code requires that the power of appointment by the County Administrator is subject to the advice and consent of the Board, the County Administrator shall communicate to the Board, in writing, at any meeting the name or names of his nominees for appointment. The Board shall consider the nomination and present its decision to the County Administrator
- (B) With respect to appointments to be made by the Board, any member of the Board may nominate as many candidates as there are offices to be filled. The Board will consider such nominations and act upon same at a regular meeting of the Board. Where there is more than one office to be filled on a board, commission or other multi-membered body, the same procedure shall be followed with respect to each office separately until the total number of appointments to be made has been completed.
- At the discretion of the Director, a group of nominations may be considered at once where there is no apparent division in the Board as to the nominees included in the group.

SECTION 2.14 MUNICIPAL OR REGIONAL ADVISORY COUNCILS

The Board may, by resolution, establish a municipal advisory council consisting of the mayors of all municipalities in the County and, in addition, the Board may establish regional advisory councils consisting of the mayors of neighboring municipalities or municipalities that have common interests or problems.

The Board shall meet periodically with the advisory councils to discuss County and municipal issues, County-municipal relations, coordination of operations and capital facilities development, and other subjects of mutual interest in order to provide closer County-Municipal liaison and cooperation.

ARTICLE 3

ORGANIZATION AND ADMINISTRATION GENERALLY

THE COUNTY ADMINISTRATOR

SECTION 3.1 QUALIFICATIONS, APPOINTMENT, TERM

The County Administrator shall be qualified by administrative and executive experience and ability to serve as the Chief Executive of the County. He shall be appointed by a majority vote of the whole Board pursuant to N.J.S.A. 40A:9-42. At the time of his appointment, the Administrator need not be a resident of the County, but after his appointment, he may reside outside the County only with permission of the Board expressed by Resolution.

SECTION 3.2 VACANCY, ACTING COUNTY ADMINISTRATOR

- (A) The office of County Administrator shall be deemed vacant if the incumbent moves his residence from the County without Board permission or he is by way of physical or mental disability unable to continue to serve. Any vacancy in the office of the County Administrator shall be filled by a majority vote of the whole Board.
- (B) During a vacancy in the office of County Administrator, the Board may appoint any department administrator to serve as Acting County Administrator until a successor has been appointed.

SECTION 3.3 EXECUTIVE POWERS GENERALLY

The County Administrator in the exercise of the executive powers of the County:

- (A) shall supervise, direct and manage all County administrative departments;
- (B) may require reports and examine the accounts, records and operations of any department, division or agency of County government;
- (C) may, at his discretion, order any department, division or agency under his jurisdiction as specified in the Code to undertake any task for any other agency on a temporary basis if he deems it necessary for proper and efficient administration.

SECTION 3.4 EXECUTIVE DUTIES GENERALLY

The County Administrator shall:

- (A) oversee the work of County departments subject to the Code, and shall review their administration and operation and make recommendations to them and/or the Board;
- (B) supervise the care and custody of all County property, institutions and agencies;
- (C) assure that all terms and conditions legally imposed upon the County by any statute, contract or directive, are faithfully kept and performed;
- (D) resolve all disputes between Department Administrators (County Department Heads) and all disputes between a Department Administrator (County Department Head) and a Division Director (County Division Head);
- (E) have good oral and written communications skills;
- (F) Recommend to the Board of Chosen Freeholders where new initiatives are needed to assure effective delivery of County services and recommend disbanding or merging offices so efficiencies can be achieved;
- (G) Lead, manage and assure effective and efficient delivery of County services.

SECTION 3.5 POWERS AND DUTIES IN RELATION TO THE BOARD

The County Administrator shall be present at all Board meetings and participate in all deliberations without the right to vote, and shall:

- (A) recommend to the Board whatever action or programs he deems necessary for the improvement of the County and the welfare of its residents;
- (B) establish the schedules and procedures to be followed by all County departments, offices and agencies in connection with the budget preparation;
- (C) review, analyze and forecast trends of County services and finances and programs of all boards, commissions, agencies and other County bodies, and report and recommend thereon to the Board;
- (D) negotiate contracts for the County subject to Board approval and review by County Counsel;
- (E) make recommendations concerning the nature and location of County improvements and execute improvements determined by the Board to be necessary.

SECTION 3.6 APPOINTMENTS AND REMOVALS

The County Administrator shall:

- (A) with the advice and consent of the Board, appoint Department Heads, the manner of whose appointment is not otherwise prescribed in the Code or by New Jersey Statute;
- (B) remove any officer in the unclassified service of the County over whose office he has power of appointment in accordance with County policy;
- (C) suspend or discipline, at his discretion, any officer in the unclassified service of the County over whose office he has power of appointment;
- (D) be the appointing authority as per N.J.S.A. 40A:9-9.

SECTION 3.7 DELEGATION OF APPOINTMENT AND REMOVAL POWER

With the advice and consent of the Board the County Administrator may delegate to department administrators the power of appointment of their departmental employees, subject to New Jersey Department of Personnel (Civil Service) provisions. Any such delegation shall be in writing and shall be promptly filed with the Clerk of the Board.

SECTION 3.8 DEPARTMENTAL ORGANIZATION

The administrative functions, powers and duties of the County government shall be allocated and assigned among and within the departments established by the Code, and as required by law with respect to the County officers established under the Constitution of the State of New Jersey. Each department shall be headed by a single executive, to be known as a Department Administrator (County Department Head), to be appointed and subject to removal as provided herein.

SECTION 3.9 DEPARTMENT ADMINISTRATORS: QUALIFICATIONS AND TERMS OF OFFICE

Each Department Administrator (County Department Head) shall be qualified by training and experience for the duties of his office. Department Administrators (County Department Heads) shall be appointed by the County Administrator with the advice and consent of the Board unless otherwise required by New Jersey Statute or this Administrative Code. Any Department Administrator (County Department Head), except those required to be appointed by New Jersey Statute for a term of years, may be removed by the County Administrator after providing forty-eight (48) hours written notice of the intention to remove to the Board and to the employee. If approved by the Board, after a hearing, if requested, pursuant to the Open Public Meetings Act, the effective date of termination shall be determined by the Board.

