

Administrative Code

of the

County of Monmouth State of New Jersey

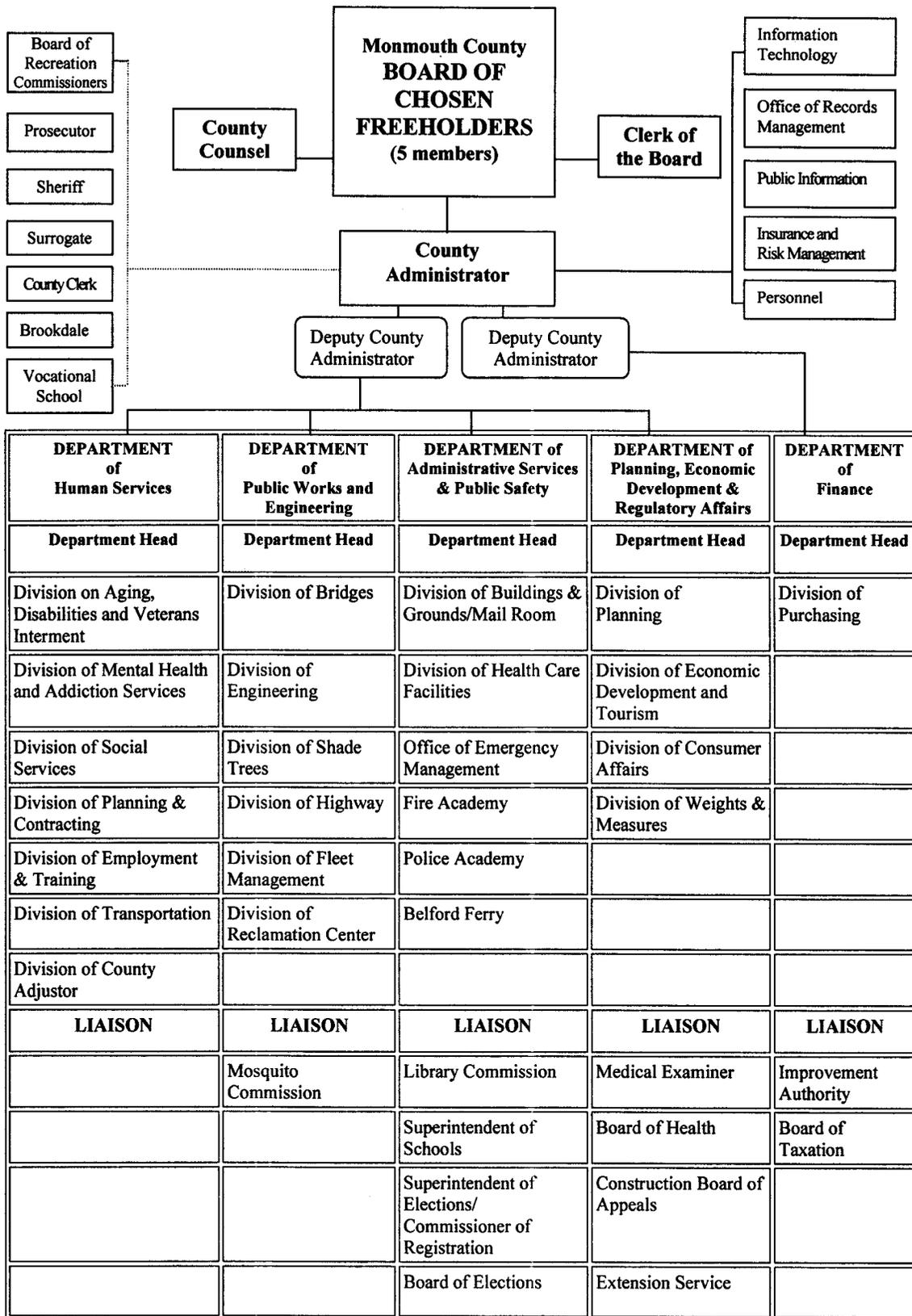
2008

Part I

Administration of the County

**Published by
CODED SYSTEMS LLC**

Rev
12/16/08
Bob Czech



ENABLING RESOLUTION

ADOPTION of the MONMOUTH COUNTY ADMINISTRATIVE CODE

Whereas, pursuant to N.J.S.A. 40:20-1.3a, the Board of Chosen Freeholders may adopt an administrative code organizing the administration of the county government, setting forth the duties and responsibilities and powers of all county officials and agencies, and the manner of performance needed;

Whereas, pursuant to N.J.S.A. 40:20-1.3b, the administrative code may require that the County Board of Taxation, County Board of Elections, Jury Commissioners of the County, County Clerk, Surrogate and Sheriff be subject to such annual budgetary procedures and requirements as may be specified therein. These procedures and requirements may include, but shall not be limited to, the preparation and submission of an annual budget in accordance with the provisions of the administrative code, and the submission of such periodic budget reports as may be provided therein. The administrative code may further provide that the County Board of Taxation, County Board of Elections, Jury Commissioners of the County, County Clerk, Surrogate and Sheriff shall be subject to such accounting controls, central purchasing practices, personnel procedures, and central data processing services as are specified in the code, or in administrative orders adopted pursuant thereto; provided, however, that nothing herein shall restrict or limit the authority of the County Board of Taxation, County Board of Elections, Jury Commissioners of the County, County Clerk, Surrogate, and Sheriff as the appointing authority of their respective offices;

Whereas, pursuant to N.J.S.A. 40:20-1.3c, nothing in the administrative code shall 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;

Whereas, pursuant to N.J.S.A. 40:20-1.3d, an administrative code adopted pursuant to N.J.S.A. 40:20-1.3 shall enter into effect thirty (30) days after its adoption, and all theretofore existing agencies shall assume the form, perform the duties, and exercise the powers granted them under the administrative code and shall do so in the manner prescribed therein.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Chosen Freeholders of the County of Monmouth as follows:

Section 1. Adoption of Administrative Code. The Board of Chosen Freeholders of the County of Monmouth hereby adopts the Monmouth County Administrative Code, 2008, which is annexed hereto and adopted by reference.

Section 2. County Department and Department Head Defined. Whenever the words "County Department" or "Department Head" are used in this Resolution or in the Administrative Code referred to in this Resolution, the words shall mean all officials and employees,

departments, agencies, boards and commissions of the County of Monmouth and under the authority of N.J.S.A. 40A:20-1.3 and N.J.S.A 40A:20-1.4, they include the County Board of Taxation, the County Board of Elections, the Jury Commissioners of the County, County Clerk, Surrogate and the Sheriff.

Section 3. Compliance with Administrative Code. All Monmouth County officials and employees, all departments, agencies, boards and commissions, including the Board of Taxation, Board of Elections, Jury Commissioners of the County, County Clerk, Surrogate and the Sheriff shall comply with all policies and procedures set forth in the Monmouth County Administrative Code.

Section 4. References Include Future Amendments. Whenever reference is made to any portion of this Administrative Code or of any law of the State, the reference applies to all amendments and additions now or hereafter made.

Section 5. Savings Clause. No action or proceeding commenced before this Administrative Code takes effect, and no right accrued, is affected by the provisions of this Code, but all procedures thereafter taken therein shall conform to the provisions of this Code so far as possible.

Section 6. Provisions Severable. If any provision of this Code, or the application thereof to any person or circumstances, is held invalid, the remainder of the Code, or the application of such provisions to other persons or circumstances, shall not be affected thereby.

Section 7. Effective Date. In accordance with the provisions of N.J.S.A. 40A:20-1.3, the Monmouth County Administrative Code shall take effect thirty (30) days after its adoption. On that date, all those governed by the Monmouth County Administrative Code as defined above, shall perform the duties, conform to the responsibilities and practices, and exercise the power granted to them in the manner described in this Resolution and the Monmouth County Administrative Code.

PREFACE

Monmouth County is governed by five (5) Freeholders elected at-large for three (3) year terms. Each January, the Freeholders select one of their members to serve as the Director of the Board for the year to preside over the meetings and activities of the Board.

Ordinarily, on the second and fourth Thursdays of each month, the Board meets at 2:00 p.m. in workshop session in the Hall of Records and again at 7:00 p.m. for a formal Regular Meeting. On the fourth Thursday of each month, from March through September the Regular Meeting at 7:00 p.m. is rotated throughout one of the 53 municipalities in Monmouth County.

Regular Meetings are those in which the Freeholders take formal action. Workshop meetings are informal discussions of items to be considered at the next Regular Meeting and other important matters. Both Regular and Workshop meetings are open to the public.

Monmouth County
ADMINISTRATIVE CODE

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CHAPTER I
ESTABLISHMENT OF CODE;
GENERAL PROVISIONS

1-1 TITLE.

This Administrative Code, together with any and all amendments thereto, shall be known and may be cited as "The Administrative Code of the County of Monmouth" or this "Code."

1-2 PURPOSE.

The purpose of this Code is to set forth the details of administration of the Monmouth County government and to establish the duties and responsibilities and powers of all County officials and agencies for efficient and effective delivery of services from the County government.

1-3 AUTHORITY TO ADOPT ADMINISTRATIVE CODE.

Pursuant to N.J.S.A. 40:20-1.3, the Board of Chosen Freeholders may adopt an Administrative Code organizing the administration of the County government, setting forth the duties and responsibilities and powers of all County officials and agencies, and the manner of performance needed. (N.J.S.A. 40:20-1.3)

1-4 STATUS OF COUNTY.

Monmouth County, upon adoption of this Code as hereinabove provided, shall continue and remain a body corporate and politic with perpetual succession and shall exercise all of the rights, privileges, functions and powers conferred upon the County by any other applicable statute not otherwise inconsistent herewith.

1-5 GOVERNING LAWS.

As of the effective date of this Code, the County of Monmouth shall be governed by: Federal law; the Constitution of the State of New Jersey; state law and all other ordinances and resolution duly adopted by the Board of Chosen Freeholders.

All laws, ordinances and resolutions of the Board of Freeholders of the County of Monmouth heretofore adopted shall continue in full force and effect except to the extent that they have been repealed, amended, modified or superseded in their application to Monmouth County by the enactment and adoption of this Code.

1-6 TRANSITIONAL PROVISIONS.**1-6.1 Prior Organization.**

All previous resolutions creating or specifying departmental status, organization, relationships, or operating procedures which are inconsistent with the provisions of this Administrative 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.

1-6.2 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 IIA 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.

1-7 DEFINITIONS.

Wherever used in the Administrative Code, unless expressly stated or the context or subject matter requires otherwise, the following terms shall have the meanings indicated:

Administration shall mean and include the County Administrator and all departments, divisions, boards, agencies, commissions and authorities.

Administrator shall mean the officer appointed by the Board of Chosen Freeholders.

Agency shall mean any agency authorized by this Code or applicable law, including but not limited to those authorized by County law to receive and expend County funds for a County purpose.

Board shall mean the Board of Chosen Freeholders, the elective body of Monmouth County.

Code shall mean the Administrative Code of the County of Monmouth and all amendments and supplements thereto.

County shall mean the County of Monmouth, State of New Jersey.

Department shall mean an organization unit or group of organized units of the County government, established or designated as a department by this Code.

Department Head shall mean the administrative head of a department, regardless of title.

Division shall mean a suborganization unit or group of organization units of a department of the County government, established or designated as a division by this Code.

Division Head shall be the principal officer of the division.

Full time shall mean regular County business hours for all County employees, as provided for in all applicable collective bargaining agreements or by County management policy.

Legislative shall mean the Board of Chosen Freeholders.

Ordinance shall mean any act of local legislation heretofore or hereafter adopted, so long as it shall have been adopted by the procedure required for the adoption of an ordinance and so long as it shall remain in force and effect pursuant to law.

Part time shall mean the time which an employee shall work that is less than full time.

Person shall mean any individual, natural person, partnerships, joint ventures, societies, associations, clubs, trustees, trusts, corporations or unincorporated groups; or any officers, agents, employees, servants, factors or any kind of personal representatives of any thereof in any capacity, acting either for himself or for any other person, under either personal appointment or pursuant to law.

Quorum shall mean a majority of the whole number of the membership of the Board of Chosen Freeholders, County commissions, boards and authorities, body or other group of persons or officers charged with any County public power, authority or duty.

Resolution shall mean an act of local legislation heretofore or hereafter adopted, so long as it shall be adopted by the procedure required for the adoption of a resolution and so long as it shall remain in-force and effect pursuant to law. It shall also mean a declaratory statement of opinion and/or policy of the Board of Freeholders in regard to any matter affecting the County, including but not limited to the following: advice and consent on executive appointments, appointment of such personnel that the Board has power to name, establishment of rules of procedure for the Board of Freeholders, ratification of contracts and adoption of the annual budget.

Week shall mean seven (7) days.

Whole number shall mean the total number which the board, commission or body or other group of persons or officers would have where there are no vacancies and where none of the persons or officers are absent or disqualified from acting.

Year shall mean a calendar year unless otherwise specifically provided.

1-8 CONSTRUCTION AND WORD USAGE.

For the purpose of this Code and any other resolutions heretofore or hereafter adopted, except as the context may otherwise require:

The masculine gender includes the feminine and neuter.

The singular number includes the plural and the plural, the singular.

Shall is mandatory and **may** is permissive.

The time within which an act is to be done shall be computed by excluding the first and including the last day, and if the last day be a Sunday or a legal holiday, that day shall be excluded unless otherwise provided by law.

Writing and **written** includes printing, typewriting and any other modes of communication using paper or similar material which is in general use, as well as legible handwriting.

And may be construed as meaning **or**, and **or** as **and**, if the sense requires and indicates such meaning.

Whenever a specific time is used in this Code, it shall mean the prevailing and established time in effect in the State of New Jersey during any day in any year.

Any citation of a statute, law, ordinance or resolution contained in this Code shall be deemed to refer to such statute, law, ordinance or resolution as amended, whether or not such designation is included in the citation.

Chapter shall mean one of the major divisions of this Code, identified by a Roman number, and divided by subject matter.

Section shall mean a major subdivision of a chapter.

Subsection shall mean a subdivision of a section, identified by a decimal number following the section number.

Paragraph shall mean a subdivision under a subsection, identified by an alphabetical letter and/or number.

1-9 INTENT; INTERPRETATION.

The grant of powers under this Code is intended to be as broad as is consistent with the Constitution of New Jersey and with general law relating to County government.

1-10 COUNTY SEAL.

The following seal is hereby adopted as the "Official Seal of Monmouth County" and shall be used for all official and authorized County purposes.



CHAPTER II
MONMOUTH COUNTY
BOARD OF CHOSEN FREEHOLDERS

2-1 BOARD OF CHOSEN FREEHOLDERS.

2-1.1 Control of County Property, Finances and Affairs.

The property, finances and affairs of the County shall be managed, controlled and governed by the Board elected therein, known as "the Board of Chosen Freeholders of the County of Monmouth." The executive and legislative powers of the County shall be vested in that Board of Chosen Freeholders, except where by law any specific powers or duties are imposed or vested in a Constitutional Officer. (N.J.S.A. 40:20-1)

2-2 ELECTION; TERM OF MEMBERS.

2-2.1 Membership.

The Board of Chosen Freeholders in the County of Monmouth shall consist of five (5) members.

2-2.2 Terms.

The Board members shall be elected at-large by the voters of Monmouth County at the general election and shall hold office for three (3) years from the annual stated meeting of the Board next succeeding their election and until their successors are elected and qualified. (N.J.S.A. 40:20-23)

2-2.3 Resignation of Elective Officers.

