

ORDINANCE 6-2007

ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER FOUR OF THE MADISON BOROUGH CODE ENTITLED "ADMINISTRATOR"

WHEREAS, the Borough Attorney has recommended that the Borough Code Chapter Four entitled "Administrator" be amended to reflect the current statutory references; and

WHEREAS, the Borough Council has determined to amend said Chapter Four to revise the requirements for the position of Borough Administrator to broaden the scope of educational requirements that are acceptable.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey that Chapter Four of the Borough Code entitled "Administrator" is hereby amended as follows:

SECTION 1:

§ 4-2. Appointment; term of office; removal from office; qualifications.

The Borough Administrator shall qualify, be appointed and serve a term of office in accordance herewith:

A. Appointment. The Borough Administrator shall be appointed pursuant to the provisions of N.J.S.A. 40A:9-136 et seq.

B. Term of office. The term of the Borough Administrator shall be for a four-year term with the next four year term commencing on January 2, 2008, with provisions for suspension or removal as set forth in Subsection C.

C. Removal.

(1) The Borough Administrator may be removed at any time by a 2/3 vote of the Borough Council. The resolution of removal shall become effective three months after its adoption by the Borough Council. The Borough Council may provide that the resolution shall have immediate effect; provided, however, that the Borough Council shall cause to be paid to the Administrator forthwith any unpaid balance of his or her salary and his or her salary for the next three months following adoption of the resolution, unless the cause for such removal is the result of the conviction of said Administrator of an indictable offense of a subject matter relating to his or her employment.

(2) The Borough Administrator, upon receipt of a resolution of removal properly approved, may reply within 10 days of receipt and request a public hearing. A public hearing, if any, shall be held not earlier than 15 days nor later than 30 days after the request is received by the Borough Council. The findings of the hearing and the

decision of removal shall be by written resolution approved by a 2/3 vote of the Borough Council.

(3) If the Borough Administrator is restored to his or her position he or she shall be entitled to any compensation lost by reason of such suspension. Also, if after once being formally appointed to a four-year term, he or she is not subsequently reappointed, the Borough of Madison shall pay his or her salary for three calendar months following the failure to reappoint.

D. Qualifications. The Borough Administrator shall be appointed on the basis of administrative qualification. A master's degree in public administration, or similar advanced degree, including other master's degrees, or law degree, with a minimum of five years of work experience in government is required. No elected member of the Borough Council or Mayor may receive such appointment during his or her term of office nor within one year after the expiration of said term.

SECTION 2: This ordinance shall take effect as provided by law.

ADOPTED AND APPROVED

ELLWOOD R. KERKESLAGER, Mayor

Attest:

MARILYN SCHAEFER, Borough Clerk

Introduced and passed: February 26, 2007

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Hearing and final adoption: March 12, 2007

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