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File No.: GL-709

September 3, 2020

VIA EMAIL

Joseph Kostecki, Borough Clerk/Administrator

Borough of South Toms River

19 Double Trouble Road

South Toms River, NJ 08757

Re: Ordinance Creating Director of Public Works Position

Dear Mr. Kostecki:

Enclosed please find the proposed ordinance for consideration by the Governing Body regarding the creation of a Director of Public Works position.

If you have any questions or comments, please do not hesitate to contact me.

Very truly yours,

/s/Christopher J. Dasti

CHRISTOPHER J. DASTI

CJD: bm

Encl.

Cc: Gregory Handshy, Mayor-via email
Edward Murray, Council President-via email

ORDINANCE NO. 2020-

**AN ORDINANCE OF THE BOROUGH OF SOUTH TOMS RIVER,
COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING
AND SUPPLEMENTING CHAPTER 2 OF THE BOROUGH CODE
ENTITLED “DEPARTMENTS OF THE LOCAL GOVERNMENT”
AND SPECIFICALLY SECTION 2-12 ENTITLED
“DEPARTMENT OF PUBLIC WORKS”.**

NOW THEREFORE BE IT ORDAINED by the Mayor and Borough Council
of the Borough of South Toms River, County of Ocean, State of New Jersey as follows:

SECTION 1. Chapter 2 of the Borough Code entitled “Departments of the
Local Government” and specifically Chapter 2 Section 12 entitled “Department of Public
Works” is hereby amended and supplemented to add a new Section 2-12.1.2. entitled
“Director of Public Works,” which shall provide as follows:

§2-12.1.2 Director of Public Works

- a. Appointment. The Director of the Department of Public Works shall be appointed by the Mayor with the consent of the Council.
- b. Qualifications. The Director of the Department of Public Works shall meet such qualifications deemed appropriate by the Mayor and Council.
- c. Residency. The Director of the Department of Public Works need not be a resident of the Borough of South Toms River.
- d. Compensation. The Director of the Department of Public Works shall be paid a salary fixed and adopted by the governing body in the annual salary ordinance.
- e. Removal. The Director of the Department of Public Works may be removed from this position for cause subject to any limitations imposed by law.
- f. Full-time Position. Director of the Department of Public Works shall devote full-time to the position and shall not engage in any other occupation or employment which would interfere with performing the duties of Director.

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g. The Director's responsibilities include:

1. Department Head. Director of the Department of Public Works shall act as the head of the Department of Public Works and shall, under the direction of the Borough Administrator and with the approval of the Mayor and Council, plan, organize, and direct the activities of the Department of Public Works and supervise subordinate officers and employees within the Department, subject to any limitations imposed by law.
2. Budget Preparation. Assist the Mayor and Council in proper preparation of the municipal budget, and in this connection shall submit a yearly budget request for this Department.
3. Provision of Services. Ensure that the Department of Public Works properly provides the services deemed necessary by the Mayor and Council for the residences of South Toms River Borough.
4. Rule and Regulation Enforcement. Enforce all administrative rules and regulations regarding questions of policy as determined by the Mayor and Council to be appropriated for the Department of Public Works.
5. Policy Formation. Assist the Mayor and Council in formulating policies and programs designed to efficiency provide departmental services to the community.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law

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NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of South Toms River on the ___ day of September, **2020**, and will be considered for second and final passage at a meeting of the Borough Council to be held on the _____ day of _____, **2020**, at _____ AM/PM. at the Municipal Building located at 19 Double Trouble Road, South Toms River, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

JOSEPH A. KOSTECKI, RMC
Borough Clerk/Administrator

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