Any elective County officer desirous of resigning shall send his resignation, in writing, to the Governor. All such resignations shall be filed in the office of the Secretary of State. No resignation made in any other way or pretended to be made, shall be valid. (N.J.S.A. 40A:9-24)

2-3 ORGANIZATION.

The Board of Chosen Freeholders constituted and elected shall organize at the annual meeting of the Board next succeeding the election of the members, and at the annual stated meeting in each year thereafter. (N.J.S.A. 40:20-23)

At the annual reorganization meeting of the Board of Chosen Freeholders the members of the Board shall by resolution designate to each Freeholder the areas of responsibility for the year and in this regard are not bound by the organizational structure otherwise approved by this Code.

2-4 DIRECTOR OF THE BOARD.**2-4.1 Election; Absence or Disability.**

The Board of Chosen Freeholders shall, at each annual meeting, elect one of its members to preside at its meetings. He shall be called the Director of the Board and in case of his absence or temporary disability the Board shall select another of its members to preside at any meeting. (N.J.S.A. 40:20-71)

2-4.2 Designation of Freeholder to Serve on Various County Boards in Place of Director.

Whenever the Director of the Board of Chosen Freeholders is specified as a member of any County board, he/she may designate another member of the Board of Chosen Freeholders to serve in his/her place whereby in Monmouth County that person will be the Deputy Director. The term of the designated member of the Board shall expire with his term as Freeholder, with the term, as presiding member, of the Director of the Board of Chosen Freeholders appointing him or with the term specified by law for the position filled, whichever occurs first. (N.J.S.A. 40:20-71.1)

2-5 ELIGIBILITY OF BOARD MEMBERS FOR OFFICES AND POSITIONS.**2-5.1 Eligibility; Conditions; Exceptions.**

No member of a Board of Chosen Freeholders during the term for which he is elected shall be eligible for appointment to any office or position required to be filled by the Board unless he shall resign and cease to be such a member at least three (3) months prior to his appointment, except in cases where such office or position, by law, may be filled by a member of the Board or the appointment is to the position of County Counsel or County Treasurer. (N.J.S.A. 40A:9-23)

2-5.2 Term of Member of Board Appointed to Other Public Entity.

Notwithstanding the provisions of any law, rule or regulation to the contrary, whenever an elected member of the Board of Chosen Freeholders is appointed to a position on any public authority, board, commission, agency or other public entity created by the State or any of its political subdivisions, and when such appointment is made by virtue of the member's position on the Board, the term of appointment shall be the same as the member's term of office on the Board of Chosen Freeholders. Nothing shall preclude the reappointment to a position with an appropriate public entity of a person whose term of office on the Board has expired, but who has been reelected to succeed himself on the public authority, board, commission, agency or other public entity. (N.J.S.A. 40A:9-23.1)

2-6 MANAGEMENT OF COUNTY AFFAIRS.**2-6.1 Authority of the Board of Freeholders to Delegate of Powers and Duties to County Administrator.**

The Board of Chosen Freeholders, has created the office of County Administrator pursuant to the provisions of N.J.S. 40A:9-42. The Board may, by resolution, delegate to that office such executive and administrative powers, duties, functions and responsibilities as the Board may deem appropriate and as provided by this Code and/or statute. (N.J.S.A. 40:20-1)

2-6.2 Quarterly Fiscal Reports.

Notwithstanding the provisions of any law to the contrary, all boards, bodies or commissions appointed by the Board of Chosen Freeholders and receiving funds or using funds made available by the Freeholder Board, shall render quarterly fiscal reports covering both operating and capital construction and improvement funds, on a calendar basis, to the Board of Chosen Freeholders. (N.J.S.A. 40:20-1.1)

2-6.3 Grant of Powers; Consistency with Constitution and Local Government Law; Liberal Construction; Definition of County Agencies.

The grant of powers under this amendatory and supplementary act is intended to be as broad as is consistent with the Constitution of the State of New Jersey and with general law relating to local government. The grant of powers shall be construed as liberally as possible in regard to the County's right to reorganize its structure and to alter or abolish its agencies, subject to the general mandate of performing services, whether they be performed by the agency previously established or by a new agency or another department of County government. All County offices, boards, commissions, and authorities authorized or established by statute, other than those boards and offices

which are subject to the provisions of N.J.S.A. 40:20-1.3 and other than educational institutions authorized or established pursuant to Title 18A of the New Jersey Statutes, shall be considered to be County agencies for the purposes of this section. (N.J.S.A. 40:20-1.2)

2-6.4 Board of Chosen Freeholders' Authority to Adopt Administrative Code; Budgetary Procedures and Requirements in Accord with Code.

a. Pursuant to N.J.S.A. 40:20-1.3 the Board of Chosen Freeholders has the authority to adopt an Administrative Code organizing the administration of the County government, setting forth the duties and responsibilities and powers of all County officials and agencies, and the manner of performance needed.

b. The Administrative Code may require that the County Board of Taxation, County Board of Elections, Jury Commissioners of the County, County Register of Deeds*, County Clerk, Surrogate and Sheriff be subject to such annual budgetary procedures and requirements as may be specified therein. These procedures and requirements may include, but shall not be limited to, the preparation and submission of an annual budget in accordance with the provisions of the Administrative Code, and the submission of such periodic budget reports as may be provided therein. The Administrative Code may further provide that the County Board of Taxation, County Board of Elections, Jury Commissioners of the County, County Register of Deeds*, County Clerk, Surrogate and Sheriff shall be subject to such accounting controls, central purchasing practices, personnel procedures, and central data processing services as are specified in the Code, or in administrative orders adopted pursuant thereto; provided, however, that nothing herein shall restrict or limit the authority of the County Board of Taxation, County Board of Elections, Jury Commissioners of the County, County Register of Deeds*, County Clerk, Surrogate and Sheriff as the appointing authority of their respective offices.

c. Nothing in the Administrative Code shall 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.

d. An Administrative Code adopted pursuant to this section shall enter into effect thirty (30) days after its adoption, and all theretofore existing agencies shall assume the form, perform the duties, and exercise the powers granted them under the Administrative Code and shall do so in the manner prescribed therein.

(N.J.S.A. 40:20-1.3)

* **Editor's Note:** Pursuant to N.J.S.A. 40A:9-80 the office of the Register of Deeds is consolidated with the office of the County Clerk.

2-6.5 Board of Chosen Freeholders' Authority to Make Policy Decisions; Duplicative Activities of Independent Boards, State Officials and Other Departments.

In addition to the powers set forth in N.J.S.A. 40:20-1.2 and 40:20-1.3, the Board of Chosen Freeholders is authorized and empowered to make policy and management decisions related to those activities of any independent boards of County government or State appointed officials of County government, which are duplicative in nature or which duplicate the activities, responsibilities or duties of any other agency or department of County government. (N.J.S.A. 40:20-1.4)

2-7 POWER TO RAISE MONEY BY TAXATION.

The Board of Chosen Freeholders may raise by taxation, in the method prescribed by law, all money necessary to pay for any improvement or property which it is authorized to make or acquire, and to pay the current expenses of maintaining the same, and for the execution and performance of any power or authority given to the County or the Board of Chosen Freeholders, and to pay the principal of and interest upon all obligations and debts of the County, for the maintenance of County parks, and for the fulfillment of all obligations imposed by law upon the County. (N.J.S.A. 40:23-7)

2-8 GENERAL POWERS AND DUTIES.

The powers and duties of the Board of Chosen Freeholders are not limited to those powers established by this section but shall include all applicable laws and regulations.

2-8.1 Committees.

a. *Creation of New Committees.*

The Board of Chosen Freeholders may by resolution designate all committees thereof, define their duties and determine the number of members of which any committee shall be composed, and may at any time abolish any committee created by it. (N.J.S.A. 40:20-80)

b. *Director to Appoint Members of Committees.*

The Director of the Board of Chosen Freeholders shall name the members of all committees of the Board, except where otherwise provided by law. He may, with the consent of a majority of the members of the Board, but not otherwise, discharge any member of any committee from further service thereon. (N.J.S.A. 40:20-81)

c. *Investigations by Committees; Member May Administer Oath.*

Whenever the Board of Chosen Freeholders shall have appointed a committee of its members upon any matter within its jurisdiction, or to examine any officer of the Board, or holding an appointment from the Board in relation to the discharge of his official duties or conduct, or to the receipt or disbursement by him of any moneys in the discharge of said duties, or concerning the possession or disposal by him, in his official capacity of any property belonging to the Board or to the County, or to inspect or examine any book, account, voucher or document in the possession or under the control of such officer, relating to the affairs or interest of the County, the chairman of the committee, or any member thereof, may administer an oath to any person attending as a witness before that committee. (N.J.S.A. 40:20-82)

d. *Subpoenas; Testimony.*

The Board of Chosen Freeholders and any committee thereof may subpoena witnesses and take testimony with respect to any lawful matter of inquiry by the Board or committee. Any such subpoena shall be enforceable, and misconduct of a witness may be dealt with, in the manner provided by the County and Municipal Investigations Law (1952). (N.J.S.A. 40:20-83)

e. *Perjury.*

Any person who shall willfully and corruptly testify falsely to any matter upon oath administered by any member of the committee, upon such investigation or inquiry shall, upon conviction thereof, be guilty of perjury. (N.J.S.A. 40:20-84)

2-8.2 Books and Stationery for County Officers.

The Board of Chosen Freeholders may provide and furnish the books, blanks and stationery necessary for use by the Courts, County Clerk, Surrogate, Register* and Sheriff of the County. (N.J.S.A. 40:23-1)

2-8.3 Printing for County Superintendent of Schools.

The printing required in the office of the County Superintendent of Schools shall be paid for as other County printing, but the sum expended for this purpose shall be determined by the Board of Chosen Freeholders. (N.J.S.A. 40:23-2)

2-8.4 Exhibition of County Products.

The Board of Chosen Freeholders may prepare, maintain and display any exhibition of the products and industries of the County, or any poultry or agricultural exhibitions, or may contribute funds towards the maintenance or conduct of any such exhibition. (N.J.S.A. 40:23-3)

* **Editor's Note:** Pursuant to N.J.S.A. 40A:9-80 the office of the Register of Deeds is consolidated with the office of the County Clerk.

2-8.5 Acceptance of Contributions for County Improvements; Agreements.

The Board of Chosen Freeholders, when contemplating the making of any improvement or the doing of any work, may accept any sum contributed by any person towards the cost or expense thereof, which sum shall be used only for the purpose for which it was accepted.

The Board may also agree in writing with any person that he shall pay such sum towards, or proportion of the cost or expense of such improvement or work as may be specified in the agreement. (N.J.S.A. 40:23-4)

2-8.6 Advertise Advantages of County.

The Board of Chosen Freeholders may appropriate such sums as it shall deem necessary for the purpose of advertising in newspapers, magazines or otherwise, either within or without the State, the advantages and attractions of the County for residence and business purposes

2-8.7 Economic Resources and Development.

Pursuant to N.J.S.A. 40:23-5.1 through 40:23-5.6, the Board of Chosen Freeholders may, by resolution, establish an office or department to study economic resources and encourage economic development of the County. (N.J.S.A. 40:23-5.1)

2-8.8 Membership in New Jersey Association of Counties and County Officers Association of New Jersey.

The County may agree to contribute and expend in any one (1) year, for membership in and the service of the New Jersey Association of Counties and the County Officers Association of New Jersey, such sums as the County may determine. (N.J.S.A. 40:23-6)

2-8.9 Summer Camps.

a. *Authority to Establish Summer Camps.* Pursuant to N.J.S.A. 40:23-6.1 through 40:23-6.16, the Board of Chosen Freeholders shall have the power to conduct and operate a summer camp for undernourished and underprivileged children of the County, and children of the County whose health may be benefited by it, and to establish rules and regulations for admission to the same. (N.J.S.A. 40:23-6.1)

b. Upon the establishment of a summer camp, a commission or board shall be constituted and appointed by the Board of Chosen Freeholders. (N.J.S.A. 40:23-6.2)

2-8.10 Veterans in County Hospitals.

a. Pursuant to N.J.S.A. 40:23-6.17 through 40:23-6.19, the Board of Chosen Freeholders may enter into contracts with the United States Government, or any of its agencies, for the care and treatment in any County hospital, including clinic or out-patient service, of any soldier, sailor, marine or nurse under the jurisdiction of the Veterans Administration of the United States Government, and to receive and care for such soldiers, sailors, marines and nurses upon such terms and conditions, and upon such payments by the United States Government, as shall be mutually agreed upon between the Board of Chosen Freeholders and the proper officials of the United States Government. (N.J.S.A. 40:23-6.17)

b. *Necessary Funds; Appropriation.*

The Board of Chosen Freeholders may appropriate and raise funds annually in the same manner as appropriations are made for County purposes. (N.J.S.A. 40:23-6.18)

2-8.11 No Fee for Building Permit for County Buildings.

Monmouth County has a population in excess of four hundred thousand inhabitants. Pursuant to N.J.S.A. 40:23-6.20, the Board of Chosen Freeholders or any of its contractors shall not be required to pay any municipal fee or charge in order to secure a building permit for the erection or alteration of any County building or part thereof to the municipality wherein such building may be located. (N.J.S.A. 40:23-6.20)

2-8.12 Museum Facilities and Services; Maintenance and Support.

The Board of Chosen Freeholders may provide by contract, and appropriate funds for the support and maintenance of existing museum facilities and services for the educational or recreational use and benefit of the public.