SECTION 3.10 COLLECTIVE BARGAINING

The County Administrator shall be the representative of the County government for collective bargaining with employees. He may, from time to time with the advice and consent of the Board, designate one or more non-represented individuals of County government to serve with him or in his place and stead in collective bargaining negotiations. He shall keep the Board informed of the progress of negotiations and shall be guided in such negotiations by such broad policy outlines as the Board may determine.

SECTION 3.11 ADMINISTRATIVE RULES AND REGULATIONS

Subject to the Code and with the approval of the County Administrator, the administrator of each department may make, promulgate and enforce rules and regulations governing the care, use and custody of County property under his jurisdiction, the rendering of services by his department, and the conduct and discipline of employees in his department consistent with personnel policies and union contracts.

SECTION 3.12 THE DEPUTY COUNTY ADMINISTRATOR

A Deputy County Administrator may be appointed by the County Administrator with the advice and consent of the Board. The Deputy County Administrator shall be responsible to the County Administrator. The Deputy County Administrator shall by education, experience and ability be qualified to perform the duties established for the position. The Deputy County Administrator need not be a resident of the County at the time of appointment, but during tenure may live outside the County only with the permission of the Board. The Deputy County Administrator will:

- (A) under the direction and supervision of the County Administrator, assist in the orderly and efficient administration of the County, performing whatever supervisory or administrative duties the County Administrator deems necessary and proper;
- (B) may serve as the head of one or more County departments as determined by the County Administrator with the advice and consent of the Board;
- (C) be available to serve as Acting County Administrator during the temporary absence or disability of the County Administrator.

ARTICLE 4

ADMINISTRATIVE ORGANIZATION OF THE COUNTY

SECTION 4.1 DEPARTMENTAL ORGANIZATION

The County government shall be organized into the following departmental groupings:

- (A) Department of Central and Shared Services
- (B) Department of Engineering and Planning
- (C) Department of Environmental and Public Health Services
- (D) Department of Finance and Library Services
- (E) Department of Human Services
- (F) Independent Agencies and Boards
- (G) Constitutional Officers:
 - (1) County Clerk
 - (2) Prosecutor
 - (3) Sheriff
 - (4) Surrogate

SECTION 4.2 POWERS AND DUTIES OF DEPARTMENT ADMINISTRATORS

Department Administrators (County Department Heads) shall be appointed by the County Administrator with the advice and consent of the Board except those whose manner of appointment or election to office is specified by statutory law or this Code. A Department Administrator (County Department Head) may serve simultaneously in a subordinate position within his department, as may any other employee, without additional compensation. Under the direction and supervision of the County Administrator and subject to the approval of the Board, each Department Administrator (County Department Head) shall:

- (A) direct and supervise the work of the department and its employees through such divisions and offices as may be established;
- (B) assign functions, powers, and duties of subordinate officers and employees within the department and modify such assignments as necessary, subject to the limitations of the New Jersey Department of Personnel (Civil Service);
- (C) delegate to division directors (County Division Heads) such powers and authority as he may deem necessary for the efficient administration of the department;
- (D) report as directed by the Administrator on the activities and accomplishments of the department;
- (E) implement such procedures and regulations as may be established by the County Administrator or the Board for the proper administration of County affairs.

ARTICLE 5

DEPARTMENT OF CENTRAL AND SHARED SERVICES

SECTION 5.1

There is hereby established the Department of Central and Shared Services within the County of Sussex. The Administrator of the Department shall be appointed by the County Administrator with the advice and consent of the Board. The Department shall consist of the divisions and offices in the following Sections.

SECTION 5.2 DIVISION OF CENTRAL ADMINISTRATION

The Director of the Division of Central Administration shall be appointed by the Department Administrator, with the advice and consent of the County Administrator and the approval of the Board. The Director of the Division shall perform the duties as may be assigned from time to time by the Department Administrator, County Administrator or the Board of Chosen Freeholders.

SECTION 5.2a OFFICE OF CENTRAL PURCHASING

The Office of Central Purchasing shall be administered by the Purchasing Agent who shall be appointed pursuant to N.J.S.A. 40A:9-30, who shall be a Certified County Purchasing Official pursuant to N.J.S.A. 40A:9-30.2. The Purchasing Agent shall perform those duties as specified in N.J.S.A. 40A:9-30 and shall make purchases, execute contracts and perform such functions and duties as may be required and necessary subject to directions of the Board. The Office shall:

- (A) establish, maintain and operate, in accordance with regulations prescribed by the Board and by the Local Public Contracts Law, a centralized purchasing system for the procurement, storage and distribution of supplies, materials and equipment required by all County departments and budgeted agencies;
- (B) be responsible for the collection, sale and disposal of surplus property;
- (C) develop and install a comprehensive inventory and control system for all equipment.

SECTION 5.2b OFFICE OF CENTRAL SERVICES

The Office of Central Services shall be headed by the Director of the Division of Central Administration (County Division Head) and shall:

- (A) operate and maintain a central mail room which shall be responsible for all external mailings as well as the distribution of all incoming, outgoing and inter-office mail of the County.
- (B) coordinate the creation and the reproduction of County forms, letterheads, documents and informational products.

SECTION 5.2c OFFICE OF EMPLOYEE SERVICES

The Office of Employee Services shall be headed by the Director of the Division of Central Administration (County Division Head) and shall:

- (A) perform all the duties consistent with the personnel procedures, including:
 - (1) developing and administering the County's personnel program, including job classification and pay plans, active recruitment of needed personnel and in-service training programs.
 - (2) maintaining personnel records for each County employee, including the education, training and experience of the employee, any professional or trade licenses held, all personnel actions taken with respect to the employee, including compensation, civil service and pension status and such other pertinent information as the County Administrator may require.
 - (3) administering an orderly procedure for the consideration, review and adjustment of employee personnel problems.
 - (4) reviewing and reporting to the County Administrator on proposed appointments, promotions, transfers and discharges.
 - (5) studying present and projected future labor market trends and wage levels, and conduct comparisons of salaries paid to like titles in other counties and municipalities.

