



ADMINISTRATIVE CODE

Effective January 1, 2018

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Article 1

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| Article General Provisions | Effective Date 5/23/90 | Approval Board of Chosen Freeholders |
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1.1 **Title**

This Code shall be known and may be cited as The Morris County Administrative Code.

1.2 **Purpose**

This Code shall provide, pursuant to PL 1987, Chapter 236 (NJSA 40:20-1 et seq.), for the relationships among the Board of Chosen Freeholders, the Administrator, and the administrative agencies, and for the organization and functions of the administrative departments.

1.3 **Application**

This Code shall replace and supersede all prior Administrative Codes.

1.3 **Severability**

Should any part of this Code be declared invalid by a court of competent jurisdiction, none of the remainder shall be impaired or invalidated thereby, but shall remain in full force and effect.



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| Article Board of Chosen Freeholders/ Clerk of the Board | Effective Date 5/23/90 Rev. 1/1/18 | Approval Board of Chosen Freeholders |
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2.1 Election, Term

Board members shall be elected annually for overlapping three-year terms, pursuant to NJSA 40:20-23, and shall organize annually.

2.2 Powers, Duties, Delegation

The Board, possessing all the powers and duties vested in Boards of Chosen Freeholders pursuant to PL 1987, Chapter 236 (NJSA 40:20-1 et seq.), hereby delegates to the County Administrator such executive and administrative powers, duties, functions, and responsibilities as are specified in Article 3 below.

2.3 Acting As A Body

The Board shall act in all matters as a body, and shall deal with the day to day business of the County through the Administrator and the Directors. Neither the Board nor its members shall give orders to any employee who is subject to direction of the Administrator or of a Director, except that the Freeholder Director, with the advice and consent of the Board, shall appoint from among the members of the Board, liaisons to departments/divisions as may be deemed necessary by the Board. No member shall seek individually to influence the official acts of the Administrator.

Nothing herein shall prevent the Board from appointing committees of its own members or of citizens to investigate the conduct of any officer, department, or agency, or any matter concerning the welfare of the County, and investing such committees with appropriate powers of inquiry, pursuant to the law.

2.4 Clerk of The Board

a. Appointment, Term, Compensation

The Board shall appoint a Clerk of the Board to serve a term of three years and until a successor is appointed and qualified, and to be paid according to the management compensation plan; provided that a Clerk of the Board who has held the office continuously for twenty years from the date of original appointment shall continue therein indefinitely during good behavior, as provided in NJSA 40A:9-26.

b. Supervision

The Clerk of the Board and staff shall be directly supervised by the County Counsel.

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| Article Board of Chosen Freeholders/ Clerk of the Board | Effective Date 5/23/90 Rev. 1/1/18 | Page 2 of 2 |
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c. **Duties And Powers**

The Clerk of the Board shall record and retain minutes of Board meetings, shall be custodian of the County seal and all documents and records pertaining to County business, and shall perform related work as required.

d. **Personnel**

The Clerk shall appoint personnel, subject to the approval of the Board, to perform the duties of the office, within the allocations of the County budget as approved and adopted.



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Article 3

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| Article County Administrator | Effective Date 5/23/90 Rev. 11/25/03 Effective 1/1/04 Rev. 12/20/10 Effective 2/12/11 Rev. 12/01/11 Effective 12/28/11 Rev. 7/11/12 Effective 8/1/12 Rev. 7/26/17 Effective 8/1/17 | Approval Board of Chosen Freeholders |
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3.1 Appointment and Term

The Board shall appoint a County Administrator by a majority vote of all of its members to serve a term of three, four, or five years and until a successor is appointed and qualified, as provided in NJSA 40A:9-42. Nothing herein shall be construed to prevent successive reappointments, at the pleasure of the Board.

3.2 Duties and Powers

The Administrator shall be the chief administrative officer of the County, responsible to the Board for carrying out its policies and for the proper administration of all County affairs within the Board's jurisdiction. In furtherance thereof, the Administrator, shall or may, as the situation requires:

- a. Submit to the Board for its approval any plans which would consolidate or reorganize departments and agencies pursuant to Section 5.7; supervise and direct all department directors/heads and other employees, and when necessary recommend that the Board authorize investigation into the conduct of any department, agency, or employee.
- b. Make recommendations to the Board regarding the appointment and removal of department directors and periodically provide the Board with an evaluation of their performance using the performance criteria set by the Board of Freeholders; make salary recommendations to the Board within the limits of the Board's approved management compensation plan; make recommendations to the Board regarding the selection and removal of employees when no other provision is made in this Code for their selection and approval. Selection and removal of employees shall not be made without the approval of the Board except that the Board may authorize Department Directors to appoint or remove their subordinates subject to civil service law and regulations. Discipline, evaluation, etc. shall be the responsibility of the Administrator and the Department Directors; employees have the right of appeal to the Board.
- c. Keep the Board apprised of the financial condition of the County; coordinate the preparation of the operating and capital budgets and administer them after Board approval; furnish a monthly report of the Administrator's activities as well as special reports the Board may request, recommend for adoption such measures as the Administrator deems pertinent; and furnish information as may be requested by any Board member to aid Board decisions.



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d. Negotiate, with the advice of County Counsel, contracts and agreements for the Board’s approval; enforce the terms thereof on behalf of the County, and regularly submit to the Board, progress reports as well as any reports of irregularities and/or violations.

e. Attend all meetings of the Board with the right to participate but not to vote.

f. Perform related work as required.

3.3 Assistant County Administrator

Subject to the approval of the Board and within the allocations of the County budget as approved and adopted, the Administrator shall be authorized to appoint an Assistant County Administrator. The Assistant County Administrator shall assist the Administrator in carrying out the policies of the Freeholder Board, in the proper administration of the County and with all other duties as necessary and as listed below.

- a. Directly supervise the functions of the Office of Communications and Digital Media.
- b. Directly supervise the functions of the County Library.
- c. Directly supervise the functions of the Office of Planning and Preservation.

The Assistant County Administrator shall be authorized to act as the Administrator in his/her absence.

3.4 Assistants

Subject to the approval of the Board and within the allocations of the County Budget as approved and adopted, the Administrator shall be authorized to appoint assistants, and other staff to perform the duties of the office.

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3.5 Acting Administrator

The Administrator may be authorized to appoint, subject to the Board's approval, one of the Department Directors or an assistant to act as Administrator in his/her absence, and the absence of the Assistant Administrator.



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| Article County Counsel | Effective Date 5/23/90 Rev. 1/1/18 | Approval Board of Chosen Freeholders |
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4.1 Appointment and Term

The Board shall appoint a County Counsel to serve for a term of three years. (NJSA 40A:9-43)

4.2 Duties and Powers

County Counsel's duties are coincident with representing the County and advising in all legal matters which can only be handled by an attorney licensed to practice law in the State of New Jersey.

County Counsel shall be the chief legal officer of the County, with the power, duty and responsibility of managing all of the legal matters of the County.

County Counsel shall manage and supervise the functions of the Clerk of the Board and its personnel.

County Counsel exists for the protection of all of the citizens of the County and is the legal counsel to the Board of Chosen Freeholders, the Administrator and to all of the departments, divisions, agencies and Constitutional Officers of the County.

County Counsel shall directly supervise the functions of the Clerk of the Board of Chosen Freeholders, as outlined in Article 2.4.

4.3 Assistants

County Counsel may appoint, subject to the approval of the Board, such assistants or special counsel, as are necessary and within the allocation of the County budget as approved and adopted.

4.4 Support Staff

The County Counsel may appoint secretaries and paralegals, subject to the approval of the Board, within the allocation of the County budget as approved and adopted.



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| Administrative Organization | 5/23/90 Rev. 5/10/00 Rev. 11/25/03 Effective 1/1/04 Rev. 8/9/06 Effective 9/8/06 Rev. 8/8/07 Effective 9/12/07 Rev. 11/25/08 Effective 1/1/09 Rev. 12/20/10 Effective 2/12/11 Rev. 7/11/12 Effective 8/1/12 Rev. 8/28/13 Effective 9/1/13 Rev. 10/23/13 Effective 12/01/13 Rev. 10/23/13 Effective 01/01/14 Rev. 7/26/17 Effective 8/1/17 | Board of Chosen Freeholders |

5.1 Organization Generally

The County government consists of all departments and agencies that are subject to the jurisdiction of the Board and of the Administrator; the Constitutional Officers, the educational institutions and agencies, and independent boards, commissions, and authorities, and advisory committees.

5.2 Administrative Departments

The following six departments are hereby authorized or continued, with directors responsible to the Administrator and the Board and established by the Board: Finance; Human Services; Law and Public Safety; Employee Resources; Public Works; and Information Technology. All remaining agencies however designated that are subject to Board and Administrator jurisdiction shall be assigned among the six, pursuant to Section 5.7 below.