Such museum facilities and services may include exhibition in a museum building or elsewhere of subjects of natural, historical, educational, scientific, industrial or cultural nature; operation of arts, crafts and other hobby workshops; conduct of field trips and other projects of an educational or recreational nature and provision for the personal services required in connection with any of the foregoing. (N.J.S.A. 40:23-6.22)

2-8.13 County Welfare Board*; Federal Surplus Food Commodities.

a. *Distribution of Federal Surplus Food Commodities; Contracts for Sharing Cost.*

The Board of Chosen Freeholders is authorized to enter into a contract or contracts with the municipalities within the County for sharing the cost of distribution by the municipalities, of Federal surplus food commodities to the recipients of old age

* **Editor's Note:** These services are provided by the Division of Social Services in the Department of Human Services.

assistance, permanent and total disability assistance, and blind assistance on the rolls of the County Welfare Board* of the County, resident in the municipalities, upon such terms and conditions as may be agreed upon between the Board of Chosen Freeholders and the municipality. The Board of Chosen Freeholders may designate the County Welfare Board* as agent for the purpose of negotiating and carrying out the terms of such contract. (N.J.S.A. 40:23-6.23)

b. *Appropriating or Raising Funds for Surplus Food Distribution.*

It shall be lawful for each Board of Chosen Freeholders to appropriate and raise funds annually for the purposes aforesaid in the same manner as appropriations are made for other County purposes. In the event that the Board of Chosen Freeholders shall designate the County Welfare Board* as its agent, it may turn such moneys over to the County Welfare Board* to meet the costs incurred under any such contracts. (N.J.S.A. 40:23-6.24)

c. *Payment of Costs of Surplus Food Distribution by Board of Chosen Freeholders.*

Nothing in this act shall be construed as requiring, in the absence of any such contract, the Board of Chosen Freeholders to pay any part of the cost of the distribution of the Federal surplus food commodities to such persons on the rolls of the County Welfare Board.* (N.J.S.A. 40:23-6.25)

2-8.14 Contracts for Services or Facilities With Municipalities.

a. **Contracts with Municipalities for Services or Facilities by Counties over 500,000 Population.**

The Board of Chosen Freeholders, by resolution, may provide for the entering into a contract with any municipality located in the County, or with two (2) or more such municipalities acting jointly to provide for the furnishing by the County to the municipality or municipalities with any service or facility which the municipality or municipalities may otherwise lawfully furnish or provide to the inhabitants thereof or to others. The entering into any such contract by the municipality shall be authorized by an ordinance adopted by the governing body. (N.J.S.A. 40:23-6.26)

b. *Term of Contract; Advertisement for Bids.*

Any such contract shall be and remain in force for such term not exceeding ten (10) years as shall be provided therein and no provision of any law requiring advertisement for bids before the making of any contract involving the expenditure of money shall be applicable to the making of any such contract between the County and the municipality, but any contract entered into by the County for services or facilities to be provided to a municipality shall be advertised and awarded in accordance with N.J.S.A. 40A:11-1 et seq. (N.J.S.A. 40:23-6.27)

* **Editor's Note:** These services are provided by the Division of Social Services in the Department of Human Services.

c. *Contract; Required Provisions.*

Any such contract by the County and one (1) or more municipalities shall provide in detail the extent, manner and type of services or facilities to be furnished or performed thereunder by the County and shall specify the cost thereof to the municipality or municipalities and the manner in which it shall be paid to the County. (N.J.S.A. 40:23-6.28)

d. *Appropriation of Funds; Purchase or Lease of Machinery and Equipment; Acquisition of Lands.*

The County and municipality entering into a contract authorized by this subsection may appropriate the necessary funds to provide for the carrying out thereof. The County may purchase or lease all machinery and equipment and may acquire by gift, purchase, lease or condemnation all such lands as may be necessary in order to perform the terms thereof. (N.J.S.A. 40:23-6.29)

2-8.15 Entrances and Exits to Highway Projects.

a. *Construction of Additional Entrances and Exits to Highway Projects.*

The Board of Chosen Freeholders is authorized to contract with the New Jersey Highway Authority for the construction by the Authority of additional entrances and exits, to a highway project operated by the Authority, which entrances or exits the Authority refuses to construct at its own expense on the basis of financial feasibility studies. Any entrance or exit constructed pursuant to this subsection shall become the property of, and a part of the highway project of the Authority. (N.J.S.A. 40:23-6.32)

b. *Appropriation of Funds to Pay for Additional Entrances and Exits to Highway Projects.*

The Board of Chosen Freeholders entering into a contract pursuant paragraph a. above is authorized to appropriate and pay to the New Jersey Highway Authority such sums as shall be called for under such contract. (N.J.S.A. 40:23-6.33)

2-8.16 Office on Aging.

a. *Establishment of County Office on Aging by Resolution.*

The Board of Chosen Freeholders may by resolution establish a County Office on Aging. (N.J.S.A. 40:23-6.39)

b. *Powers and Duties.*

The County Office on Aging shall have the power and duty and it shall be the function of the Office to:

1. Maintain a central source of information on programs and services for older people;
2. Circulate current knowledge related to aging to the public at large and to individuals and groups to which such knowledge would be of benefit;
3. Stimulate expansion of existing services to more adequately meet the needs of older people and, where desirable, encourage new programs to meet these needs.

(N.J.S.A. 40:23-6.40)

c. *Executive Director; Appointment; Qualifications.*

The Board of Chosen Freeholders shall appoint an executive director, who shall be a person qualified by training and experience to direct the work of the Office, to administer the work of the County Office on Aging. (N.J.S.A. 40:23-6.41)

d. *Receipt and Expenditure of Moneys.*

The Board of Chosen Freeholders may receive and expend moneys from the State, Federal government or private individuals, corporations or associations thereof, to meet the expenses of the County Office on Aging. (N.J.S.A. 40:23-6.42)

e. *Appropriations and Payments of State Aid.*

There shall be appropriated and paid annually to each County Office on Aging, subject to the approval of the Commissioner of the Department of Community Affairs, an amount equal to one-half (1/2) of the amount of annual expense of the County Office on Aging; provided, however, that no County shall receive more than twenty thousand (\$20,000.00) dollars in State aid hereunder in any calendar year. Payments shall be made by the State Treasurer, upon certificate of the Commissioner of the Department of Community Affairs and warrant of the Director of the Division of Budget and Accounting, on or before December 31 of each calendar year. This payment shall constitute reimbursement to the County for the State aid portion of the annual expense of each County Office on Aging during the year in which the payment is made. (N.J.S.A. 40:23-6.43)

f. *Rules and Regulations by Director of the State Division on Aging.*

The Director of the State Division on Aging shall issue and promulgate rules and regulations for the proper control and management of activities of the County Offices on Aging, for the certification of persons to hold the position of executive director and for

the administration of grant funds available, and may issue and promulgate such other rules and regulations as necessary. (N.J.S.A. 40:23-6.44)

2-8.17 County Land Used for Training of Firemen and Police.

a. *Lands of County; Use as Training Grounds for Firemen or Police.*

The Board of Chosen Freeholders may, by resolution, make available any lands owned or leased by the County, or otherwise under its control, to be used as training grounds for paid, part-paid or volunteer fire companies and for police departments and forces located in any municipality or fire district in the County or adjoining counties. (N.J.S.A. 40:23-6.45)

b. *Operation and Improvement of Properties for Training Purposes; Appropriation and Expenditure of Funds.*

The Board of Chosen Freeholders may raise, appropriate and expend such sums of money as it may deem expedient for operating and improving any such properties for training purposes, including construction of buildings, installation of water mains and hydrants, and the construction on said lands of drill towers and training equipment, in order to instruct members of fire companies in the latest methods, procedures and techniques of fire fighting, to instruct members of police departments and forces in the latest methods, procedures and techniques of police work, and for the purpose of testing apparatus and equipment. (N.J.S.A. 40:23-6.46)

2-8.18 Consumer Affairs.

a. *Establishment of the Office of Consumer Affairs; Employees.*

The County, by resolution, may create and establish an Office of Consumer Affairs to be administered by a County Director of Consumer Affairs who shall be appointed by the Board of Chosen Freeholders. In addition, the Board of Chosen Freeholders may provide for the employment of such other officers and employees as may be necessary or desirable for the proper conduct of the affairs of the office. The qualifications of the director and other officers and employees shall be established by the Attorney General. (N.J.S.A. 40:23-6.47)

b. *Powers.*

Offices created hereunder shall have the following powers:

1. Those powers granted to the Attorney General by P.L.1960, c. 39 (C. 56:8-1 et seq.) and all supplements thereto, which he may by rule or regulation delegate to them; provided, however, that the following powers shall not be delegable: the power to promulgate substantive regulations as authorized by P.L.1960, c. 39, subsection 4 (C. 56:8-4); the power to conduct administrative

hearings and other powers connected therewith as authorized by P.L.1967, c. 97, subsection 1 (C. 56:8-3.1) and by P.L.1971, c. 247, subsections 3 through 6, inclusive (C. 56:8-15 through 56:8-18); and the power to grant immunity as authorized by P.L.1960, c. 39, subsection 7 (C. 56:8-7).

2. Such other powers not inconsistent with the provisions of this act or any other act or the rules and regulations promulgated thereunder which may be assigned to such offices by the Board of Chosen Freeholders of the County which created them.

(N.J.S.A. 40:23-6.48)

c. Office of Consumer Affairs in County Established Prior to and in Conformity with This Act; Validation of Acts and Proceedings.

All acts and things done or authorized by the County within the powers granted by this act prior to its enactment are hereby ratified and confirmed. Where any Office of Consumer Affairs has heretofore been established in substantial conformity with the provisions of this act under and by virtue of a county resolution which may be invalid by reason of lack of power in the County to pass such resolution, such resolution and all acts and proceedings thereunder are hereby validated and confirmed, including any proceeding initiated within ninety (90) days of the effective date of this act to compel compliance with or prevent the violation of such resolution, provided, however, that nothing in this section shall validate or authorize any act or thing which is expressly prohibited by the provisions of this act, or of any other statute of this State. (N.J.S.A. 40:23-6.49)

2-9 SALARIES OF BOARD MEMBERS.

The salaries of the members of the Board of Chosen Freeholders shall be fixed by resolution of the Board pursuant to N.J.S.A. 40:20-72.

The Director of the Board of Chosen Freeholders shall receive, in addition to his salary as a member, a sum not to exceed one thousand (\$1,000.00) dollars per annum as fixed by resolution of the Board.

The salaries of members of the Board of Chosen Freeholders, including any additional compensation to Directors thereof, shall be in lieu of all fees or other compensation, excepting additional compensation for premiums on group insurance authorized under N.J.S.A. 40A:10-21, and shall be paid in equal installments by the County Treasurer.

Any change to the amount of salary or other compensation paid to any member of the Board of Chosen Freeholders or the Director shall be made by resolution. The procedure for introduction, publication, hearing and adoption of said resolution shall be

the same as the procedure established by N.J.S.A. 40A:4-4 for the adoption of a County budget resolution. No such resolution shall take effect earlier than twenty (20) days from the time of adoption. (N.J.S.A. 40:20-72)

2-10 MEETINGS OF THE BOARD.

2-10.1 Annual Meetings.

The annual meeting of the Board of Chosen Freeholders shall be held at the place of holding the Superior Court at 12:00 noon on either the first or second day of January or on some other hour on any day during the first week in January, annually, as the Board, by resolution passed before said meeting, may determine. If the date so fixed shall fall upon a Sunday the meeting shall be held the following day, unless the resolution authorizes the meeting to be held on a Sunday. (N.J.S.A. 40:20-75)

2-10.2 Regular Meetings.

Regular meetings of the Board of Chosen Freeholders shall be held at such times and places as the Board, by resolution, shall determine. (N.J.S.A. 40:20-76)

2-10.3 Special Meetings; Notice.

a. Notice of Special Meeting.

Special meetings shall be held on the written or printed order of the Director, or of any three (3) members of the Board, specifying the business and object thereof, and the place where the meeting shall be held.

The Clerk of the Board shall call any such special meeting upon receipt of such order, by written notice directed to the respective members of the Board, and left at their respective places of abode, or mailed to the post office nearest thereto, at least five (5) days before the day of the meeting. The notices shall state the business and object of the meeting and the place where the meeting is to be held. (N.J.S.A. 40:20-77)

b. Penalty for Clerk's Failure to Call Meeting.

If the Clerk of the Board upon receipt of a proper order shall refuse or neglect to call or convene any special meeting of the Board, he shall forfeit twenty-five (\$25.00) dollars, to be recovered, with costs, in an action in any court of competent jurisdiction, in the name and for the use of the County. (N.J.S.A. 40:20-78)

2-10.4 Adjournment of Meeting.

In case a sufficient number of the members of the Board of Chosen Freeholders to constitute a quorum shall not attend at the time and place of the annual or any other meeting of the Board, the members attending may adjourn the meeting to such time and place as they shall think proper. (N.J.S.A. 40:20-79)

2-10.5 Consent Agenda.

The Board of Chosen Freeholders shall use a consent agenda at all public meetings. The consent agenda will be designed to facilitate a single vote of the entire Board on those items of a routine and noncontroversial nature for which extensive discussion or comment is not required. Any member of the Board of Chosen Freeholders may require the removal of an item from the consent agenda and that the item be separately treated by the Board. (Res. No. 06-529)

2-11 RESOLUTIONS.**2-11.1 Procedure for Adoption.**

A resolution in writing may be introduced by any member of the Board of Chosen Freeholders at a 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.

2-12 ORDINANCES.**2-12.1 Preparation.**

Ordinances shall set forth the statutory authority for proceeding by ordinance and the statutory or other authority for the proposed action by the Board of Chosen Freeholders. 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.

2-12.2 Procedure for Introduction; First Reading.

An ordinance may be introduced by any member of the Board of Chosen Freeholders. After passage on the first reading, which reading may be by title, it shall be published according to law.

2-12.3 Public Hearing; Adoption.

A public hearing shall be held on the proposed ordinance in the manner provided by the New Jersey Statutes, at which time all interested persons shall be given the 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 of Chosen Freeholders, with or without amendments, or rejected unless otherwise provided by law as is the case for the adoption of bond ordinances. If any amendments be adopted altering the proposed ordinance, the ordinance as so amended may only be finally adopted, if readvertised, according to law.

2-13 APPOINTMENTS.**2-13.1 Nominations; Procedure.**

Any member of the Board of Chosen Freeholders 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 may 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 the nominees included in a group.

2-13.2 Appointments by the County Administrator Requiring Advice and Consent of the Board.

Where the Code requires that the power of appointment by the County Administrator is subject to the advice and consent of the Board of Chosen Freeholders, 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.

2-14 CLERK OF THE BOARD.**2-14.1 Appointment.**

The Board of Chosen Freeholders shall appoint a Clerk to the Board for a term of three (3) years. (N.J.S.A. 40A:9-26)

2-14.2 Tenure.

Any person appointed to the office of Clerk of the Board of Chosen Freeholders having held such office continuously for a term of twenty (20) years from the date of his original appointment, shall not be removed from office except for good cause shown after a fair and impartial hearing upon notice and before the entire Board. The Clerk of the Board shall hold office during good behavior and shall not be removed except for cause as aforesaid. (N.J.S.A. 40A:9-26)

2-14.3 Statutory Duties of the Clerk.

The Clerk of the Board shall keep in a book the minutes and a record of the orders and proceedings of the Board of Chosen Freeholders. The Clerk of the Board shall have custody of the official seal of the County and all records, documents and other official papers relating to the property and business of the County and perform such services as the Board from time to time shall direct. (N.J.S.A. 40A:9-26)

2-14.4 Responsibilities of the Clerk.

The Clerk of the Board shall have and exercise all the powers and duties now or hereafter conferred on him by this Code or other applicable laws or acts of the New Jersey Legislature and also such duties as may be assigned to him by the Board.

The Clerk of the Board shall:

a. 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;

b. In serving as recording secretary to the Board of Chosen Freeholders, attend all meetings of the Board, 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 ordinances and resolutions adopted during the year, properly indexed. He shall cause such copies thereof to be printed as the County Board of Freeholders may require.

c. Attest to all ordinances and resolutions as being duly adopted;

- d. Have custody of all records of the Board;
- e. Retain copies of all formal contracts in which the County is a party;
- f. Retain all official surety bonds furnished by any County officer or employee;
- g. Have custody of the County Seal and affix the seal to such documents as may require it;
- h. Receive on behalf of the Board copies of all personnel actions taken by the County Administrator;
- i. Provide for the mailing of all notices and copies of documents to municipalities as required by law;
- j. Publish any legal notices required in connection with actions taken by the Board.

2-15 COUNTY COUNSEL.

2-15.1 Appointment.

The Board of Chosen Freeholders shall appoint County Counsel for a term of three (3) years. (N.J.S.A. 40A:9-43)

2-15.2 Duties.

County Counsel shall be the chief legal advisor to the Board of Chosen Freeholders and the Constitutional Officers of the County. 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. Be permitted to conduct private law practice.

2-15.3 Assistant County Counsel.

There may be appointed in the County Counsel Office, Assistant County Counsels or Special Counsels, who shall be determined and appointed by resolution of the Board of Chosen Freeholders. All Counsels shall be in good standing and shall have been duly admitted to practice law in the State of New Jersey.