- (6) ensuring that equal employment opportunities throughout is an ongoing activity. There shall be included in the Office of Employee Services the position of Equal Employment Opportunity Officer to be designated by the County Administrator. The Equal Employment Opportunity Officer shall be directly responsible to the County Administrator in all matters relating to affirmative action.
- (7) providing assistance in collective bargaining for the County as requested by the County Administrator.
- (8) processing all claims having to do with Workmen's Compensation and time-loss management and preparing appropriate reports for County, State, and Federal agencies.
- (9) administering all employee benefits, including negotiated and those administered by State agencies.

SECTION 5.2d OFFICE OF FLEET MANAGEMENT

The Office of Fleet Management shall be headed by the Director of the Division of Central Administration (County Division Head) and shall:

- (A) provide for the maintenance and repair of all County-owned vehicles and specialized equipment;
- (B) keep records for maintenance, registration, licensing and insurance purposes;
- (C) provide for the purchase of all vehicles, parts, supplies and services and the disposal of older units;
- (D) monitor, inspect and evaluate the condition and use of County vehicles according to current vehicle policies and the annual Vehicle Allocation Plan;
- (E) provide a motor pool of vehicles for general use in performing County business;
- (F) establish appropriate procedures to implement the County Vehicle Policy and Vehicle Allocation Plan;
- (G) provide recommendations for the replacement of County vehicles.

SECTION 5.2e OFFICE OF RISK MANAGEMENT

The Office of Risk Management shall be headed by the Director of the Division of Central Administration (County Division Head) and shall:

- (A) coordinate and implement employee safety programs.
- (B) ensure County complies with all PEOSHA requirements and regulations.
- (C) coordinate all employee safety training and inspection programs.
- (D) facilitate all Risk Management and Workers Compensation Committee meetings.
- (E) provide coordination for all Drug and Alcohol policy and testing administration.

SECTION 5.2f OFFICE OF SHARED SERVICES

The Office of Shared Services shall be headed by the Director of the Division of Central Administration (County Division Head) and shall:

- (A) facilitate potential cooperative and shared service agreements throughout the County of Sussex and nearby County governments.
- (B) develop cost-effective solutions and complete grant applications to obtain funding for the development of target programs.
- (C) prepare informative reports on matters containing findings, analyses, conclusions and recommendations of programs.

SECTION 5.3 DIVISION OF FACILITIES MANAGEMENT

The Director of the Division of Facilities Management shall be appointed by the Department Administrator, with the advice and consent of the County Administrator and the approval of the Board. The Director of the Division shall perform the duties as may be assigned from time to time by the Department Administrator, County Administrator or the Board of Chosen Freeholders.

It will be the Division's responsibility to plan, advise, coordinate, and manage all long-term County building projects. This includes the entire project life cycle management from feasibility studies and cost controls to quality assurance and project management. Project development and professional service procurement will be coordinated through the Division Director (County Division Head) or Department Administrator (County Department Head). It will maintain a five year facilities plan, updated annually, which is subject to approval by the Board. It will coordinate and implement a long-term Facilities Management Plan.

The Division shall be responsible for:

- (A) maintaining and repairing all County buildings, grounds, parking lots and properties;
- (B) providing custodial and janitorial services to every agency and department of the County;
- (C) providing or causing to be provided mechanical services required by any agency of the County for the safe operation of the lighting, heating, cooling, plumbing or ventilation facilities of that agency;

- (D) maintaining an inventory of required equipment and supplies as may be necessary;
- (E) establishing a building maintenance program for the County which shall be coordinated with the Office of Budget Management.
- (F) develop operating and capital budgets which support the duties and responsibilities of the Division.

SECTION 5.4 DIVISION OF INFORMATION MANAGEMENT

Within the Department of Central and Shared Services, there shall be the Division of Information Management, which shall be headed by the Division Director (County Division Head), who shall be appointed by the Department Administrator (County Department Head) with the advice and consent of the County Administrator and the approval of the Board.

The Division shall:

- (A) operate and maintain central facilities for data processing;
- (B) prepare reports, analyses and print-outs at the request of the Department Administrator (County Department Head) or the County Administrator;
- (C) provide such services to other departments as shall be directed by the Department Administrator (County Department Head) or the County Administrator;
- (D) coordinate all GIS activities within the County
- (E) operate and maintain accurate record inventories and security and assure compliance with records retention standards;
- (F) operate and maintain facilities for information technology services and telecommunication;
- (G) handle the County's website and keep information current.

**SECTION 5.4a OFFICE OF GEOGRAPHIC INFORMATION SYSTEMS (G.I.S.)
MANAGEMENT**

Within the Division of Information Management, there shall be an Office of Geographic Information Systems (G.I.S.) Management, which shall be headed by the Director of the Division of Information Management and shall host, lead, educate, plan, implement, and coordinate all GIS activities within the Sussex County Government.

SECTION 5.4b OFFICE OF RECORDS MANAGEMENT

The Office of Records Management shall be headed by the Records Manager under the direction of the Director of the Division of Information Management and shall:

- (A) be responsible to work with each Department, Constitutional Office and County Municipality to foster an environment of continuous improvement and education that will maintain and expand the security and access to all County records.
- (B) be responsible to work within the Division of Information Management to define a comprehensive Enterprise Data Architecture and IT Infrastructure that will support a migration toward the expanded use of Electronic Document Management Technologies, further increasing the security and access to all County records.
- (C) actively work with each Department, Constitutional Office, and County Municipality to maintain accurate records inventories and ensure compliance with DARM Records Retention standards regardless of data type and media format by establishing appropriate Standard Operating Procedures.

SECTION 5.4c OFFICE OF TECHNOLOGY

The Office of Technology shall be headed by the Director of the Division of Information Management and shall:

- (A) provide consistent, reliable information technology services to the County of Sussex and its Community.
- (B) provide effective use of standard products and services to help the organization through education, training, documentation, and help desk.
- (C) operate and maintain central facilities for Data Processing and Telecommunications.

