

**COUNTY OF SUSSEX
TOWNSHIP OF MONTAGUE
ORDINANCE 2023-11**

**AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX,
STATE OF NEW JERSEY ESTABLISHING A NEW CHAPTER 17 UNDER PART I:
ADMINISTRATIVE LEGISLATION OF THE TOWNSHIP MUNICIPAL CODE TO BE
ENTITLED "MUNICIPAL ADMINISTRATOR"**

WHEREAS, the Township of Montague is in the process of reorganizing its administrative staff;
and

WHEREAS, the Township Committee of the Township of Montague ('Township Committee')
wishes, during this period of staff transition, to create a position affording additional statutory
authority to a member of its administrative staff; and

WHEREAS, the Mayor and Township Committee, accordingly, wish to create the position of
'Municipal Administrator,' pursuant to N.J.S.A. 40A:9-136.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Committee of the
Township of Montague, County of Sussex, and State of New Jersey that the Municipal Code of
the Township shall be amended to create and establish a new Chapter 17 entitled: 'Municipal
Administrator' to read as follows:

§ 17-1 Position created.

Pursuant to N.J.S.A. 40A: 9-136, there is hereby created the position of Municipal
Administrator.

§ 17-2 Appointment; term.

The Municipal Administrator shall be appointed by the majority of the Township Committee in
accordance with N.J.S.A. 40A:9-137. The term of office of the Municipal Administrator shall be
at the pleasure of the governing body pursuant to N.J.S.A. 40A:9-137, and in all of his/her duties
and responsibilities hereinafter described, he/she shall serve under the direction of the Township
Committee.

§ 17-3 Compensation.

The Municipal Administrator shall receive as salary such sums as may be fixed and adopted by
the Township Committee in the Annual Salary and Wage Ordinance.

§ 17-4 Removal from Office.

The Municipal Administrator may be removed by a two-thirds vote of the governing body. In accordance with N.J.S.A. 40A:9-138, the governing body may provide that the resolution of removal shall have immediate effect; provided, however, that the governing body shall cause to be paid to the Administrator forthwith any unpaid balance of his/her salary and his/her salary for the next three calendar months following adoption of the resolution. Alternatively, the governing body may provide that the resolution of removal shall take effect three calendar months following the date of passage.

§ 17-5 Vacancy, disability, or absence.

During the absence or disability of the Municipal Administrator, the Township Committee may, by resolution, and a majority vote of the Township Committee, appoint an officer or other employee of the municipality to perform the duties of the Municipal Administrator as Acting Administrator during such absence or disability. The Township Committee shall determine when such absence or disability exists. Such absence or disability shall be limited to three months after which time the position may be deemed a vacancy. Any vacancy in the position of the Municipal Administrator shall be filled by appointment of the Township Committee. In the event of removal or resignation of the Municipal Administrator, the Township Committee may, by resolution, appoint an officer or other employee of the municipality as Acting Administrator to serve at the pleasure of the Township Committee until a Municipal Administrator is appointed. Removal of an Acting Administrator shall be by a majority vote of the Township Committee.

§ 17-6 Duties.

The Municipal Administrator shall be responsible for and perform the following duties:

A. Overall administrative duties. The Municipal Administrator shall be the Chief Administrative Officer of the Township of Montague, and he/she shall be responsible to the Township Committee for the proper and efficient administration of both the day-to-day management of the administrative affairs of the Township and the overall business affairs of the Township, acting in its stead and as its representative, to promote its economic and responsive operation. The Municipal Administrator's duties shall relate to the management of all Township business and the coordination of activities of the various departments, boards, and commissions within the Township. The Municipal Administrator shall not be responsible for those non-delegable duties and responsibilities conferred upon Township officials by statute, other applicable laws, rules, and regulations promulgated on state agencies, or such other duties and responsibilities as the Township Committee may reserve to itself.

B. Supervision of administrative functions. The Municipal Administrator shall have the authority and responsibility to supervise the administrative functions, in consultation with the respective committee chairman, department heads, and Township Committee, but not the professional operation of all departments of the government of the Township.