CHAPTER III

ORGANIZATION AND ADMINISTRATION

3-1 COUNTY ADMINISTRATOR.

3-1.1 Qualifications; Appointment; Term.

The County Administrator shall be qualified by administrative and executive experience and ability to serve as the Executive and Administrative Officer for the Board. He shall be appointed by a majority vote of the whole Board of Chosen Freeholders 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.

3-1.2 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 of Chosen Freeholders.

b. During a vacancy in the office of County Administrator, the Board may appoint a Deputy County Administrator or Department Head to serve as Acting County Administrator until a successor has been appointed.

3-1.3 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 and serve as a liaison to the Constitutional Officers and Independent Agencies as applicable;

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.

3-1.4 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 of Chosen Freeholders;
 - 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 Heads and all disputes between a Department Head and a 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.
 - h. Process legal assignments in consultation with the County Counsel.
- (Resolution No. 06-405)

3-1.5 Powers and Duties in Relation to the Board of Chosen Freeholders.

The County Administrator shall be present at all Board of Chosen Freeholders 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.

3-1.6 Appointments and Removals.

The County Administrator shall:

- a. With the advice and consent of the Board of Chosen Freeholders, appoint Department Heads, the manner of whose appointment is not otherwise prescribed in this 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. Serve as the appointing authority unless otherwise stipulated by law and consistent with the rules and regulations of the New Jersey Department of Personnel (Civil Service), which includes the power to discipline employees in the classified service. The Administrator may designate the Personnel Officer to serve on his behalf in this regard.

3-1.7 Collective Bargaining.

The County Administrator shall be the representative of the County government for collective bargaining with employees. He may 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 of Chosen Freeholders informed of the progress of negotiations and shall be guided in such negotiations by such broad policy outlines as the Board may determine.

3-2 DEPUTY COUNTY ADMINISTRATOR.**3-2.1 Appointment; Term; Qualifications.**

The County Administrator, with the advice and consent of the Board of Chosen Freeholders, may appoint up to two (2) Deputy County Administrators for a term up to five (5) years. 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.

3-2.2 Powers and Duties.

The Deputy County Administrator shall:

- 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 of Chosen Freeholders;
- c. Be available to serve as Acting County Administrator during the temporary absence or disability of the County Administrator.

3-3 OFFICES OF THE COUNTY ADMINISTRATOR.**3-3.1 Public Information.**

- a. *Objectives.* The Public Information Office provides residents of the State and County with the activities of Monmouth County through aggressive and effective promotion of all areas of the County by its daily and long-range assignments.
- b. *Responsibilities.* The Public Information Office promotes activities of County Government through seven (7) basic vehicles: press releases, compiling of the County directory, compiling a directory of shore region attractions, placing advertisements for sporting events and groups, updating speaker's bureau, fulfilling education information requests and maintaining the County website.

3-3.2 Insurance and Risk Management.

- a. *Responsibilities.* The Office of Insurance and Risk Management manages unemployment insurance, workers' compensation and group medical insurance. Other specialty insurance is also managed such as Comprehensive Business, General Liability and Police Liability, Contractor's Equipment Floater, Exhibition Floater, Volunteer Accident, Flood Insurance, Public Official Liability, Prosecutor's Liability, Helicopter, Money and Securities, Community Work (accidental coverage), Nursing Home Liability, Marina Liability, Judicial Professional Liability, and various surety bonds which are kept separate due to the nature of the risks.

3-3.3 Personnel.

a. *Objectives.* The Personnel office is committed to providing quality professional support and leadership to our customers in employment, compensation, benefits, training and employee relations.

b. *Responsibilities.* As a participating County, Monmouth County operates their personnel system under the jurisdiction of the New Jersey Department of personnel, N.J.S.A. 11A:1-1 et seq., and N.J.A.C. 4A:1-1.1 et seq., as well as other Federal and State regulations in the following areas: General Administration, Recruitment and Appointment, Changes in Employment and Separation from Service, Classification and Compensation, Employee Benefits, Leaves of Absence, Rules and Regulations including disciplinary action, conduct of employees, substance abuse, employee assistance program, workplace discrimination and harassment prohibition program, employee benefits including health insurance, workers' compensation, retirement and medical, dental and prescription benefits. The Personnel Office assists County Officials with the formulation and creation of employment policies and procedures and serves in the capacity as the liaison between County Government and the New Jersey Department of Personnel.

3-3.4 Information Technology.

a. *Objectives.* The mission of Information Technology is to provide up-to-date infrastructure information to assist agencies in achieving their goals. A combination of direct support and coordination of outside vendors' activities are the approaches used to meet the objectives.

b. *Responsibilities.* Information is made available and dispersed Countywide quickly and accurately with the introduction of advanced technologies. Systems implemented insure that communication throughout the County is state-of-the-art and allows for archiving of historical data when necessary. Information Technology processes payroll, accounts payable, social assistance checks, billing, County Clerk transactions (deeds, mortgages and voter information), and reports associated with these functions. Information Technology also supports and maintains independent technology units for certain agencies. The office promotes the sharing of resources and encourages procurement of outside funds such as grants, dedicated accounts or matching funds.

3-3.5 Records Management.

The Office of Records Management shall be responsible for a coordinated records management program for identifying record series within County Offices and identifying retention periods, preservation needs, and opportunities to improve record keeping efficiency such as digitization for internal and public retrieval. The Office shall

protect historically valuable records, reduce the County's overall paper records storage needs, and provide enhanced public access to public records.

3-4 VACANCIES.

Unless otherwise 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.

3-5 SURETY BONDS.

In every case in which any person is required by the laws of the State of New Jersey 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, therefore, 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.

Surety bonds shall be provided for the following County Officials:

- a. County Clerk;
- b. Superintendent of Buildings and Grounds;
- c. Sheriff;
- d. Surrogate;
- e. Treasurer.

CHAPTER IV
CONSTITUTIONAL OFFICERS

4-1 FUNCTIONS AND POWERS.

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. Nothing in this Code shall change the duties and powers of the County Clerk, the Sheriff, the Surrogate and the County Prosecutor whose offices are established under Article 7, Section 2 of the New Jersey Constitution.

- a. County Clerk (N.J.S.A. Const. Art. 7 §2 p.2)
- b. County Prosecutor (N.J.S.A. Const. Art. 7 §2 p.2)
- c. Sheriff (N.J.S.A. Const. Art. 7 §2 p.2)
- d. Surrogate (N.J.S.A. Const. Art. 7 §2 p.2)

4-2 BUDGET; PERSONNEL; PURCHASING.

Each of the Constitutional Officers shall be subject to such direction and supervision with respect to programs, functions, powers and duties as may be otherwise provided by law, and pursuant to N.J.S.A. 40:20-1.3, the effected Constitutional Offices shall be subject to the accounting controls, central purchasing practices, personnel procedures and central data processing services utilized by all other County departments. (N.J.S.A. 40:20-1.3)

CHAPTER V
JUDICIAL FUNCTIONS AND OFFICES

5-1 ADMINISTRATIVE DIRECTION; EXCLUSIONS.

The New Jersey Superior Court – Monmouth County Vicinage, Probation Office, Surrogate and Jury Commission which are subject to the rule making power of the Supreme Court and the administrative direction and supervision of the Chief Justice, are not intended to be subject to the administrative direction or supervision within the chain of command established by this Code.

- a. New Jersey Superior Court – Monmouth County Vicinage
(N.J.S.A. Const. Art. 6 §6 p.1 et seq.)
- b. Probation Office (N.J.S.A. 2A:168-5 et seq.)
- c. Jury Commission (N.J.S.A. 2B:20-1 et seq.)

5-2 BUDGET; PERSONNEL; PURCHASING

To the extent that the courts, agencies, offices and officers described in this chapter are supported by County appropriations, they shall be subject to the requirements of the New Jersey Statutes and this Code as to budgetary matters, financial controls, personnel management and purchasing.

CHAPTER VI

NON-DEPARTMENTAL AGENCIES

6-1 OFFICES AND BOARDS ENUMERATED.

The following boards and offices, established pursuant to New Jersey State Statute, shall continue. Except as provided herein, they shall continue to operate as provided by statute.

- a. Superintendent of Elections (N.J.S.A. 19:32-1 et seq.),
Commissioner of Registration (N.J.S.A. 19:31-2)
- b. Board of Elections (N.J.S.A. 19:6-17 et seq.)
- c. Board of Taxation (N.J.S.A. 54:3-1 et seq.)
- d. Superintendent of Schools (N.J.S.A. 18A:7-1)

6-2 BUDGET; PERSONNEL; PURCHASING.

To the extent that the offices and boards described in this chapter are supported by County appropriations, they shall be subject to the requirements of the New Jersey State Statutes and this Code as to budgetary matters, financial controls, personnel management and purchasing.

CHAPTER VII
INDEPENDENT AGENCIES

7-1 INDEPENDENT AGENCIES ENUMERATED.

The following agencies shall continue. Except as provided herein, they shall continue to operate as provided by New Jersey statutes. The agencies may utilize such other administrative services as the County may provide.

- a. Improvement Authority (N.J.S.A. 40:37A-44 et seq.)
- b. Board of Recreation Commissioners (N.J.S.A. 40:12-1 et seq.)
- c. Brookdale Community College Board of Trustees (N.J.S.A. 18A:64A-8)
- d. Brookdale Trustee Search Committee (N.J.S.A. 18A:64A-8)
- e. Brookdale Board of School Estimate (N.J.S.A. 18A:64A-15 et seq.)
- f. Vocational Board of Education (N.J.S.A. 18A:54-16 et seq.)
- g. Bayshore Outfall Authority (N.J.S.A. 40:14B-1 et seq.)
- h. Rutgers Cooperative Extension Service (Agreement with Monmouth County)

7-2 BUDGET; PERSONNEL; PURCHASING.

To the extent that the agencies described in this chapter are supported by County appropriations, they shall be subject to the requirements of the New Jersey State Statutes and this Code as to budgetary matters, financial controls, personnel management and purchasing.

CHAPTER VIII

BOARDS, COMMISSIONS AND AGENCIES

8-1 AGENCIES ENUMERATED; POWERS AND DUTIES.

a. The following boards, commissions, councils, committees and agencies are continued. Advisory agencies shall be advisory to the offices or departments to which assigned. Advisory agencies shall have the administrative powers and duties provided by New Jersey State Statute and/or the Board of Chosen Freeholders. The advisory agencies shall accept Federal or State grants on behalf of the County.

1. Advisory Council – Office on Aging (N.J.S.A. 40:23-6.38 et seq.)
2. Board of Alcohol and Drug Abuse Services (N.J.S.A. 26:2B-33 et seq.)
3. Agriculture Development Board (N.J.S.A. 4:1C-14 et seq.)
4. Construction Board of Appeals (N.J.S.A. 52:27D-127 et seq.)
5. Community Development Committee
6. Emergency Management Council (N.J.S.A. App. A:9-30 et seq.)
7. Employee Suggestion Award Program (N.J.S.A. 40A:5-31)
8. Environmental Council
9. Fair Housing Board
10. Board of Health (N.J.S.A. 26:3A2-1 et seq.)
11. Historical Commission (N.J.S.A. 40:33B-4)
12. Human Relations Commission
13. Human Services Advisory Council
14. Library Commission (N.J.S.A. 40:33-1 et seq.)
15. Mental Health Board (N.J.S.A. 30:9A-1)
16. Mosquito Extermination Commission (N.J.S.A. 26:9-13)
17. Planning Board (N.J.S.A. N.J.S.A. 40:27-1)

18. Police Academy Board of Directors
19. Senior Citizen and Disabled Resident Transportation Advisory Committee
20. Shade Tree Commission (N.J.S.A. 40:37-1)
21. Smart Money Committee
22. Solid Waste Advisory Council (N.J.S.A. 13:1E-20)
23. Transportation Council
24. Voting Accessibility Advisory Committee (N.J.S.A. 19:8-3.7)
25. Workforce Investment Board (N.J.S.A. 34:15C-15)
26. Youth Services Commission (N.J.S.A. 52:17B-180)

8-2 GENERAL PROVISIONS FOR ADVISORY AGENCIES.

8-2.1 Budget; Personnel; Purchasing.

To the extent that the agencies described in this chapter are supported by County appropriations, they shall be subject to the requirements of the New Jersey State Statutes and this Code as to budgetary matters, financial controls, personnel management and purchasing.

8-2.2 Creation of New Advisory Agencies; Dissolution.

The Board of Chosen Freeholders may, on its own initiative or by recommendation, by resolution create new advisory boards, commissions, councils, committees or agencies to serve such functions as may be provided. The Board of Chosen Freeholders may change or dissolve any existing advisory body unless otherwise provided by New Jersey State Statute.

8-2.3 Attendance at Meetings.

Any appointed member of a County board, agency, commission or committee may be removed from their post if they incur unexcused absences from three (3) consecutive meetings or a cumulative total of fifty (50) percent or more of the meetings in any given year. All boards, agencies, commissions and committees are required to notify the Clerk of the Board of Chosen Freeholders when the attendance of any member meets these thresholds and warrants removal by the Board of Chosen Freeholders.

8-3 ADVISORY COUNCIL – OFFICE ON AGING.**8-3.1 Established.**

The Advisory Council – Office on Aging is established by the Board of Chosen Freeholders. (N.J.S.A. 40:23-6.39)

8-3.2 Membership.

The Advisory Council – Office on Aging shall consist of twenty-five (25) members.

8-3.3 Terms.

The terms of the members of the Advisory Council – Office on Aging shall be three (3) years or at the pleasure of the Board of Chosen Freeholders.

8-3.4 Powers and Duties.

The County Office on Aging shall have the power and duty and it shall be the function of the office to:

- a. Maintain a central source of information on programs and services for older people;
- b. Circulate current knowledge related to aging to the public at large and to individuals and groups to which such knowledge would be of benefit;
- c. Stimulate expansion of existing services to more adequately meet the needs of older people and, where desirable, encourage new programs to meet these needs. (N.J.S.A. 40:23-6.39 et seq.)

8-3.5 Assignment.

The Advisory Council – Office on Aging shall be assigned to the Division on Aging, Disabilities and Veteran's Interment in the Department of Human Services.

8-4 BOARD OF ALCOHOL AND DRUG ABUSE SERVICES.**8-4.1 Established.**

There is established the Monmouth County Board of Alcohol and Drug Abuse Services pursuant to the provisions of N.J.S.A. 26:2B-33 et seq.

8-4.2 Membership.

The Board of Alcohol and Drug Abuse Services shall consist of no less than ten (10) nor more than sixteen (16) members and shall be appointed by the Board of Chosen Freeholders. At least two (2) of the members shall be recovering alcoholics and at least two (2) of the members shall be recovering drug abusers. The Board of Alcohol and Drug Abuse Services shall include the County Prosecutor or his designee, a wide range of public and private organizations involved in the treatment of alcohol and drug-related problems and other individuals with interest or experience in issues concerning alcohol and drug abuse. Each Board of Alcohol and Drug Abuse Services shall, to the maximum extent feasible, represent the various socioeconomic, racial and ethnic groups of the county in which it serves. The Board of Alcohol and Drug Abuse Services shall organize and elect a chairman from among its members. (N.J.S.A. 26:2B-33)

8-4.3 Assignment.

The Board of Alcohol and Drug Abuse Services shall be assigned to the Division of Mental Health and Addiction Services in the Department of Human Services.