SECTION 5.4d OFFICE OF WEB SITE MANAGEMENT

The Office of Web Site Management shall be headed by the Director of the Division of Information Management and shall:

- (A) operate and maintain a central facility for Sussex County's Web Site.
- (B) provide an attractive, easy to use online portal that assists citizens and other interested parties in the utilization of public information.
- (C) increase operating efficiencies by providing online transactions that are available to the public.

ARTICLE 6

DEPARTMENT OF ENGINEERING AND PLANNING

SECTION 6.1 DEPARTMENT GENERALLY

There shall be a Department of Engineering and Planning with a Department Administrator (County Department Head) appointed by the County Administrator with the advice and consent of the Board and qualified by the experience and training to perform the duties of this position. The Department Administrator shall oversee the functions of all Divisions and Offices. In accordance with N.J.S.A. 40A:9-43 there shall be a County Engineer, who shall be a licensed professional engineer within the State of New Jersey with a minimum of five (5) years of progressive and responsible engineering experience. The Engineer's work shall be performed in accordance with N.J.S.A. 45:8-41 & 42. He shall:

- (A) provide engineering services for the Department of Engineering and Planning and other departments of the County;
- (B) establish, with the assistance of the Division Directors, the annual operations, maintenance and capital programs for the County;
- (C) monitor and oversee all contract work performed for the County certifying for payment work completed in conformity to contract specifications;
- (D) serve as a member of the County Planning Board;
- (E) serve as Coordinator, as well as alternate professional member, of the Sussex County Uniform Construction Code Board of Appeals established under N.J.A.C. 5:23A;

(F) provide project development and coordination with the County Planning Board, North Jersey Transportation Planning Authority and the New Jersey Department of Transportation.

SECTION 6.2 DIVISION OF ENGINEERING

Within the Department of Engineering and Planning there shall be the Division of Engineering headed by the Assistant County Engineer (County Division Head). The Assistant County Engineer shall be appointed by the Department Administrator (County Department Head) with the advice and consent of the County Administrator and approval of the Board. The Assistant County Engineer shall be a licensed professional engineer within the State of New Jersey. In the absence of the County Engineer, the Assistant County Engineer shall assume the duties and responsibilities of the County Engineer and as Director of the Division of Engineering may be assigned by the Department Administrator (County Department Head) to the responsibilities of overseeing one or more of the subdivisions established within the Department of Engineering and Planning. The Division of Engineering shall:

- (A) provide engineering services for the Division of Engineering and the Department of Engineering and Planning and other departments of the County as directed by the County Engineer;
- (B) provide and maintain surveys, maps, plans, specifications, and control records for transportation improvements undertaken by or for the benefit of the County;
- (C) shall issue road opening and driveway permits for all construction within the County rights-of-way;

- (D) carry out such other duties and functions as directed by the County Engineer. In the absence of the County Engineer, the Assistant County Engineer shall assume the duties and responsibilities of the County Engineer and as Director of the Division of Engineering may be assigned by the Department Administrator (County Department Head) to the responsibilities of overseeing one or more of the subdivisions established within the Department of Engineering and Planning;
- (E) serve as Alternate Member of the County Planning Board and perform technical review of all site plans and subdivisions on behalf of said Board;
- (F) within the Division, there shall be a bridge engineering function which shall inspect, monitor, design, prioritize, program, supervise maintenance operations and replacements of County bridges and structures or other duties as directed by the Assistant County Engineer in conjunction with the County Engineer;
- (G) within the Division of Engineering there shall be a traffic engineering function which shall be responsible for studies, traffic control plans, traffic control devices, traffic control device inspection, monitoring, prioritization, programming, maintenance operations and replacements or other duties as directed by the Assistant County Engineer, in conjunction with the County Engineer;
- (H) within the Division of Engineering there shall be a stormwater engineering function which shall be responsible for analysis and studies, design review, compliance reporting or other duties as directed by the Assistant County Engineer, in conjunction with the County Engineer;

- (I) within the Division of Engineering there shall be a records management function which shall maintain records as needed to document compliance with the design and installation of traffic safety devices, highway and bridge design and operation;
- (J) develop operational and capital budgets which support the duties and responsibilities of the Division of Engineering.

SECTION 6.2a OFFICE OF BRIDGE AND TRAFFIC SAFETY

Within the Division of Engineering there shall be the Office of Bridge and Traffic Safety. Office oversight shall be by the Assistant County Engineer (County Division Head) or as delegated to the Chief Engineer. The Office, shall under the Engineering Division's direction, be responsible for the following:

Bridge Maintenance Function: maintenance and repair of County bridges.

Traffic Safety Functions:

- (A) install, maintain, inspect, and repair such traffic signal, signs, warning devices, traffic markers, pavement markings, highway lighting and lines.
- (B) coordinate the maintenance and layout of guide rail with the Office of Roads.

SECTION 6.3 DIVISION OF PUBLIC WORKS

The Director of the Division of Public Works shall be appointed by the Department Administrator, with the advice and consent of the County Administrator and the approval of the Board. The Director of the Division shall perform the duties as may be assigned from time to time by the Department Administrator, and develop operating and capital budgets that support the goals and responsibilities of the Division.

SECTION 6.3a OFFICE OF ROADS

Within the Division there shall be the Office of Roads headed by the County Road Supervisor who shall be appointed by the Board pursuant to N.J.S.A. 40A:9-44 for a term of five years. An Assistant County Road Supervisor may also be appointed by the Board pursuant to N.J.S.A. 27:14-24 for a term of three years who shall be directly responsible to the County Road Supervisor. In the absence of the County Road Supervisor, the Assistant Road Supervisor may assume the duties and responsibilities of the County Road Supervisor. The Assistant County Road Supervisor may also serve as an alternate member of the Shade Tree Commission. The County Road Supervisor shall:

- (A) be responsible for the maintenance, surfacing, resurfacing, drainage and repair of all County roads.
- (B) serve as a member of the Shade Tree Commission.

