

# Borough of Tenafly

ORDINANCE NO. 24-02

AN ORDINANCE AMENDING CHAPTER II, ARTICLE II, SECTION 2.8-4 OF THE REVISED GENERAL ORDINANCES TO AMEND THE RESPONSIBILITIES OF THE BOROUGH ADMINISTRATOR

**BE IT ORDAINED** by the Mayor and Council of the Borough of Tenafly, that Chapter II, Article II, Section 2.8-4 of the Revised General Ordinances of the Borough of Tenafly is hereby amended and that those portions of the Ordinance not set forth below shall remain unchanged:

## **2-8.4 Duties and Responsibilities.**

The basic function of the Administrator shall be to:

- a.** Direct and supervise the administration of all departments, offices and agencies of the Borough, except as otherwise provided by law.
- b.** Keep the Mayor and Council adequately informed of Borough activities.
- c.** Receive notice of all regular and special meetings of the Governing Body and all advisory committees, and to attend all meetings of the Governing Body with the right to take part in the discussion.
- d.** Supervise the preparation of and recommend annually to the Mayor and Council an operating budget, a capital budget, and a five-year capital plan. The recommended operating budget shall include projections of revenues and expenses and a projected tax rate. The budgets and capital plan shall be submitted on a schedule approved by the Mayor and Council.
- e.** Supervise the preparation of and submit to the Governing Body and make available to the public a complete report of the finances and administrative activities of the Borough as required by the Mayor and Council. Keep the Mayor and Council fully advised as to the current financial condition and future needs of the Borough, and make such recommendations concerning the affairs of the Borough as the Administrator deems appropriate.
- f.** Prepare and submit to the Mayor and Council an annual report of Borough affairs, which shall include a report from each department head.
- g.** Serve as liaison between the Mayor and Council and the Borough's departments and agencies, ensuring that employees are informed of the Mayor and Council's activities and requirements, and that the Mayor and Council are informed of the programs, needs and achievements of the Borough.
- h.** Ensure that all laws and all acts of the Governing Body subject to enforcement by the Administrator or by officers and employees subject to the Administrator's direction and supervision are executed faithfully.
- i.** Receive and deal with requests for, and complaints about, Borough services that cannot be dealt with by the operating departments and agencies. The Administrator shall keep a record of all such requests and complaints, and their

disposition, and shall report on them to the Mayor and Council.

**j. Serve as the head of the Department of Human Resources, in the absence of a Manager of the Department of Human Resources, with responsibility to oversee the employment practices of the Borough's departments and agencies. The Administrator shall recommend a comprehensive program of policies and procedures for approval by the Mayor and Council, and, once that program is adopted, shall review it annually and recommend any appropriate changes. In this role, the Administrator shall develop and oversee a comprehensive training program for Borough employees; develop a program to recognize Borough employees for exceptional skills and achievements; oversee the Borough's labor relations activities and be included in all labor negotiations; advise department heads on the handling of grievances, and may serve as hearing officer on all formal grievances that rise above the departmental level. To the extent that any labor agreement prescribes some other arrangement for a Borough hearing, the Administrator shall serve as an advisor to the prescribed individual or group.**

**k.** Exercise the Mayor's power to appoint and promote subordinate Borough officers, with the following noted exceptions:

1. Appointments and promotions within the Police Department from entry level up to and including the rank of Sergeant shall be made by the Administrator and the Chief of Police; appointments and promotions to ranks above Sergeant (excluding Chief) shall be made by the Administrator, Chief of Police and the Police Commission.

2. Recommend appointments of department heads to the Mayor and Council for approval.

3. Appointment of an Assistant Administrator shall be made by the Mayor with the advice and consent of the Council, in accordance with subsection 2-7.9 of this chapter.

The Administrator shall advise the Mayor and Council of any appointments no later than the next meeting of the Governing Body. Any action under this section shall be taken only after the Mayor and Council have declared a vacancy and authorized its being filled.

4. Appointments and promotions of subordinate Borough officers shall include full-time, part-time, temporary and seasonal employees except where the power to appoint rests with the Mayor and Council.

1. Take appropriate disciplinary action against Borough employees and recommend to the Mayor and/or Borough Council, when necessary, suspension or removal of department heads and other employees, ~~except the Borough Clerk and Borough Attorney~~ **except for employees or department heads who are tenured.** The Administrator may, for good cause, suspend a department head or other employee for up to five (5) working days while recommending more serious disciplinary action to the Mayor and Council. The Administrator shall advise the Mayor and Council of any such suspensions no later than the next meeting of the Governing Body.

**m.** Negotiate contracts for the Borough, other than personnel or labor contracts or those required to be bid under N.J.S.A. 40A:11 et seq., as authorized and directed

by and subject to the approval of the Governing Body, and ensure that all terms and conditions favorable to the Borough in any statute or contract are kept faithfully and performed and, upon knowledge of any violation, immediately make said violation known to the Governing Body.

n. Establish and oversee a proper purchasing system; approve all specifications for goods and services to be purchased by the Borough by public bid or formal solicitation of proposals, except for the technical portions of specifications prepared by any licensed professional; authorize and approve the purchase of all materials, supplies, equipment, and labor and services under contract required by any department, office or agency of the Borough; and approve all bills and vouchers submitted for payment prior to their submission to the Mayor and Council for approval.

o. Authorize any transfer of supplies, materials and equipment between departments and offices and, with the authorization of the Governing Body, sell surplus, obsolete, unused or waste supplies, materials and equipment.

p. Ensure that all terms and conditions imposed in favor of the Borough or its inhabitants, by any law or contract, are kept faithfully and performed. The Administrator may delegate this responsibility to another Borough employee with respect to any particular contract.

q. Review and supervise the Borough's insurance program and policies.

r. Advise the Mayor and Council of actions by other units of government of importance to the Borough.

s. Represent the Borough, as directed by the Mayor and Council.

t. Perform such other duties as may from time to time be assigned or required by the Mayor and Council.

u. Serve as the Acting Borough Clerk in the absence, illness or vacation of the Borough Clerk or Deputy Borough Clerk.

v. Examine or investigate the operations of Borough departments and offices and, to the extent permitted by law, direct corrective action of any shortcomings. The Administrator shall recommend any changes in policy or other corrections that require action by the Mayor and Council.

w. May designate a qualified department head of the Borough to perform his duties during his temporary absence, illness or vacation.

x. Oversight and management of all contracts necessary to assure compliance with the Local Health Services Act.

y. Supervision and monitoring of ~~the all shared services agreement for the Registrar of Vital Statistics services.~~

z. Coordinating the enforcement of State and local public health laws, rules, regulations, and the issuance of licenses and permits with the contract Health Officer and Health Inspector; and

aa. Providing support services to the Board of Health.

**REPEALER**

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SEVERABILITY**

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any 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 thereof.

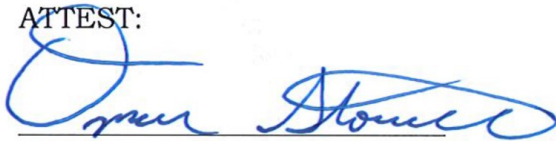
**EFFECTIVE DATE**

This ordinance shall take effect upon passage and publication as provided by law.

INTRODUCED: February 13, 2024

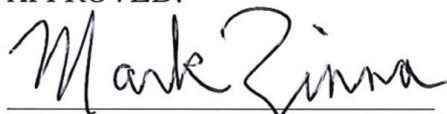
ADOPTED: March 5, 2024

ATTEST:



Omar Stovall,  
Borough Clerk

APPROVED:

  
Mark Zinna, Mayor