8-5 AGRICULTURE DEVELOPMENT BOARD.**8-5.1 Established.**

There is established the Monmouth County Agricultural Development Board. (Res. No. 81-585)

8-5.2 Membership.

The Monmouth County Agricultural Development Board shall consist of ten (10) regular members and two (2) alternate members appointed by the Board of Chosen Freeholders. Nine (9) of the regular members shall be voting members and one (1) of the regular members shall be a non-voting member. Alternate members shall not vote except in the case of the absence of a regular member from the same appointed category.

a. Three (3) regular members shall be nominated by the Monmouth County Board of Agriculture, at least one of whom shall be a farmer with extensive experience in Monmouth County and one (1) alternate member who shall be similarly qualified.

b. Four (4) regular members shall be appointed by the Board of Chosen Freeholders. Such members may include a rural community leader, a rural realtor, a rural leader, a representative of environmental/conservation interests, a farmer with

extensive experience in Monmouth County, a consumer with knowledge of food marketing, or individuals representing more than one of the aforementioned interests or areas of experience and one (1) member chosen from the general public.

c. One (1) regular member nominated by and representing the Board of Supervisors of the Freehold Soil Conservation District.

d. One (1) regular member nominated by and representing the Monmouth County Planning Board.

e. The Senior County Agricultural Agent or his designated representative, who shall be a non-voting regular member.
(Res. No. 81-585; Res. No. 91-278)

8-5.3 Terms; Vacancies.

The terms of the members of the Monmouth County Agricultural Development Board shall be three (3) years except the Planning Board member whose term shall coincide with his term on the Planning Board. Terms shall expire on December 31 of the year of expiration. Appointments by the Board of Chosen Freeholders shall be made at the Annual Reorganization Meeting. Vacancies shall be filled for the unexpired term.
(Res. No. 81-585; Res. No. 91-278; Res. No. 06-480)

8-5.4 Organization; Meetings.

The Board of Agricultural Development shall elect a chairperson annually. Meetings dates shall be determined by the Board and meetings shall be held in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. (Res. No. 81-585; Res. No. 91-278)

8-5.5 Powers and Duties.

The Monmouth County Board of Agricultural Development shall promote and coordinate agricultural preservation activities in the County. The Board of Agricultural Development shall advise the Board of Chosen Freeholders, the Monmouth County Planning Board and other County departments and agencies on matters relating to or affecting agriculture retention and development. The Board may comment on State policies, programs and legislation relating to or affecting agriculture. The Board may provide direct assistance and advice to individual landowners and municipalities on the adoption and implementation of agriculture retention and development techniques and initiatives.

The Board of Agricultural Development shall have the following responsibilities:

- a. Identification of agricultural lands;
- b. Advocacy of voluntary agriculture retention techniques;
- c. Initiation, coordination, and monitoring of agriculture retention and development activities.

(Res. No. 81-585; Res. No. 91-278)

8-5.6 Statutory Authority.

The Monmouth County Board of Agricultural Development shall operate under the authority and pursuant to the provisions of N.J.S.A. 4:1C-11, et seq.

8-5.7 Assignment.

The Monmouth County Board of Agricultural Development shall be assigned to the Planning Board in the Division of Planning, Department of Planning, Economic Development and Regulatory Affairs.

8-6 COMMUNITY DEVELOPMENT COMMITTEE.

8-6.1 Established.

The Community Development Committee was created in 1975 by the Board of Chosen Freeholders and consists of fifty-one (51) members. One (1) member from each of the forty-nine (49) participating municipalities and two (2) members from the County make up the fifty-one (51) member committee. The two (2) County members are the Director of Planning and the Assistant Director of Planning. The Community Development Committee was created to meet the requirement of the Community Block Grant Program.

8-6.2 Assignment.

The Community Development Committee shall be assigned to the Division of Planning in the Department of Planning, Economic Development and Regulatory Affairs.

8-7 CONSTRUCTION BOARD OF APPEALS.**8-7.1 Established.**

There shall be a Construction Board of Appeals pursuant to N.J.S.A. 52:27D-127.

8-7.2 Membership; Terms; Vacancies.

The Construction Board of Appeals shall consist of five (5) members. Each member of the Board shall be qualified by experience or training to perform the duties of members of the Construction Board of Appeals. In addition to the five (5) regular members, the Construction Board of Appeals shall include two (2) special members, one (1) of whom shall be a licensed professional engineer with municipal construction experience, and one (1) of whom shall be a builder. The special members shall serve as additional members of the Board in any case involving an appeal of municipal fees pursuant to N.J.S.A. 40:55D-53.2 et al. Board members shall be appointed for a term of four (4) years by the appointing authority of the County. Vacancies on the Board shall be filled for the unexpired term. Members may be removed by the authority appointing them for cause. A person may serve on more than one Construction Board of Appeals. (N.J.S.A. 52:27D-127)

8-7.3 Qualifications.

a. Qualifications for regular members shall be as follows:

1. At least one regular member shall be as qualified as a plumbing subcode official;
2. At least one regular member shall be as qualified as an electrical subcode official;
3. At least one regular member shall be a registered architect, or a licensed professional engineer with building construction experience, or other person as qualified as a building subcode official;
4. At least one regular member shall be as qualified as a fire protection subcode official; and
5. At least one regular member shall be certified as a fire official.

b. The requirements of paragraph a. above shall not be construed as requiring that there be a separate regular member in each of the qualification categories set forth in paragraphs a,1 through a,5. One regular member may satisfy these requirements with regard to more than one such qualification category.

(N.J.A.C. 5:23A-1.3)

8-7.4 Alternate Members; Voting Procedure.

The Construction Board of Appeals shall also include at least five (5) alternate members. Alternate members shall be appointed to staggered terms, in the same manner as the initial appointment of regular members. Alternate members shall be so chosen so that there will be at least one (1) alternate member in each qualification category set forth above in subsection 8-7.3, Qualifications.

When a regular member of the Board is absent, the alternate member in the same qualification category shall serve in that regular member's place; provided, however, that any alternate member who is as qualified as an elevator subcode official shall serve in the place of any absent regular member in any case involving the elevator safety subcode, if there is no other regular member of the board present who is as qualified as an elevator subcode official .

If a regular member who is not in one of the qualification categories set forth in subsection 8-7.3, Qualifications, is absent, or if a regular member and an alternate member who are both in the same qualification category are absent and the appeal does not involve that qualification category, or if another regular member is present who meets the requirements of the same qualification category as does the regular member who is absent, the chairperson of the Board shall determine which alternate member shall vote in the place of the absent regular member.

Alternate members shall have the right to participate in all Board deliberations, but shall not vote unless serving in the place of a regular member. (N.J.A.C. 5:23A-1.3)

8-7.5 Special Members.

The Construction Board of Appeals shall also include two (2) special members, one (1) of whom shall be a licensed professional engineer with municipal site improvement construction experience and one (1) of whom shall be a builder. The special members shall be appointed for four (4) year terms and shall serve as additional members of the Board only in cases involving appeals of municipal or municipal utilities authority or sewerage authority fees pursuant to P.L. 1995, c.54 or P.L. 1999, c.11.

Alternates may be appointed for the special members in the same manner, and subject to the same qualification requirements, as the special members. (N.J.A.C. 5:23A-1.3)

8-7.6 Organization; Secretary of the Board.

The appointing authority shall annually designate one regular member of the Board to serve as chairperson and another regular member of the Board to serve as vice-chairperson. The vice-chairperson shall serve as chairperson in the event of the absence or disqualification of the chairperson.

The appointing authority of the County shall appoint a secretary, who need not be a member of the Board. (N.J.A.C. 5:23A-1.2)

8-7.7 Educational Requirements.

Board members shall satisfy the educational requirements of N.J.A.C. 5:23A-1.4.

8-7.8 Meetings; Hearings.

The Construction Board of Appeals shall conduct meetings and hearings pursuant to the provisions of N.J.S.A. 52:27D-127, N.J.A.C. 5:23A-1.1 et seq., and N.J.A.C. 5:23A-2.1 et seq.

8-7.9 Assignment.

The Construction Board of Appeals shall be assigned to the Department of Planning, Economic Development and Regulatory Affairs.

8-8 EMERGENCY MANAGEMENT COUNCIL.

8-8.1 Established.

The Emergency Management Council is established by the Board of Chosen Freeholders. (Res. No. 94-569) (N.J.S.A. App. A:9-43)

8-8.2 Terms.

The members of the Emergency Management Council shall serve at the pleasure of the Board of Chosen Freeholders. (Res. No. 94-569) (N.J.S.A. App. A:9-43)

8-9 EMPLOYEE SUGGESTION PROGRAM.

8-9.1 Established.

Pursuant to N.J.S.A. 40A:5-31, there shall be a Public Employees Awards Committee that shall be known as the Employee Suggestion Program Committee. (Res. No. 42 [2007]; N.J.S.A. 40A:5-31)

8-9.2 Membership.

The Employee Suggestion Program shall consist of five (5) members who shall be officers or employees of the County or members of the Board of Freeholders. No two

(2) such officers or employees may be employed in the same department. Members shall be appointed for a term of three (3) years. (N.J.S.A. 40A:5-31)

8-9.3 Terms; Vacancies.

Members shall serve for the terms for which they are appointed and until their successors have been appointed and qualified; a vacancy occurring by reason other than expiration of term shall be filled for the unexpired term. Members of the Committee shall serve without compensation. (N.J.S.A. 40A:5-31)

8-10 ENVIRONMENTAL COUNCIL.

8-10.1 Established.

The Monmouth County Environmental Council is established by the Board of Chosen Freeholders. The Environmental Council shall consist of ten (10) members appointed by the Board of Chosen Freeholders. Nine (9) members shall be appointed by the Board of Chosen Freeholders. One (1) member of the Environmental Council shall be a member of the Planning Board. (Established in 1972)

8-10.2 Terms.

The terms of the members of the Environmental Council shall be for two (2) and three (3) years, as appointed by the Board of Chosen Freeholders.

8-10.3 Purpose.

The purpose of the Environmental Council is to inventory and evaluate the physical and natural features of the County and prepare recommendations to the Monmouth County Planning Board concerning priorities for preserving and protection the ecology of Monmouth County.

8-10.4 Assignment.

The Environmental Council shall be assigned to the Planning Board in the Division of Planning, Department of Planning, Economic Development and Regulatory Affairs.

8-11 FAIR HOUSING BOARD.

8-11.1 Establishment.

The Fair Housing Board is established by the Board of Chosen Freeholders. (Established in 1989)

8-11.2 Membership.

The Fair Housing Board shall consist of sixteen (16) members appointed by the Board of Chosen Freeholders and one (1) ex-officio member.

8-11.3 Terms.

The terms of the members of the Fair Housing Board shall be five (5) years.

8-11.4 Purpose.

The Fair Housing Board shall provide assistance in housing problems and provide education training on fair housing. The Fair Housing Board shall receive and act on fair housing complaints.

8-11.5 Assignment.

The Fair Housing Board shall be assigned to the Division of Planning in the Department of Planning, Economic Development and Regulatory Affairs.

8-12 BOARD OF HEALTH.**8-12.1 Establishment.**

The Monmouth County Board of Health is established by the Board of Chosen Freeholders. (1975 Resolution; N.J.S.A. 26:3A2-1 et seq.)

8-12.2 Membership.

The Monmouth County Board of Health shall consist of nine (9) members appointed by the Board of Chosen Freeholders. No more than two (2) members may be members of the Board of Chosen Freeholders. (N.J.S.A. 26:3A2-5)

8-12.3 Terms.

Each member shall be appointed for a term of three (3) years. All appointments shall designate the date of expiration of the term. The term of office of a Freeholder member shall terminate with his term of office as Freeholder should this date precede the termination of his appointment to the Board of Health and a Freeholder designated as a successor in such case shall be appointed for the unexpired term. (N.J.S.A. 26:3A2-5)

8-12.4 Qualifications.

Members other than Freeholders shall be selected, with due regard to their knowledge, interest in health affairs, from participating municipalities so that each of the participating municipalities, where possible, shall have at least one (1) member on the County Board of Health. (N.J.S.A. 26:3A2-5)

8-12.5 Meetings.

The County Board of Health shall meet not less than bimonthly and shall exercise within its area of jurisdiction all the powers granted to a local board of health. (N.J.S.A. 26:3A2-5)

8-12.6 Ordinances of the Board of Health.

The County Board of Health shall, in order to perform any power delegated to it or in the performance of any duty imposed upon it by law, adopt, amend and repeal health ordinances and provide services necessary for the appropriate control of disease and the improvement of the health of citizens. An ordinance of the County Board of Health shall be effective and enforceable only within the area of jurisdiction of the County Board. (N.J.S.A. 26:3A2-8)

8-12.7 Assignment.

The Monmouth County Board of Health shall be assigned to the Department of Planning, Economic Development and Regulatory Affairs.

8-13 HISTORICAL COMMISSION.**8-13.1 Establishment.**

The Monmouth County Historical Commission is established by the Board of Chosen Freeholders. (Res. No. 88-628)

8-13.2 Membership.

The Monmouth County Historical Commission shall consist of not more than nine (9) members appointed by the Board of Chosen Freeholders. Members shall be residents of the County and shall be chosen with consideration of their qualifications by training or experience to discharge the duties and functions of the commission; and appointments shall be made with due consideration to maintaining a balance of community interests and of skills in the composition of the commission. The Board of Chosen Freeholders shall appoint one (1) of the members to serve as the chairman and

presiding officer of the Commission for a term to run concurrent with their membership appointment. (Res. No. 88-628; N.J.S.A. 40:33B-4)

8-13.3 Terms.

Each member shall serve for a term of three (3) years, and until his successor is appointed and has qualified. Any vacancy occurring on the Commission other than by expiration of term shall be filled in the same manner as the original appointment, but for the unexpired term only. (Res. No. 88-628; N.J.S.A. 40:33B-4)

8-13.4 Removal; Compensation; Reimbursement of Expenses.

The Board of Chosen Freeholders may remove any member of the Commission for cause, on written charges served upon the member, and after a hearing thereon at which the member is entitled to be heard in person or by counsel. Members of the Commission shall serve without compensation, but shall be entitled to reimbursement for actual expenses necessarily incurred in the performance of their duties as members of the Commission, within the limit of funds appropriated or otherwise available for that purpose. (N.J.S.A. 40:33B-4)

8-13.5 Powers of the Commission.