SECTION 6.4 DIVISION OF PLANNING

There shall exist within the Department of Engineering and Planning a Division of Planning headed by a Director. The Division Director (County Division Head) shall be appointed by the Department Administrator (County Department Head) with the advice and consent of the County Administrator and approval of the Board. The Director shall be a licensed and professional planner within the State of New Jersey. The Division Director (County Division Head) shall serve as the planning professional to the County Planning Board.

The Division of Planning shall be responsible for Development Review including Site Plan/Subdivision review: (County Planning Board N.J.S.A. 40:27-1 et seq.), Census information distribution, Long Range Planning including Review of applications for State and/or Federal Funding, Update of County Master Plan under N.J.S.A. 40:27-2 et seq., update the Land Development Standards, and oversee the work of all offices within the Division.

This Division shall also provide project development and coordination with the Division of Engineering, the County Planning Board, North Jersey Transportation Planning Authority, the Sussex County Economic Development Partnership, Inc., and the New Jersey Department of Transportation and assure interconnection with regional and municipal plans where it can be achieved.

SECTION 6.4a OFFICE OF CONSERVATION AND FARMLAND PRESERVATION

There is established the Office of Conservation and Farmland Preservation that is supervised by the Division Director.

The Office shall be responsible for:

- (1) Conservation and Farmland Preservation
 - (a) Agriculture Development Board
 - (b) National Park Service: Delaware Water Gap National Recreation Area
 - (c) Open Space Programs
- (2) The Office shall also assist in leading and guiding beneficial economic development.

SECTION 6.4b OFFICE OF ENVIRONMENTAL RESOURCE PLANNING

There is established the Office of Environmental Resource Planning that is supervised by the Division Director. The purpose of this Office is to provide for a comprehensive approach to balanced growth and continued stewardship of environmental resources through proper planning to meet the mandates of the State and Federal Permitting Programs and Regulations. Technical assistance will be provided to the Board, County Administrator, Sussex County 208 Water Quality Management Policy Advisory Committee, Solid Waste Advisory Council, Agriculture Development Board, Sussex County Department of Environmental and Public Health Services and other appropriate local and County agencies and entities. The Office of Environmental Resource Planning shall be responsible for Water Resources Management and Planning, including assisting and coordinating the Watershed planning efforts concerning the Wallkill River Watershed and the Upper Delaware River Watershed; Wastewater Management and Planning (N.J.A.C. 7:15 et seq.) and cooperating with the Sussex County Municipal Utilities Authority's efforts; Solid Waste Planning; Air Quality Management; and Emergency Drought Planning.

The Office shall also assist in leading and guiding beneficial economic development.

SECTION 6.4c OFFICE OF TRANSPORTATION PLANNING

There is established the Office of Transportation Planning that is supervised by the Division Director.

The Office shall be responsible for:

- (1) Sub-regional Transportation Planning
 - (a) STP Program (U.S.D.O.T. 23 CFR 450)
 - (b) Special Studies – highway and transit
 - (c) assure that the Transportation Subelement of the County Master Plan is revisited, revised and current.
 - (d) coordinate efforts with the Division of Engineering.
- (2) The Office shall also assist in leading and guiding beneficial economic development.

SECTION 6.4d PLANNING BOARD

The Sussex County Planning Board is continued and shall perform the statutory duties of a County Planning Board. The Planning Board shall consist of the Director of the Board, and one (1) Freeholder member, and one (1) Freeholder Alternate member, to be nominated by the Board; the County Engineer, with the Assistant County Engineer to serve as Alternate; and six (6) citizen members and two (2) alternate members to be appointed by the Board. The citizen members shall serve for the term prescribed by law and shall perform such functions as provided by law, including, but not limited to, the review of subdivisions and site plans. The Sussex County Planning Board shall be represented by an Attorney at Law of the State of New Jersey who shall be appointed by the Sussex County Board of Chosen Freeholders for a one (1) year term.

Development Review staff shall provide technical assistance to the Planning Board and shall be under the direction of the Director of the Division (County Division Head) who shall provide administrative services to the Planning Board and shall present matters to the Planning Board for decision.

ARTICLE 7

DEPARTMENT OF ENVIRONMENTAL AND PUBLIC HEALTH SERVICES

SECTION 7.1 DEPARTMENT GENERALLY

There shall be a Department of Environmental and Public Health Services. The Department Administrator shall be the Public Health Coordinator (County Department Head), appointed by the County Administrator with the approval of the Board, who shall in addition to being qualified by education and training to perform the duties of this position shall hold a valid Health Officer's license from the State of New Jersey with a minimum of five (5) years full-time progressive experience in a Public Health Agency with a minimum of two (2) years administrative experience in a Public Health Agency. The Public Health Coordinator shall be responsible to the County Administrator.

SECTION 7.1a OFFICE OF ENVIRONMENTAL HEALTH AND SANITATION

Within the Department of Environmental and Public Health Services there shall be established an Office of Environmental Health and Sanitation. This Office shall be under the direction of the County Department Head.

- (A) The Office shall provide public environmental health services pursuant to law, specifically N.J.S.A. 26:3A2-21 et seq. commonly referred to as the County Environmental Health Act (CEHA) and regulations pursuant to N.J.A.C. 7:1H-1 et seq. and shall perform the prescribed duties and responsibilities as provided for under N.J.S.A. 26:3A2-1 et seq. entitled: "Local Health Services Act" and those "CORE" required activities currently mandated in N.J.A.C. (Title 8-Chapter 52) "Recognized Public Health Activities and Practice Standards of Performance for Local Boards of Health in New Jersey".
- (B) Administer and enforce local ordinances adopted by municipalities which are consistent with the New Jersey State Administrative Code on all matters dealing with the environment.
- (C) Provide training programs in areas concerning the Public Health of the region identified by the Division Director and the Department Administrator (County Department Head) as required.

SECTION 7.1b OFFICE OF THE MEDICAL EXAMINER

In accordance with N.J.S.A. 40A:9-46, there is established the position of County Medical Examiner who shall be appointed by the Board. As provided by State Statute he shall be a licensed physician with such training or experience as may be prescribed by standards promulgated by the State Medical Examiner by rule or regulation and as per State Medical Examiner Act (N.J.S.A. 52:17B-78 et seq.) This Office reports directly to the Public Health Coordinator (County Department Head).