C. Communication. The Municipal Administrator shall be responsible for continually improving communications among the various personnel, departments, agencies, boards, and the governing body. The Municipal Administrator shall act as a liaison with other municipalities and county, state, and federal agencies.

D. Meetings. The Municipal Administrator shall attend all meetings of the governing body, work, and agenda sessions for these meetings with the right to speak but not vote on all agenda items, and attend other meetings as directed by the governing body.

E. Reports. He/she shall keep the Township Committee currently informed of all matters within his/her jurisdiction by such reports, verbally or in writing, as he/she deems advisable or as may be requested by the Township Committee and to submit an annual written report of his/her work accomplished at the request of the Township Committee for the benefit of the public.

§ 17-7 Discretionary Duties.

The Municipal Administrator may be responsible for and may perform the following duties in addition to those listed in § 17-6 hereof if said duties are delegated to him/her by the Township Committee:

A. Agenda. He/she may prepare in conjunction with the Township Clerk, the agenda for each meeting of the Township Committee and supply facts pertinent thereto and deliver such to the Township Committee. He/she may arrange meetings and conferences when so required by the Township Committee.

B. Aid. He/she may solicit and inform the Township Committee as to federal aid projects and state aid projects and any other aid program or grant for which the Township of Montague may qualify. He/she may actively pursue said projects and programs upon instruction by the Township Committee.

C. Complaints. The Municipal Administrator may receive and reply to inquiries and complaints regarding services or personnel of the Township. He/she or an officer designated by him/her shall investigate and dispose of such complaints. He/she shall keep a written record of such complaints and when and what action was taken in response thereto and provide the Township Committee a copy thereof when requested to do so.

D. Contracts. The Municipal Administrator may attend to the supervision and of the performance and faithful execution of Township contracts, except insofar as such duties as are expressly imposed upon some other Township officer by statute. He/she shall have no pecuniary or personal interest directly or indirectly in any contract, job for work or materials or the profits

thereof to be furnished or to be performed for the Township of Montague. The Municipal Administrator may negotiate contracts, subject to the approval of the Township Committee.

E. Coordinate. He/she may integrate and coordinate the functions of all departments, boards, agencies, offices, and officials.

F. Efficiency. He/she may conduct a continuous study of all activities and operations of the Township government and recommend changes for the purpose of increasing efficiency and effectiveness.

G. Information. The Municipal Administrator may study, recommend, implement, and enforce the procedures and policies of the Township, its departments, and officials for the coordination, compiling, editing, and prompt dissemination and release of public information, upon the recommendation and authorization of the Township Committee.

H. Other duties. The Municipal Administrator may perform such other duties as may be assigned to him/her from time to time by the Mayor and/or Township Committee

Codification. This Ordinance may be renumbered for codification purposes.

Inconsistency. All Ordinances of the Township of Montague which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

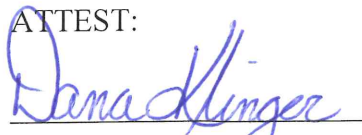
Partial Invalidity. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

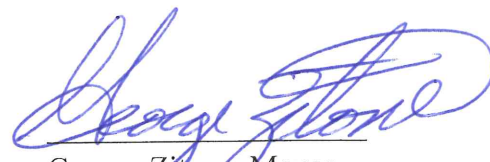
Effect Date. This Ordinance shall take effect immediately following adoption and publication as required by law.

Introduced: June 13, 2023

Adopted: June 27, 2023

ATTEST:


Dana Klinger, RMC, CMR
Montague Township Clerk


George Zitone, Mayor

RECORD OF COMMITTEE VOTES – ORDINANCE 2023-11				
<u>COMMITTEE MEMBER</u>	<u>AYES</u>	<u>NAYES</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
RICHARD INNELLA	X			
JOSEPH KRUMPFER	X			
JAMES LEDONNE	X			
FRED MERUSI	X			
MAYOR GEORGE ZITONE	X			