The Historical Commission shall have the power to:

- a. Develop standards for the designation of any property, or improvement thereto, as an historic building;
- b. Designate any appropriate parcel of real property located in the County, or any improvement to that property, as an historic building and promulgate regulations concerning the preservation and use of that property or improvement, the environment or immediate surroundings thereof, and any real property adjacent thereto, subject to the provisions of the municipal master plan and planning and zoning ordinances;
- c. Acquire, in its name or the name of the County, fee simple or lesser interest in any historic building including, where necessary, any adjacent or associated real property, by purchase, bequest, donation or power of condemnation when the Board of Chosen Freeholders determines that the acquisition is in the public interest. The power of condemnation shall be exercised in accordance with the provisions of the "Eminent Domain Act of 1971, N.J.S.A. 20:3-1;"
- d. Preserve and operate any historic buildings under its or the County's ownership and control;

e. Sell, lease or otherwise dispose of any historic building under its or the County's ownership and control, subject to the right of public access and other covenants:

f. Charge and collect fees and rentals for any historic building under its or the County's control, which fees and rentals shall be deposited with other public funds of the County;

g. Designate certain days during which time the public is permitted, upon payment of a reasonable admission fee established by the Commission, to visit any historic building which has come under its or the county's ownership on or subsequent to the effective date of this act. Leases and deeds concerning historic buildings owned by the County or Commission shall provide for this easement. Admission fees shall be deposited with other public funds;

h. Conduct surveys of real property situated within the County for the purposes of determining which parcels thereof may be designated historic buildings and gather pertinent facts concerning these buildings;

i. Maintain, in collaboration with the County Planning Board, detailed records of historic buildings classified with respect to national, State or local significance, to period or field of interest, and other relevant categories, and maintain detailed records of improvements to and alterations of the buildings;

j. Promote and conduct educational programs, publications and other activities relevant to the understanding and interpretation of the historic, aesthetic or cultural significance of historic buildings within the County;

k. Cooperate with and advise the County Planning Board and any other appropriate county or municipal agency, authority, board or commission concerning the preservation of historic buildings;

l. Submit recommendations to the Board of Chosen Freeholders concerning the adoption, repeal or amendment of regulations by the Board of Chosen Freeholders, which regulations govern the preservation and use of historic buildings, the environment or immediate surroundings thereof, and any real property adjacent thereto;

m. Cooperate with, advise and assist federal, State and local governmental entities, the county historical society and municipal historical societies, and similar private organizations involved in historic preservation, and enlist the aid of persons skilled or experienced in historical research and historic preservation for the purpose of furthering its own activities and those of public and private agencies with similar goals;

n. Advise owners of historic buildings on problems of preservation;

o. Contract with the State and Federal governments or any agency, authority, board or commission of either or with any other public or private agency or organization, in the pursuance of its objectives; and

p. Take any other action not inconsistent with the provisions of this act or any other law, rule or regulation, which action may be necessary or expedient to carrying out its duties and functions.

(N.J.S.A. 40:33B-5)

8-13.6 Appeal to Board of Chosen Freeholders.

Any designation effectuated or regulation promulgated pursuant to this act shall be subject to an appeal thereof to the Board of Chosen Freeholders by the owner of the property involved. (N.J.S.A. 40:33B-6)

8-13.7 Bond Issuance; Appropriations.

The Board of Chosen Freeholders is authorized to issue bonds for the purpose of assisting the Commission in acquiring in its name or the name of the County and preserving historic buildings. In addition, the Board of Chosen Freeholders is authorized to appropriate for the use of the Commission moneys as may be raised from revenue producing properties owned or operated by the Commission. The provisions of this section shall be effectuated in accordance with the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., Local Budget Law, N.J.S.A. 40A:4-1 et seq. and the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq. (N.J.S.A. 40:33B-7)

8-13.8 Gifts, Grants or Bequests; Deposit and Expenditure.

The Historical Commission may, in the name of the County and with the approval of the Board of Chosen Freeholders, apply for and accept any gifts, grants or bequests, including any grants from the Federal government or any agency thereof, the government of this State or any of its agencies, instrumentalities or political subdivisions, or any foundation, corporation, association or individual, and may comply with the terms, conditions and limitations thereof, for the purpose of carrying out any of the functions, powers and duties of the Commission. Funds received pursuant to this section shall be deposited with the public funds of the County and shall be budgeted, expended and accounted for in accordance with the provisions of the Local Budget Law, N.J.S. 40A:4-1 et seq. and the Local Fiscal Affairs Law, N.J.S. 40A:5-1 et seq., and with any terms, conditions and limitations upon which the funds are received. (N.J.S.A. 40:33B-8)

8-13.9 Assignment.

The Historical Commission shall be assigned to the Division of Planning in the Department of Planning, Economic Development and Regulatory Affairs.

8-14 HUMAN RELATIONS COMMISSION.**8-14.1 Establishment.**

The Human Relations Commission is established by the Board of Chosen Freeholders. (Res. No. 90-274)

8-14.2 Membership.

Members of the Human Relations Commission shall be appointed by the Board of Chosen Freeholders.

8-14.3 Term.

Members of the Human Relations Commission shall serve at the pleasure of the Board of Chosen Freeholders.

8-15 HUMAN SERVICES ADVISORY COUNCIL.**8-15.1 Established.**

The Human Services Advisory Council is established by the Board of Chosen Freeholders.

8-15.2 Membership.

The Human Services Advisory Council shall consist of twenty-seven (27) members appointed by the Board of Chosen Freeholders and one (1) Freeholder designee. A seat shall be reserved for United Way.

8-15.3 Terms.

Each member shall serve for a term of three (3) years.

8-15.4 Assignment.

The Human Services Advisory Council shall be assigned to the Division of Planning and Contracting in the Department of Human Services.

8-16 LIBRARY COMMISSION.**8-16.1 Establishment.**

The Monmouth County Library Commission is established by the Board of Chosen Freeholders. (N.J.S.A. 40:33-7)

8-16.2 Membership.

The Monmouth County Library Commission shall consist of seven (7) members appointed by the Board of Chosen Freeholders. (N.J.S.A. 40:33-7)

8-16.3 Terms, Vacancies.

Each member shall serve for a term of five (5) years. Any vacancy occurring on the Commission other than by expiration of term shall be filled in the same manner as the original appointment, but for the unexpired term only. The Monmouth County Library Commission shall serve without compensation. (N.J.S.A. 40:33-7)

8-16.4 Assignment.

The Library Commission shall be assigned to the Department of Administrative Services and Public Safety.

8-17 MENTAL HEALTH BOARD.**8-17.1 Establishment.**

The Mental Health Board is established by the Board of Chosen Freeholders. (N.J.S.A. 30:9A-3)

8-17.2 Membership.

Membership shall consist of between seven (7) and twelve (12) members appointed by the Board of Chosen Freeholders. (N.J.S.A. 30:9A-3)

8-17.3 Terms.

Each member shall serve for a term of three (3) years. (N.J.S.A. 30:9A-3)

8-17.4 Assignment.

The Mental Health Board shall be assigned to the Division of Mental Health and Addiction Services in the Department of Human Services.

8-18 MOSQUITO EXTERMINATION COMMISSION.**8-18.1 Establishment.**

The Monmouth County Mosquito Extermination Commission is established by the Board of Chosen Freeholders. (N.J.S.A. 26:9-13)

8-18.2 Membership.

The Mosquito Extermination Commission shall be composed of six (6) members in addition to the Director of the State Experiment Station and the State Commissioner of Health, who shall be ex-officio members and who shall cooperate with them for the effective carrying out of their plans and work. At least three (3) of the appointive members shall be persons who are or have been members or employees of boards of health, and one (1) appointive member shall be a member of the Board of Chosen Freeholders. (N.J.S.A. 26:9-14, N.J.S.A. 26:9-14.1)

8-18.3 Terms.

Each member shall serve for a term of three (3) years. (N.J.S.A. 26:9-15)

8-18.4 Vacancy

Any vacancy occurring in the membership of the Commission shall be filled in the same manner as an original appointment and for the unexpired term only. (N.J.S.A. 26:9-16)

8-18.5 Compensation.

No member of the Commission while sitting as such shall receive any compensation except for necessary expenses for actual attendance on meetings. (N.J.S.A. 26:9-18)

8-18.6 Officers and Employees.

The Commission shall choose annually from among its members a president and treasurer, appoint a clerk or secretary and such other officers and employees as it may deem necessary, but it shall not employ any of its own members. The Commission shall also make rules and regulations governing the duties and compensation of its employees. (N.J.S.A. 26:9-19)

8-18.7 Plans and Estimates; Filing and Approval.

The Commission shall, on or before the first of November in each year, file with the Director of the State Experiment Station a detailed estimate of the moneys required for the ensuing year, and a plan of the work to be done. The Director shall approve or modify such estimate and plan, and when finally approved by him shall forward them, on or before the first of December each year, to the Board of Chosen Freeholders. (N.J.S.A. 26:9-22)

8-18.8 Tax Levy; Limitations.

The Board of Chosen Freeholders shall include annually in the tax levy the amount of money needed for mosquito control; but in no year shall the amount so raised exceed the amounts established in N.J.S.A. 26:9-23. (N.J.S.A. 26:9-23)

8-18.9 Assignment.

The Mosquito Extermination Commission shall be assigned to the Department of Public Works and Engineering.

8-19 PLANNING BOARD.**8-19.1 Establishment.**

The Monmouth County Planning Board is established by the Board of Chosen Freeholders. (Res. No. 4-7-54; N.J.S.A. 40:27-1)

8-19.2 Membership.

The Planning Board shall consist of nine (9) members. The members of the Planning Board shall be:

- a. The Director of the Board of Chosen Freeholders;
- b. One (1) member of the Board of Chosen Freeholders, to be appointed by the Director;
- c. The County Engineer; and
- d. Six (6) citizens who may not hold any other County office and who shall be appointed by the Director of the Board of Chosen Freeholders with the approval of the Board. (Res. No. 4-7-54; N.J.S.A. 40:27-1)

8-19.3 Qualifications.

The six (6) citizen members shall be appointed with a background in one of the following classifications:

- a. Transportation,
- b. Agriculture,
- c. Education,
- d. Resort and Recreation,
- e. Residential, Commercial and Industrial Development,
- f. Municipal Planning.

(Res. No. 4-7-54)

8-19.4 Terms.

Planning Board members shall serve for a term of three (3) years. (N.J.S.A. 40:27-1)

8-19.5 Alternates.

a. Appointment. The Board of Chosen Freeholders may, by resolution, provide for the appointment of alternate members to the County Planning Board in accordance with the following:

1. The Director of the Board of Chosen Freeholders, with the approval of a majority of the Board of Chosen Freeholders, may appoint two (2) alternate citizen members. These members shall be designated by the Director as "Alternate No. 1" and "Alternate No. 2" and shall participate in the Planning Board's decision in rotation during the absence or disqualification of any citizen member;

2. The Director of the Board of Chosen Freeholders, with the approval of a majority of the Board of Chosen Freeholders, may appoint the assistant or deputy County Engineer to serve as an alternate to the County Engineer;

3. The Director of the Board of Chosen Freeholders, with the approval of a majority of the Board of Chosen Freeholders, may appoint a member of the Board of Chosen Freeholders to serve as an alternate to the two (2) Freeholder members.

b. *Terms.* Alternate members shall be appointed for terms to expire at the same time as the terms of the regular members for whom they are alternates.

c. *Participation.* An alternate member shall be entitled to sit with and participate as a member in any hearing before the Board. Any alternate member who has attended the full hearing or hearings may participate in the Board's decision during the absence or disqualification of any regular member for whom he is an alternate. (N.J.S.A. 40:27-1.1)

8-19.6 Compensation; Expenses of Members.

All members of the Planning Board shall serve as such without compensation, but may be paid for expenses incurred in the performance of duties. (N.J.S.A. 40:27-1)

8-19.7 Duties of the Planning Board.

a. *Master Plan.* The Planning Board shall make and adopt a Master Plan for the physical development of the County. The Master Plan of the County, with the accompanying maps, plats, charts, and descriptive and explanatory matter, shall show the County Planning Board's recommendations for the development of the territory covered by the plan, and may include, among other things, the general location, character, and extent of streets or roads, viaducts, bridges, waterway and waterfront developments, parkways, playgrounds, forests, reservations, parks, airports, and other public ways, grounds, places and spaces; the general location and extent of forests, agricultural areas, and open-development areas for purposes of conservation, food and water supply, sanitary and drainage facilities, or the protection of urban development, and such other features as may be important to the development of the County. (N.J.S.A. 40:27-2)

b. *Development Programs and Budgets for Capital Expenditures.* The Planning Board shall encourage the cooperation of the local municipalities within the County in any matters whatsoever which may concern the integrity of the County Master Plan and to advise the Board of Chosen Freeholders with respect to the formulation of development programs and budgets for capital expenditures. (N.J.S.A. 40:27-2)

c. *Additional Powers and Duties.* The Planning Board shall have such other powers and duties pursuant to N.J.S.A. 40:27-1 et seq. (N.J.S.A. 40:27-1 et seq.)

8-19.8 Employees; Experts; Master Plan Part of Improvement; Bonds.

The Planning Board may employ experts and pay for their and such other expenses as may be deemed necessary for the making of the Master Plan and for the carrying out of such other duties as described in N.J.S.A. 40:27-1 et seq., except that the Planning Board may expend only such sums as may be appropriated by the Board of Chosen Freeholders or be placed at its disposal through gift. The making of the Master Plan shall be regarded as essential preliminary studies incidental to the later carrying out of

capital improvement projects over an indefinite period of years and may be funded by serial notes or bonds to be issued by the County, the terms of which shall not exceed five (5) years. (N.J.S.A. 40:27-3)

8-19.9 Planning Board to Act as Areawide Water Quality Management Agency.

Pursuant to the Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., the Board of Chosen Freeholders designates the Planning Board as the Areawide Water Quality Management Agency for the County. (Res. No. 96-143)

8-19.10 Assignment.

The Planning Board shall be assigned to the Division of Planning in the Department of Planning, Economic Development and Regulatory Affairs.

8-20 POLICE ACADEMY BOARD OF DIRECTORS.

8-20.1 Establishment.

The Police Academy Board of Directors is established by the Board of Chosen Freeholders. (Res. No. 87-121)

8-20.2 Membership.

The Police Academy Board of Directors shall consist of nine (9) members. Membership shall be as follows:

- a. The Director of the Board of Chosen Freeholders;
- b. A second member of the Board of Freeholders chosen by the Director of the Board of Chosen Freeholders;
- c. The Director of the Police Academy;
- d. The County Prosecutor;
- e. The County Sheriff;
- f. The Resident Agent in charge of the Red Bank Regional Office of the Federal Bureau of Investigation;
- g. The President of the Monmouth County Police Chiefs Association; and

h. Two (2) additional members of the Police Chiefs Association designated by the President of the Police Chiefs Association.
(Res. No. 87-121; Res. No. 89-100; Res. No. 06-316)

8-20.3 Terms.

The terms of the members of the Police Academy Board of Directors shall run concurrently with the positions stated in Subsection 8-20.2, Membership. (Res. No. 87-121; Res. No. 89-100; Res. No. 06-316)

8-20.4 Chairman.

The Director of the Police Academy or a person designated by the Board of Freeholders shall serve as the Chairman of the Board of Directors. (Res. No. 87-121; Res. No. 89-100; Res. No. 06-316)

8-20.5 Powers and Duties.

The Police Academy Board of Directors shall serve in an advisory capacity. The Director of the Police Academy shall not be formally accountable to the Police Academy Board of Directors for the operation of the Police Academy, but shall be directly accountable, insofar as permitted by the Police Training Act, N.J.S.A. 52:17B-66 et seq., and the regulations promulgated pursuant thereto, to the Monmouth County Board of Chosen Freeholders through the County Administrator. (Res. No. 87-121; Res. No. 89-100; Res. No. 06-316)

8-20.6 Assignment.

The Police Academy Board of Directors shall be assigned to the Department of Administrative Services and Public Safety.

8-21 SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ADVISORY COMMITTEE.

8-21.1 Establishment.

The Senior Citizen and Disabled Resident Transportation Advisory Committee is established by the Board of Chosen Freeholders.

8-21.2 Membership.

The Senior Citizen and Disabled Resident Transportation Advisory Committee shall consist of fourteen (14) members appointed by the Board of Chosen Freeholders.

8-21.3 Terms.