SECTION 7.1c OFFICE OF MOSQUITO CONTROL

The Office shall be headed by a Supervisor, who is a duly certified individual and who shall be appointed by the Department Administrator (County Department Head) with the advice and consent of the County Administrator and the approval of the Board. The Office shall provide for the control of mosquito breeding by a program of spraying, stream clearance and other activities designed to provide the most effective control.

SECTION 7.1d OFFICE OF PUBLIC HEALTH NURSING

Within the Department of Health and Environmental Services, there shall be established an Office of Public Health Nursing. The Department Administrator (County Department Head) shall be the Administrative Head of this Office and shall assign the duties and responsibilities of this Office to a currently licensed Registered Professional Nurse with a Master's Degree and five (5) years of supervisory experience in Public Health Nursing.

The Public Health Nurse Supervisor shall report to the Department Administrator (County Department Head) on all matters concerning the general public health of the County.

The Public Health Nurse Supervisor shall administer the duties and responsibilities for the delivery of personal health services as prescribed in "Recognized Public Health Activities and Minimum Standards of Performance for Local Boards of Health in New Jersey" NJAC (Title 8 – Chapter 52) specifically those care activities necessary to ensure the health, safety and welfare of the inhabitants within Sussex County.

The Office of Public Health Nursing will also supervise the Chest Clinic in accordance with existing State law, rules and regulations.

SECTION 7.1e OFFICE OF WEIGHTS AND MEASURES

There is established the Office of Weights and Measures which shall have all the duties and responsibilities as provided by New Jersey State Statutes. The Office of Weights and Measures shall be headed by the Superintendent of Weights and Measures pursuant to N.J.S.A. 51:1-43. Employees of the Office of Weights and Measures shall have the authority to issue summonses where violations of applicable State Statutes are detected.

ARTICLE 8

DEPARTMENT OF FINANCE AND LIBRARY SERVICES

SECTION 8.1 DEPARTMENT GENERALLY

There is hereby established the Department of Finance and Library Services within the County of Sussex. The Administrator of the Department shall be appointed by the County Administrator with the advice and consent of the Board. The Department shall consist of the divisions and offices in the following Sections.

SECTION 8.2 DIVISION OF FINANCE

The Director of the Division (County Division Head) of Finance shall be the County Treasurer (Certified County Finance Officer), who shall be appointed pursuant to N.J.S.A. 40A:9-27. In addition to those duties specified in N.J.S.A. 40A:9-27 the County Treasurer shall perform such other duties as may be assigned to him from time to time by the Department Administrator, the County Administrator or the Board of Chosen Freeholders.

SECTION 8.2a OFFICE OF BUDGET MANAGEMENT

There shall be the position of Budget Director in the Department of Finance and Library Services, Division of Finance, who shall be appointed by the Department Administrator (County Department Head) with the advice and consent of the County Administrator and the approval of the Board. The Budget Director shall by education, experience and ability be qualified to perform the duties established for him.

The Budget Director shall:

- (A) on or before September 1 establish the schedules and procedures to be followed by all County departments, divisions or agencies for the purpose of submitting budget requests for the next ensuing budget year;
- (B) on or before January 1 submit to the Board a budget document consisting of the proposed County budget and a budget message;
- (C) prepare and present to the Board in a timely fashion all information as requested by the Board for its consideration of the budget;
- (D) prepare both a Capital Budget and a Capital Program, the latter to consist of a capital improvement program of proposed and projected capital undertakings as recommended by the Strategic Planning Committee. The capital budget shall be submitted with the operating budget;
- (E) prepare a monthly budget versus actual expenditures and revenue report to be submitted to the Division Director (County Division Head), Department Administrator (County Department Head), County Administrator and the Board;

- (F) prepare such other analyses and reports as directed by the Department Administrator, including, but not limited to, operational, economic and efficiency audits of the various County agencies and departments;
- (G) developing and administering such insurance programs as shall be recommended by the Insurance Commission and approved by the Board;
- (H) providing coverage by the outside insurance firms in those areas where the decision is made not to have a self insurance program;
- (I) providing reports to the Department Administrator (County Department Head) and the County Administrator as to costs, experience and recommendations for improvements in the program;
- (J) maintaining records on the value and location of County properties, equipment, insurance claims and suits.

SECTION 8.2b OFFICE OF FISCAL MANAGEMENT

The Department Administrator (County Department Head) may establish within the Division of Finance an Office of Fiscal Management. As established, the Office shall:

- (A) maintain a regular inventory and review of Federal and State grants, loans and other aids available to the County.
- (B) assist County departments which request assistance to identify available aids to prepare, file and follow-up required applications.
- (C) coordinate financial analyses for all County fiscal functions.
- (D) ensure County assets are properly valued, maximized and protected from unauthorized depletion.
- (E) provide the County with internal audit functions as deemed necessary to insure the maximization and protection of County assets.

SECTION 8.2c OFFICE OF TREASURY

The Office of Treasury shall be administered by the County Treasurer (Certified County Finance Officer) (County Division Head), who shall be appointed pursuant to N.J.S.A. 40A:9-27. In addition to those duties specified in N.J.S.A. 40A:9-27 the County Treasurer shall perform such other duties as may be assigned to him from time to time by the Department Administrator, the County Administrator or the Board of Chosen Freeholders. The Office shall perform all duties consistent with the Payroll Procedure established by the Board.

SECTION 8.3 DIVISION OF LIBRARY SERVICES

The County Library shall be administered by the Library Director (County Division Head), who shall be appointed by the Department Administrator (County Department Head) with the advice and consent of the County Administrator and approval of the Board, with such powers and authority as may be delegated by the Department Administrator (County Department Head). The Library Director (County Division Head) must possess a professional Librarians certificate in accordance with N.J.S.A. 45:8A-1, and shall have had a minimum of five (5) years progressive professional experience. The Board shall operate the County Library System established pursuant to N.J.S.A. 40:33-1.