The terms of the members of the Senior Citizen and Disabled Resident Transportation Advisory Committee shall be three (3) years.

8-21.4 Assignment.

The Senior Citizen and Disabled Resident Transportation Advisory Committee shall be assigned to the Division of Transportation in the Department of Human Services.

8-22 SHADE TREE COMMISSION.**8-22.1 Establishment.**

A Board of Shade Tree Commissioners to be known as the Shade Tree Commission of Monmouth County is established by the Board of Chosen Freeholders. (Res. No. 5-16-1962 § 1)

8-22.2 Membership

The Shade Tree Commission shall consist of not more than five (5) members who shall be residents of Monmouth County. (Res. No. 5-16-1962 § 1)

8-22.3 Terms.

The terms of the members of the members of the Shade Tree Commission shall be five (5) years. Vacancies shall be filled by the Board of Chosen Freeholders by appointment for the unexpired term only. (Res. No. 5-16-1962 § 2)

8-22.4 Compensation; Expenses of Members.

All members of the Shade Tree Commission shall serve without compensation, but may be paid for expenses incurred in the performance of their duties with the consent of the Board of Chosen Freeholders. (Res. No. 5-16-1962 § 4)

8-22.5 Organization.

The Shade Tree Commission shall organize annually and elect one of the Commissioners as the Chairman. The Commission may also appoint a secretary who need not be a member of the Commission. The salary of the secretary, who may be compensated even if a member of the Commission, shall be fixed by the Board of Chosen Freeholders in accordance with the salary schedule for corresponding positions. (Res. No. 5-16-1962 § 3)

8-22.6 Experts and Staff.

The Shade Tree Commission may, with the consent of the Board of Chosen Freeholders, employ such expert, clerical and other assistance as they deem necessary. The Board may fix their compensation which shall be paid as is the compensation of other employees of the County. (Res. No. 5-16-1962 § 4)

8-22.7 Equipment and Supplies.

With the consent of the Board of Chosen Freeholders, the Commissioners may buy, sell or exchange such trees, plants, equipment or supplies as they deem necessary and proper for the work of the Commission, and make payment in the manner in which such expenditures are ordinarily made by the County. (Res. No. 5-16-1962 § 4)

8-22.8 Powers and Duties; Exceptions.

a. The Shade Tree Commission may exercise control over the regulation, planting and care of shade and ornamental trees and shrubbery planted in any public highway, park or parkway of the County including:

1. The planting, trimming, spraying, care and protection thereof,
2. The regulation and control of the use of the ground surrounding the same so far as may be necessary for their proper growth, care and protection,
3. The moving or requiring the removal of any tree or part thereof dangerous to public safety,
4. The care and control of the parks and parkways,
5. The encouragement of arboriculture.

b. Exception. Except with the consent of the agencies herein named below, the powers and duties of the Commission shall not be valid or operative:

1. Within the limits of any highway, park or parkway under the jurisdiction of a municipal Shade Tree Commission;
 2. Within the limits of any County park where a special park commission has been adopted;
 3. Within the dedicated limits of any state highway controlled by the New Jersey Department of Transportation;
 4. Within the limits of any State forest, State reservation or State park.
- (Res. No. 5-16-1962 §§ 5, 12)

8-22.9 Rules and Regulations.

The Shade Tree Commission, with the consent of the Board of Chosen Freeholders, may make rules and regulations for the protection and care of trees, shrubbery or ornamental material planted or growing naturally within highways and parks within its jurisdiction.

The maximum penalty for a violation of each rule of the Shade Tree Commission shall be two hundred (\$200.00) dollars. (Res. No. 5-16-1962 § 6)

8-22.10 Funds; Expenditures; Report.

The Board of Chosen Freeholders shall annually appropriate such funds as it may deem necessary. Every December the Commission shall certify to the Board of Chosen Freeholders the estimated sum necessary for the proper conduct of work during the ensuing fiscal year, which shall include the sums estimated to be expended for the following items;

- a. Payment of wages and salaries of employees;
 - b. Expenses of Commission members in discharging official duties including expenses incident to attendance at professional meetings;
 - c. Purchase of trees and shrubbery;
 - d. Purchase of necessary equipment and materials and the cost of services for the prudent promotion of work.
- (Res. No. 5-16-1962 § 10)

8-22.11 Assignment.

The Shade Tree Commission shall be assigned to the Division of Shade Trees in the Department of Public Works and Engineering.

8-23 SMART MONEY COMMITTEE.**8-23.1 Established.**

The Smart Money Committee is established by the Board of Chosen Freeholders.

8-23.2 Membership.

The Smart Money Committee shall consist of six (6) members.

8-23.3 Alternates.

The Smart Money Committee shall have one (1) alternate member.

8-23.4 Terms.

The members of the Smart Money Committee shall serve for a term of four (4) years.

8-24 SOLID WASTE ADVISORY COUNCIL.**8-24.1 Established.**

The Solid Waste Advisory Council is established by the Board of Chosen Freeholders. (N.J.S.A. 13:1E-20)

8-24.2 Membership.

The Solid Waste Advisory Council shall consist of twelve (12) members appointed by the Board of Chosen Freeholders.

8-24.3 Terms.

The members of the Solid Waste Advisory Council shall serve at the pleasure of the Board of Chosen Freeholders.

8-24.4 Assignment.

The Solid Waste Advisory Council shall be assigned to the Division of Reclamation Center in the Department of Public Works and Engineering.

8-24.5 Duties.

The Solid Waste Advisory Council shall assist the Board of Chosen Freeholders in the development and formulation of the solid waste management plans required by N.J.S.A. 13:1E-1 et seq. (N.J.S.A. 13:1E-20)

8-25 TRANSPORTATION COUNCIL.**8-25.1 Established.**

The Transportation Council is established by the Board of Chosen Freeholders.

8-25.2 Membership.

The Transportation Council shall consist of thirteen (13) members appointed by the Board of Chosen Freeholders.

8-25.3 Terms.

The members of the Transportation Council shall serve for a term of three (3) years.

8-25.4 Assignment.

The Transportation Council shall be assigned to the Division of Transportation in the Department of Human Services.

8-26 VOTING ACCESSIBILITY ADVISORY COMMITTEE.**8-26.1 Established.**

The Voting Accessibility Advisory Committee is established by the Board of Chosen Freeholders. (N.J.S.A. 19:8-3.7)

8-26.2 Membership.

The Voting Accessibility Advisory Committee shall consist of seven (7) members appointed by the Board of Chosen Freeholders.

The Committee shall consist of:

- a. The four (4) members of the County Board of Elections; and
- b. Three (3) public members, to be appointed by the Board of Chosen Freeholders as follows:
 1. A representative of the Board of Chosen Freeholders;
 2. At least one individual with a disability;
 3. At least one individual trained in the provisions of the federal "Americans with Disabilities Act of 1990" (42 U.S.C. § 12101 et seq.). (N.J.S.A. 19:8-3.7)

8-26.3 Terms.

The members of the Voting Accessibility Advisory Committee shall serve at the pleasure of the Board of Chosen Freeholders.

8-26.4 Duties.

In order to accurately evaluate the accessibility of all polling locations, the Voting Accessibility Advisory Committee shall undertake a physical inspection of each polling place in the County. A Committee member who has a disability should participate in any such inspection. The results shall be used in completing the list of any polling places found inaccessible, pursuant to N.J.S.A 19:8-3.4.

The Committee shall receive notice of complaints filed from the County with the Division of Elections in the Department of Law and Public Safety pursuant to N.J.S.A. 19:61-6 that concern the accessibility of polling places to individuals with disabilities and the elderly. (N.J.S.A. 19:8-3.7)

8-26.5 Assignment.

The Voting Accessibility Advisory Committee shall be assigned to the Board of Elections in the Department of Planning, Economic Development and Regulatory Affairs.

8-27 WORKFORCE INVESTMENT BOARD.**8-27.1 Established.**

The Workforce Investment Board is established by the Board of Chosen Freeholders.

8-27.2 Membership.

Membership on the Workforce Investment Board shall consist of thirty-six (36) members appointed by the Board of Chosen Freeholders.

Each Workforce Investment Board shall be in conformity with section 116 of Pub.L.105-220 (29 U.S.C. s.2831) and the guidelines issued by the State Employment and Training Commission and shall consist of:

- a. Representatives of businesses who:
 1. Are owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with optimum policy making or hiring authority;
 2. Represent businesses with employment opportunities that reflect the employment opportunities of the local area;

3. Are appointed from among individuals nominated by local business organizations and business trade associations; and
 4. Constitute a majority of the membership of the local board.
- b. Representatives of local educational entities who:
1. Are representatives of local educational agencies, local school boards, entities providing adult education and literacy activities, county vocational technical schools and post-secondary educational institutions, including representatives of community colleges; and
 2. Are selected from nominations by regional or local educational agencies, institutions or organizations representing such local educational entities.
- c. Representatives of local area labor organizations who are nominated by local labor federations;
- d. Representatives of community-based organizations including organizations representing individuals with disabilities, organizations representing veterans, and faith-based organizations;
- e. Representatives of local economic development agencies including private sector entities;
- f. Representatives of each of the One-Stop partners; and
- g. Representatives that chief elected officials deem appropriate for board membership.
- (N.J.S.A. 34:15C-15)

8-27.3 Governor's Certification of Members.

The Governor shall certify a Board if it is determined that the Board's composition and appointments are consistent with the provisions of N.J.S.A. 34:15C-15 and section 117 of Pub.L.105-220 (29 U.S.C. s.2832) and the requirements of the State Employment and Training Commission. The certification shall be made or denied not later than thirty (30) days after the date on which a list of members and necessary supporting documentation are submitted to the Governor. The Board shall, within thirty (30) days after its certification by the Governor, be convened by the Board of Chosen Freeholders who made the appointments to the Board. (N.J.S.A. 34:15C-15)

8-27.4 Terms.

Members on the Workforce Investment Board shall serve for a term of two (2) or three (3) years.

8-27.5 Organization.

The chairperson of the Workforce Investment Board shall be selected from among members of the Board who are representative of business in the local area. (N.J.S.A. 34:15C-15)

8-27.6 Meetings.

The Board shall meet at least four (4) times per year, with meetings open to attendance by interested persons pursuant to the "Open Public Meetings Act," N.J.S.A. 10:4-6 et seq. (N.J.S.A. 34:15C-15)

8-27.7 Duties and Responsibilities.

The Workforce Investment Board established shall:

a. Provide policy guidance for, and exercise oversight with respect to, all workforce investment programs within its labor market area in partnership with the unit or units of general local government within the area. To provide the policy guidance and oversight, the Board shall review and evaluate the programs and, as appropriate, make recommendations to the Governor, the Legislature, or any State agency or local governing entity involved in the funding or administration of the programs. The recommendations shall be based primarily on how effective each program is in meeting relevant performance standards, including standards regarding the cost and quality of training and the characteristics of participants. The Board shall provide any planning, policy guidance or oversight with respect to workforce investment programs in accordance with any agreement entered into pursuant to N.J.S.A. 34:15C-6 by the State Employment and Training Commission and the Department of Human Services administering or funding the programs.

b. Establish skill level and competency guidelines, which may be above the criteria established by the State Employment and Training Commission, consistent with the provisions of N.J.S.A. 34:15-1 et seq. to be used as a basis for the selection of skill training programs and competency curriculum in its local area;

c. Assist in the development, approval and submission of the State workforce investment operating plan for its labor market area;

d. Prepare, approve and submit to the Department of Labor and Workforce Development and the State Employment and Training Commission a budget for itself in accordance with the Workforce Investment Act of 1998, Pub.L.105-220 (29 U.S.C. s.2801 et seq.);

e. Submit to the State Employment and Training Commission, by September 1 of each year, an annual report covering the immediately preceding program period of July 1 to June 30. The report shall contain:

1. An account of activities during the program period, including all coordination activities undertaken by the Workforce Investment Board to eliminate unnecessary duplication of services and foster a unified One-Stop delivery system;

2. Information describing the extent to which the activities failed or succeeded in meeting relevant performance standards; and

3. The skill level and competency guidelines to be used in the upcoming year;

f. Fulfill any other role or function of a Workforce Investment Board required pursuant to Pub.L.105-220 (29 U.S.C. s.2801 et seq.); and

g. Assume any additional responsibilities assigned to it by the Governor in consultation with the State Employment and Training Commission.
(N.J.S.A. 34:15C-15)

8-27.8 Additional Powers.

In order to carry out its functions under N.J.S.A. 34:15C-1 et seq., a Workforce Investment Board may:

a. Hire staff;

b. Incorporate as a non-profit or other entity;

c. Select, under agreement with the Board of Chosen Freeholders, the administrative entity for workforce investment programs funded within the workforce investment area;

d. Seek, obtain and expend additional funding for the programs from public and private sources; and

e. Establish as many committees as are necessary to satisfactorily perform its duties. There shall be, at a minimum, a local Youth Council, a Disability Committee, a One-Stop Committee and a Literacy Committee.

(N.J.S.A. 34:15C-15)

8-27.9 Assignment.

The Workforce Investment Board shall be assigned to the Division of Employment and Training in the Department of Human Services.

8-28 YOUTH SERVICES COMMISSION.**8-28.1 Established.**

The Youth Services Commission is established by the Board of Chosen Freeholders. (N.J.S.A. 52:17B-180)

8-28.2 Membership.

Membership of the Youth Services Commission shall consist of twenty-one (21) members appointed by the Board of Chosen Freeholders.

8-28.3 Responsibilities.

The Youth Services Commission shall:

a. Recommend to the Board of Chosen Freeholders the approval or disapproval of contracts with local government or private agencies that desire participation in the State/Community Partnership Grant Program;

b. Monitor the operations of programs receiving State/Community Partnership Grant funds with reference to compliance with standards, policies and rules established by the Juvenile Justice Commission;

c. Monitor and evaluate the impact of the programs receiving State/Community Partnership Grant funds, including the nature of the offender or at risk populations served by the funded programs, and prepare a written report with relevant documentation, on an annual basis, to be submitted to the Juvenile Justice Commission as part of the Commission's triennial plan and annual update; and

d. Perform such other duties as may be established by the Juvenile Justice Commission to achieve the purposes of P.L.1995, c. 284 (C.52:17B-169 et seq.) which creates the Juvenile Justice Commission and P.L.1995, c. 283 (C.52:17B-179) which creates the State/Community Partnership Grant Program.

(N.J.S.A. 52:17B-180)

8-28.4 Assignment

The Youth Services Commission shall be assigned to the Division of Planning and Contracting in the Department of Human Services.

CHAPTER IX

DEPARTMENTS AND DIVISIONS

9-1 DEPARTMENT STRUCTURE.

9-1.1 Establishment of Departments.

The administrative functions, powers and duties of the County government shall be allocated and assigned among and within the departments established by this Administrative 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 Head, to be appointed and subject to removal as provided herein.

9-1.2 Departments Enumerated.

The following departments are established as the administrative departments of the government of the County of Monmouth:

- a. Department of Human Services;
- b. Department of Public Works and Engineering;
- c. Department of Administrative Services and Public Safety;
- d. Department of Planning, Economic Development and Regulatory Affairs;
- e. Department of Finance.

9-2 DEPARTMENT HEADS.

9-2.1 Appointment; Qualifications; Terms of Office.

Each Department Head shall be qualified by education, training and experience for the duties of his office as required by law or resolution of the Board of Chosen Freeholders. Department Heads shall be appointed by the County Administrator with the advice and consent of the Board of Chosen Freeholders unless otherwise required by New Jersey Statute or this Code.

Any Department Head, except those whose manner of appointment or election to office is specified by statutory law or this Code, may be removed by the County Administrator after advising the Board of Chosen Freeholders and hereafter notifying the employee.

9-2.2 Additional Positions of Department Heads.

A Department Head may serve simultaneously in a subordinate position within his department, as may any other employee, without additional compensation.

9-2.3 Powers and Duties.

Under the direction and supervision of the County Administrator and subject to the approval of the Board of Chosen Freeholders, each 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 Heads such powers and authority as he may deem necessary for the efficient administration of the department;
- d. Report as directed by the County 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 of Chosen Freeholders for the proper administration of County affairs;
- f. Serve as the principal officer of the department and shall be responsible to the County Administrator for all of the department's operations;
- g. Be responsible for the custody of all books, records, documents and property under the department's control;
- h. Direct and supervise the personnel of the department in such a manner as to coordinate and control the work product of the department;
- i. Authorize or designate a responsible employee to authorize all purchase requisitions on behalf of the department.

9-2.4 Departmental Administrative Rules and Regulations.

Subject to this Code and with the approval of the County Administrator, the Department Head 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.

9-2.5 Appointment and Removal Power.

A Department Head shall have the authority to recommend the appointment and discipline of their departmental employees, subject to New Jersey Department of Personnel (Civil Service) provisions and county policies and procedures.

9-3 DIVISION OF THE DEPARTMENT: STRUCTURE.**9-3.1 Established.**

The work of each department shall be distributed among such divisions as are established by this Administrative Code or created hereafter by resolution of the Board of Chosen Freeholders.

9-3.2 Division Heads.

Each division shall have a Division Head who shall be the principal officer of the division. The Division Head shall be responsible to the Department Head for all of the operations of his division. Each Division Head shall be appointed by the County Administrator and shall serve at the pleasure of the County Administrator subject to applicable civil service rules, regulations and requirements.

9-3.3 Qualifications of Division Heads.

Each Division Head shall be qualified by education, training and experience for the duties of his office as required by law or resolution of the Board of Chosen Freeholders.

9-4 STANDARDS AND PROCEDURES.**9-4.1 Department, Divisions and Offices.**

Each head of an organization component, whether department, division, or office, shall set and maintain certain standards and procedures within such component of authority. These fundamental responsibilities of uniform application shall be to:

- a. Administer the affairs of the department, division, or office and supervise and direct the various sections within his organization;
- b. Develop an effective liaison with other segments of the administration, particularly with those sections whose operations coordinate with or relate to their department, division, or office;
- c. Keep his immediate supervisor informed of the activities within his segment and submit recommendations for their modification and improvement;
- d. Advise his superior about and coordinate and control the budgetary program of his section and assure the efficient management and utilization of allotted funds;
- e. Simplify and consolidate all activities under him and eliminate such activities that are not essential;
- f. Consider and evaluate communications from the public to determine the degree of acceptance of the service provided by the department, division, or office and determine administrative priorities for the services to be rendered;
- g. Consider all communications received by or referred to him from other departments, divisions, or offices concerning matters for which he is responsible and effectuate appropriate action in each case;
- h. Coordinate the activities of the various staff personnel under his direction and keep them fully informed on the policies and programs of those in higher authority in the administration;
- i. Maintain an adequate record of information for immediate and future reference;
- j. Direct a periodic program of inspection and review of the various departments, divisions, or offices under his authority including physical facilities and operational methods in order to keep himself fully informed of conditions and requirements that relate to activities under his authority;
- k. Provide for the orientation, training and setting of performance standards for all personnel in his department, division, or office;
- l. Represent his department, division, or office to the public and other agencies, both within and outside the County government, when matters pertaining to subjects within his jurisdiction require such a liaison in a dedicated, ethical and professional manner;
- m. Institute a policy of courtesy and tact for all employees dealing with the public;
- n. Discharge the responsibilities otherwise imposed on the department, division, or office.

9-4.2 Changes in Departments, Divisions and Offices.

Changes in the organization of the County government, including combination, termination or creation of departments, divisions or offices; the transfer of responsibilities between departments, divisions or offices; or changes in salaries of department heads shall be made by resolution of the Board of Chosen Freeholders. Any such resolution may revise, modify, alter or abolish any provision contained in this Administrative Code.

9-4.3 Department and Division Heads as Heads of Divisions and Offices.

A Department Head may be appointed by the County Administrator to serve as the head of any division, and a Division Head may be appointed by the County Administrator to serve as the head of any office.

9-4.4 Division Heads: Unclassified Service.

Division Heads shall be in the unclassified service unless otherwise determined by the Board of Chosen Freeholders at the time of appointment.

9-4.5 Establishment of Offices.

With the approval of the County Administrator, appropriate offices may be established within any department to facilitate execution of the department's responsibilities.

9-5 DEPARTMENT OF HUMAN SERVICES.**9-5.1 Established; General Purpose.**

There shall be a Department of Human Services for the purpose of developing a comprehensive approach to meeting the human service needs of Monmouth County residents; to coordinate and organize human services programs and activities; and to insure judicious allocation of resources.

(Res. No. 87-366)

9-5.2 Responsibilities.

The responsibilities of the Department of Human Services shall include:

- a. Providing planning, coordination and management with respect to human services in the County;

b. Administering various contracts involving the provisions and/or pass-through of Federal, State and County funds to local organizations for the operation of various human services for County residents;

c. Establishing effective programs for the allocation of County funds to local organizations to support human services and conducting such evaluations and assessments of the agreements in order to insure accountability for such funding provided;

d. Conducting needs assessments, securing funding and developing new human service programs to meet the changing or expanding needs of the County residents;

e. Developing and implementing new programs to meet human service needs of County residents.

(Res. No. 87-366)

9-5.3 Organization of Divisions.

The Department of Human Services shall include the following divisions:

a. Division on Aging, Disabilities and Veterans Interment.

1. Supervisor of Veterans Interment. Pursuant to N.J.S.A. 38:17-2, the Board of Chosen Freeholders shall appoint a Supervisor of Veterans Interment in the manner as provided by this statute.

2. Office on Aging. Pursuant to N.J.S.A. 40:23-6.41 the Board of Chosen Freeholders shall appoint an Executive Director, who shall be a person qualified by training and experience to direct the work of such office, to administer the work of the County Office on Aging.

b. Division of Mental Health and Addiction Services.

1. Office of Metal Health Services.

2. Office of Addiction Services.

(a) Intoxicated Driver Resource Center.

c. Division of Social Services.

d. Division of Planning and Contracting.

1. Office of Planning and Contracting.

e. Division of Employment and Training

f. Division of Transportation.

g. Division of the County Adjuster.

1. Pursuant to N.J.S.A. 30:4-34, the Board of Chosen Freeholders shall designate the County Adjuster.

9-5.4 Advisory Bodies.

The Department of Human Services shall have the following advisory bodies:

- a. Advisory Council – Office on Aging.
- b. Board of Alcohol and Drug Abuse Services.
- c. Human Services Advisory Council.
- d. Mental Health Board.
- e. Senior Citizen and Disabled Resident Transportation Advisory Committee.
- f. Transportation Council.
- g. Workforce Investment Board.
- h. Youth Services Commission.

9-5.5 Liaison Bodies.

The Department of Human Services shall have the following liaison bodies:

- a. Human Relations Commission.

9-6 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING.

9-6.1 Established; General Purpose.

There shall be a Department of Public Works and Engineering. The Department shall provide public works services that are vital to the health, safety and well-being of County residents. The Department is responsible for building, designing, operating and maintaining systems that connect local, state and national infrastructure. The Department reviews all subdivision and site plan applications for impacts to County road and drainage facilities and for compliance with County design standards. Site inspections, field measurements and photographic documentation are made along with final inspections to insure compliance with County approvals. The Department provides oversight for snow and ice control, bridge and road repairs, traffic safety, storm water monitoring, solid waste management and mosquito control. The Department also oversees routine tree trimming, hazardous tree removals, insect and disease control, tree replacement and capital planting projects. The Department manages, maintains and purchases the County's vehicles.

9-6.2 Organization of Divisions.

The Department of Public Works and Engineering shall include the following divisions:

a. Division of Bridges.

1. Pursuant to N.J.S.A. 27:14-24, the Board of Chosen Freeholders may appoint a Superintendent of Bridges. Pursuant to N.J.S.A. 27:14-24, the Board of Chosen Freeholders may also appoint an Assistant County Superintendent of Bridges.

b. Division of Engineering.

1. Pursuant to N.J.S.A. 27:14-24 and N.J.S.A. 40A:9-43, the Board of Chosen Freeholders shall appoint a County Engineer.

c. Division of Shade Trees.

d. Division of Highway.

1. Pursuant to N.J.S.A. 27:14-24 and N.J.S.A. 40A:9-44, the Board of Chosen Freeholders shall appoint a Supervisor of County Roads. Pursuant to N.J.S.A. 27:14-24, the Board of Chosen Freeholders may also appoint an Assistant Supervisor of County Roads.

e. Division of Fleet Management.

f. Division of Reclamation Center.

9-6.3 Advisory Bodies.

The Department of Public Works and Engineering shall have the following advisory bodies:

a. Shade Tree Commission.

b. Solid Waste Advisory Board.

9-6.4 Liaison Bodies.

The Department of Public Works and Engineering shall have the following liaison bodies:

a. Mosquito Extermination Commission.

9-7 DEPARTMENT OF ADMINISTRATIVE SERVICES AND PUBLIC SAFETY.**9-7.1 Established; General Purpose.**

There shall be a Department of Administrative Services and Public Safety. The Department is responsible for the maintenance, renovations and repairs on County buildings and structures. The Department maintains an inventory of County equipment and furniture and provides for maintenance and replacement of all equipment. The Department handles lease negotiations, right-of-way acquisitions, lease hold interests and property negotiations. The Department operates central mail services for the County. The Department operates long term care facilities, to provide eligible people with skilled quality care in a clean, safe and homelike environment. The long term care facilities strive to exceed State and Federal regulations and professional standards. The Department is responsible for the development and maintenance of the County's all hazard Emergency Operations Plan for action during emergency or disaster conditions and coordinates the 53 municipal emergency management programs. The Department oversees the Police Academy, the Fire Academy and the Belford Ferry.

9-7.2 Organization of Divisions.

The Department of Administrative Services and Public Safety shall include the following divisions:

- a. Division of Buildings and Grounds/Mail Room.
 1. Pursuant to N.J.S.A. 40A:9-32, the Board of Chosen Freeholders may appoint a Supervisor of Buildings and Grounds.
- b. Division of Health Care Facilities.
- c. Office of Emergency Management.
 1. Pursuant to N.J.S.A. App.A:9-42.1, the Board of Chosen Freeholders shall appoint an Emergency Management Coordinator for a time and manner as provided by this Statute.
- d. Fire Academy.
 1. Fire Marshal. Pursuant to N.J.S.A. 40A:14-1 et seq., the Board of Chosen Freeholders has the authority to create the Office of County Fire Marshal and make appointments as provided in the manner and for a time as provided by this Statute.
- e. Police Academy.
- f. Belford Ferry.

9-7.3 Advisory Bodies.

The Department of Administrative Services and Public Safety shall have the following advisory bodies:

- a. Police Academy Board of Directors.

9-7.4 Liaison Bodies.

The Department of Administrative Services and Public Safety shall have the following liaison bodies:

- a. Library Commission.
- b. Superintendent of Schools.
- c. Superintendent of Elections/Commissioner of Registration.
- d. Board of Elections.

9-7.5 County Jails.

Pursuant to N.J.S.A. 30:8-19, the Board of Chosen Freeholders shall have the authority to assume and exercise the custody, rule, keeping and charge of the County Jail.

Pursuant to N.J.S.A. 30:8-20, when the Board of Chosen Freeholders has assumed the custody and oversight of the Jail, the Board shall appoint a Keeper or Warden of the Jail in a manner and for a time as provided by this Statute.

9-8 DEPARTMENT OF PLANNING, ECONOMIC DEVELOPMENT AND REGULATORY AFFAIRS.**9-8.1 Established; General Purpose.**

There shall be a Department of Planning and Economic Development and Regulatory Affairs. The Department's guides the process of growth and change in the County so that it works for all citizens and safeguards the heritage of the County by encouraging the preservation of our natural landscapes and other valued resources and by promoting excellence in municipal design. The Department protects and enhances the County's important natural, historical, architectural, archeological, scenic and recreational resources. The Department maintains listings of buildings and land for all non-residential uses and can provide information on demographics and state programs. The Department maintains industry information and resources that promote tourism and keeps updated information on current events and research. The Department is

responsible for consumer affairs such as investigation, mediation, business practices, fraud, referrals and education. The Department inspects and tests weighing and measuring devices such as scales, pharmacy balances, gasoline pumps and fuel oil trucks.

9-8.2 Organization of Divisions.

The Department of Planning, Economic Development and Regulatory Affairs shall include the following divisions:

- a. Division of Planning.
- b. Division of Economic Development and Tourism.
- c. Division of Consumer Affairs.
- d. Division of Weights and Measures.

9-8.3 Advisory Bodies.

The Department of Planning, Economic Development and Regulatory Affairs shall have the following advisory bodies:

- a. Agricultural Development Board.
- b. Community Development Committee.
- c. Environmental Council.
- d. Fair Housing Board.
- e. Planning Board.

9-8.4 Liaison Bodies.

- a. Board of Health.
- b. Construction Board of Appeals.
- c. Historical Commission.
- d. Medical Examiner.

1. Pursuant to N.J.S.A. 52:17B-83, the Board of Chosen Freeholders shall appoint a County Medical Examiner. Deputy and Assistant County Medical Examiners may be appointed in a manner as provided by N.J.S.A. 52:17B-84.

- e. Rutgers Cooperative Extension Service.

9-9 DEPARTMENT OF FINANCE.**9-9.1 Established; General Purpose.**

The Department is responsible for the procurement of goods and services to carry out the functions of all departments, divisions, and agencies of Monmouth County government.

a. The Director of the Department of Finance shall be the Chief Financial Officer who shall be appointed in a manner as provided by N.J.S.A. 40A:9-28.4.

b. Pursuant to N.J.S.A. 40A:9-27, the Board of Chosen Freeholders shall appoint a County Treasurer for a time and a manner as provided by this statute.

9-9.2 Organization of Divisions.

The Department of Finance shall include the following divisions:

a. Division of Purchasing.

1. Pursuant to N.J.S.A. 40A:9-30, the Board of Chosen Freeholders may appoint a Purchasing Agent in the manner provided by the aforementioned statute.

2. In the Division of Purchasing there shall be designated a Public Agency Compliance Officer to insure compliance with N.J.S.A. 10:5-33.

9-9.3 Liaison Bodies.

a. Improvement Authority.

b. Tax Board.

9-9.4 County Auditor.

The County may appoint a County Auditor as provided by N.J.S.A. 40A:9-29 to oversee expenditures and the receipt of monies.

9-9.5 Annual Audit.

Pursuant to N.J.S.A. 40A:5-4, the Board of Chosen Freeholders shall cause an annual audit of its books, accounts and financial transactions to be made and completed within six (6) months after the close of its fiscal year. Pursuant to N.J.S.A. 40A:5-4, the Board of Chosen Freeholders shall employ a Registered Municipal Accountant of New Jersey to prepare its annual audit.