ARTICLE 9

DEPARTMENT OF HUMAN SERVICES

SECTION 9.1 DEPARTMENT GENERALLY

The Department Administrator (County Department Head) shall be appointed by the County Administrator with the advice and consent of the Board.

SECTION 9.2 DIVISION OF COMMUNITY AND YOUTH SERVICES

The Division shall coordinate planning, dissemination of information and provide services pursuant to all applicable laws, rules and regulations pertaining to County responsibilities. The Division of Community and Youth Services shall be headed by a Division Director (County Division Head), appointed by the Department Administrator (County Department Head) with the advice and consent of the County Administrator and the approval of the Board.

The Division shall perform the functions of the former Office for the Disabled, Office of Substance Abuse and Alcohol, Division of Youth Services and Division of Community Services.

Programs and services of the Division include the Human Services Advisory Council, Youth Services Commission, Disability Services, Substance Abuse Services, Municipal Alliance Program, Work First New Jersey Program, Mental Health Board, Grant-in-Aid Funding, PEER Grouping Funding, Youth Shelter Program, Juvenile Detention Center and all advisory bodies relevant to each program and/or service.

The Division shall be responsible for the coordination of needs assessments; program planning, implementation, monitoring and evaluation for each program and services; and provide staff support for all advisory and planning bodies in the Division.

The Division Director (County Division Head) may be assigned the responsibility of overseeing additional programs established within the Department of Human Services.

SECTION 9.3 DIVISION OF THE HOMESTEAD

There shall be established the Division of the Homestead. The Homestead shall be headed by a Director (County Division Head), who shall be a licensed Nursing Home Administrator and who shall be appointed by the Department Administrator with the advice and consent of the County Administrator and approval of the Board. The Sussex County Homestead shall have, exercise and discharge all of the functions, duties and responsibilities of a County nursing home, a long-term care facility, which provides nursing, rehabilitation, social and medical care to the elderly and disabled who can no longer live on their own in the community.

SECTION 9.4 DIVISION OF SENIOR SERVICES

The Division of Senior Services shall be headed by a Director (County Division Head) appointed by the Department Administrator (County Department Head) with the advice and consent of the County Administrator and the approval of the Board.

The Division shall have, exercise and discharge all of the functions, duties and responsibilities of the former Office on Aging as required or authorized by law or resolution of the Board. The Division Director (County Division Head) may be assigned the responsibility of overseeing additional programs established within the Department of Human Services.

The functions of the former Office of Veterans' Services shall be performed by a Supervisor of Veterans' Interment appointed by the Board pursuant to N.J.S.A. 38:17-2, and he shall have and exercise all of the duties and responsibilities as indicated in the aforementioned Statute and as may be amended.

SECTION 9.5 DIVISION OF SOCIAL SERVICES

There shall be the Division of Social Services and shall be headed by a Director (County Division Head) who shall be appointed by and reports to the Department Administrator (County Department Head) with the advice and consent of the County Administrator and the approval of the Board. The Division of Social Services shall have, exercise, and discharge all of the functions, duties and responsibilities of a County Welfare Agency as required or authorized by law or resolution of the Board.

SECTION 9.5a OFFICE OF TRANSIT

There is established an Office of Transit within the Division of Social Services, the purpose of which is to operate transportation services for the County. The Director of the Division shall be appointed by the Department Administrator (County Department Head) with the advice and consent of the County Administrator and the approval of the Board.

The Office acts as the State recognized County-wide coordinated transportation system.

The Office is responsible for operating all services under funds made available to Sussex County for public transit, as well as para-transit. The Office is responsible for administering applicable grant programs and service contracts.

The Office shall act as an information and referral source for all transportation programs, public and private, operating in and around Sussex County.

The Office shall provide service for the general population for commutation and other transportation needs within the resources available.

The Office shall also provide transportation services to the special needs portion of the general population for medical, shopping, rehabilitation, veteran services, social, vocational, and other related trips.

ARTICLE 10

INDEPENDENT BOARDS AND OFFICES

SECTION 10.1

The boards, agencies and offices enumerated below shall operate in Sussex County and shall be considered Independent Boards and Offices of the County. These boards and offices shall have direct liaison with the County Administrator regarding County-wide administrative procedures:

(A) The Board of Elections

There shall be established a Board of Elections pursuant to N.J.S.A. 19:6-17.

(B) The Board of Taxation

There shall be established a Board of Taxation pursuant to N.J.S.A. 54:3-1.

(C) The Superintendent of Schools

There shall be established the Superintendent of Schools pursuant to N.J.A.C. 6:56-1.1.

(D) There shall be established a Sussex County Community College pursuant to N.J.S.A. 18A:64a-1 et seq.

(E) There shall be established a Sussex County Vocational Technical School pursuant to N.J.S.A. 18A:54-11 et seq.

(F) There shall be established the Sussex County Municipal Utilities Authority pursuant to the Municipal Utilities Authorities Law. The Sussex County Municipal Utilities Authority shall consist of nine (9) members, with five year terms, appointed by the Board.

- (G) There shall be established a Sussex County Uniform Construction Code Board of Appeals pursuant to N.J.S.A. 52:27D-127.
- (H) There shall be established a Lake Hopatcong Commission and a Lake Musconetcong Regional Planning Board.
- (I) There shall be established Boards of School Estimate for the Sussex County Community College (pursuant to N.J.S.A. 18A:64A-15) and the Sussex County Technical School (pursuant to N.J.S.A. 18A:54-27).
- (J) There shall be established an Insurance Fund Commission in accordance with N.J.S.A. 40A:10-6 et seq.
- (K) There shall be established Rutgers Cooperative Extension Service.
- (L) There shall be established a Shade Tree Commission in accordance with N.J.S.A. 40:37-1 et seq. The Board shall appoint to the Shade Tree Commission not more than five (5) residents of the County. This Board shall be subject to the County's personnel, purchasing and finance and budgetary procedures.
- (M) There shall be established a Mental Health Board in accordance with N.J.S.A. 30:9A-3.

ARTICLE 11

CONSTITUTIONAL OFFICERS

SECTION 11.1 GENERALLY

The Constitutional Offices of the Prosecutor, Sheriff, Surrogate and County Clerk, their employees and services are considered Departments of Sussex County. The Prosecutor, Sheriff, Surrogate and County Clerk shall head their respective Departments and, for the purposes of this Code and to the extent that it shall not be inconsistent with New Jersey Statutes applicable to these Officers, shall be considered Department Administrators (County Department Heads).

Each of these Departments shall be subject to the County's personnel, purchasing, finance and budgetary procedures, provided, however, that nothing herein shall restrict or limit the authority of these Constitutional Officers as the appointing authority of their respective offices, and nor shall it change the duties or powers of County Officers whose existence is mandated by the Constitution or shall diminish the duties, responsibilities or powers of those County Officers.

SECTION 11.1a COUNTY JAIL

The Sussex County Jail shall be subject to the County Sheriff's jurisdiction.

SECTION 11.1b DIVISION OF EMERGENCY MANAGEMENT

In accordance with N.J.A.C. App. A:9-19.1, there is established the Division of Emergency Management within the Office of the Sheriff. The Division will be headed by the Emergency Management Director, who shall be appointed by the Sheriff with the advice and consent of the Board of Chosen Freeholders. The Director shall perform such duties and have such responsibilities as required by Resolution of the Board of Chosen Freeholders or direction of the Sheriff.

The Division of Emergency Management shall also have the responsibilities for and perform all of the duties of the County 9-1-1 Coordinator pursuant to N.J.S.A. 52:17C1-16 and N.J.A.C. 17:24-1 et seq.

SECTION 11.1b(i) OFFICE OF THE FIRE MARSHAL

In accordance with N.J.S.A. 40A:14-1, there is established the Office of the Fire Marshal in the Division of Emergency Management headed by the Fire Marshal, who shall be appointed by the Board and serve for a term of three years in accordance with State Statute.

The County Fire Marshal, pursuant to N.J.S.A. 40A:14-2, shall act in an advisory capacity to all of the fire companies in the County, including, but not limited to, conducting investigations pertaining to the elimination of fire hazards and in reference thereto make recommendations to the Board. The said Board may act upon such recommendations and take action for the abatement of fire hazards.

The County Fire Marshal, subject to the approval of the Board, may:

- (A) accept the responsibility to be the enforcing agency for a municipality or fire district under the "Uniform Fire Safety Act," P.L. 1983, c.383 (c.52:27D-192 et seq.) when requested to do so by Ordinance of the municipality or Resolution of the Fire District;
- (B) offer assistance to families, units of government and mental health agencies, including law enforcement, for intervention in juvenile fire setting incidents;
- (C) provide for the prevention of fire hazards and initiate programs for public awareness; and

(D) provide municipal fire departments with such assistance as necessary to coordinate, control or extinguish any fire situation or other emergency situation for which a fire department has responsibility by local Ordinance when requested by the Incident Commander or Fire Chief of the department having jurisdiction.

(P.L. 1999, c.351, 1, eff. Jan. 14, 2000)

The County Fire Marshal may also serve as County Fire Coordinator when appointed through the Division of Emergency Management pursuant to the “Fire Service Resource Emergency Deployment Act” (P.L. 2003 Chapter 28). Said Act defines the duties and responsibilities of County Fire Coordinator.

ARTICLE 12

ADVISORY COMMITTEES

SECTION 12.1 ADVISORY COMMITTEES

There shall be the following advisory committees within the County of Sussex:

Advisory Council to the Division of Senior Services
Agriculture Development Board
Local Advisory Committee on Alcoholism and Drug Abuse
Disability Services Advisory Council
Educational Coordinating Committee
Human Services Advisory Council
Community Transit Citizens Advisory Committee
Solid Waste Advisory Council
Strategic Growth Advisory Committee
Water Quality Management Policy Advisory Committee
Youth Services Commission
Capital Projects Committee

ARTICLE 13

GENERAL PROVISIONS

SECTION 13.1 VACANCIES

Unless specified by law, or provided for in this Code, any vacancy in any appointive office shall be filled by the appointing authority by designating a qualified person to perform the duties of the position on a temporary acting basis, provisional basis or on a permanent basis.

SECTION 13.2 SURETY BONDS

In every case in which any person is required by the laws of this State or by a resolution of the County to give bond for the faithful performance of his duties, such bond shall be secured by a corporate surety authorized to do business in this State and the premium, therefor, shall be paid by the County. Each such bond shall be approved by County Counsel as to legal form and sufficiency, and nothing in this Section shall be construed to prevent the use of one or more blanket bonds when so approved.

ARTICLE 14

TRANSITIONAL PROVISIONS

SECTION 14.1 PRIOR ORGANIZATION

All previous resolutions creating or specifying departmental status, organization, relationships, or operating procedures which are inconsistent with the provisions of this Code are repealed to the extent of their inconsistency. All references in such resolutions to departments, boards, and agencies shall be construed to refer to the respective agency specified by this Code.

SECTION 14.2 NEW JERSEY DEPARTMENT OF PERSONNEL (CIVIL SERVICE)

Officers, employment and positions within the career (classified) service of the New Jersey Department of Personnel (Civil Service) under Title II of the Revised Statutes or which are held by an officer or employee protected by any other tenure of office or law and their respective compensations, as created and established by resolution in force and effect, shall be continued. Nothing in this Code shall affect the compensation, tenure, or pension rights of any officer or employee in such classified civil service or who is otherwise protected by tenure.

SECTION 14.3 SEVERABILITY

If any article, section or part of this Code shall be declared to be unconstitutional, invalid or inoperative in whole or in part by a court of competent jurisdiction, such article, section or part shall, to the extent that it is not unconstitutional, invalid or inoperative, remain in full force and effect, and no such determination shall be deemed to invalidate the remaining articles, sections or parts of this Code.

SECTION 14.4 EFFECTIVE DATE

This Code, as amended, shall take effect twenty (20) days after final adoption by the Board.