5.3 Constitutional Officers

The Constitutional Officers are the County Clerk, the Prosecutor, the Sheriff, and the Surrogate, as specified in the Constitution of the State of New Jersey, Article VII, Section 2.

5.4 Educational Institutions

The educational institutions are the County College of Morris and the Vocational Schools in the County of Morris, all as provided in NJSA 18A.

5.5 Independent Agencies

The independent agencies are the Housing Authority, Municipal Utilities Authority, Heritage Commission, Park Commission, Board of Elections, Superintendent of Elections, Board of Taxation, Superintendent of Schools, Improvement Authority, Insurance Commission, and Rutgers Cooperative Extension Service, all as variously designated in relevant statutes.

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| Article Administrative Organization | Effective Date 5/23/90 Rev. 5/10/00 Rev. 11/25/03 Effective 1/1/04 Rev. 8/9/06 Effective 9/8/06 Rev. 8/8/07 Effective 9/12/07 Rev. 11/25/08 Effective 1/1/09 Rev. 12/20/10 Effective 2/12/11 Rev. 7/11/12 Effective 8/1/12 Rev. 8/28/13 Effective 9/1/13 Rev. 10/23/13 Effective 12/1/13 Rev. 10/23/13 Effective 01/01/14 Rev. 7/26/17 Effective 8/1/17 | Page 2 of 4 |
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5.6 Appointed Boards, Commissions, Committees, Authorities, Advisory Bodies

Presently, the above consist of but may not be limited to the following:

- Advisory Council on Aging, Disabilities and Veterans
- Advisory Committee on Women
- Alcohol and Drug Abuse Advisory Committee
- Agriculture Development Board
- Airport Advisory Committee
- Community Development Revenue Sharing Committee
- Construction Board of Appeals
- County Alliance Steering Subcommittee
- County College Board of Trustees
- Flood Mitigation Committee
- Freight Railroad Advisory Committee
- Heritage Commission
- Historic Preservation Trust Fund Review Board
- Housing Authority
- Human Services Advisory Council
- Improvement Authority
- Insurance Fund Commission
- IT Governance Committee
- MAPS Citizen Advisory Committee
- Mental Health Advisory Board
- Morris View Advisory Committee
- Municipal Utilities Authority
- Open Space and Farmland Preservation Trust Fund Committee
- Park Commission
- Planning Board
- Public Safety Training Academy Advisory Board
- Solid Waste Advisory Council
- Trail Program Advisory Committee
- Board of Transportation
- Vocational School Board
- Workforce Investment Board
- Youth Services Advisory Committee

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5.7 Organization and Reorganization of Administrative Departments

a. This Code consolidates all but the Constitutional Officers, Educational Institutions, Independent Agencies and Advisory Committees as defined in Section 5.3, 5.4, 5.5 and 5.6 into the administrative departments enumerated in Section 5.2 above. The County Administrator's plan for reorganization dated May 4, 1990, and as amended effective January 1, 2004, is approved and made a part hereof by reference; provided, that this approval shall permit further reorganization without limitation, pursuant to plan as provided in subsection b below.

b. The departments designated herein by Section 5.2 and Articles 7-13 and by special order of the Board, may be reorganized at any time pursuant to departmental plans approved by the Board. Should the Board fail to act by the second meeting following the submission of plans by the Administrator, the plans shall be considered disapproved without further action. Plans calling for changes in personnel strength or in budget appropriations which are submitted to the Board by the Administrator shall not be approved unless they are accompanied by a needs assessment and a fiscal note describing any direct and/or indirect effect on County revenues and/or costs.

5.8 Directors

a. Appointment and Duration

The Board shall have the power to appoint and remove Department Directors. The Administrator may make recommendations which must be approved by a majority of the Board no later than the second meeting following the recommendation, or they shall be considered denied. Directors shall not have a specified duration of appointment unless a statutory provision requires otherwise.

b. Duties and Powers

1. Provide for the internal organization of their departments and for equitable and efficient work distribution.

2. Jointly with the Administrator, prepare an annual personal performance plan and be subject to periodic performance evaluation in connection with compensation review or prospective disciplinary action.

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3. Supervise and direct their subordinates, appraise their performance, recommend their compensation, and discipline as necessary, pursuant to the law.

4. Appoint and remove subordinates, when authorized by the Board, (Section 3.2b above).

5. Prepare annual budget requests and administer approved budgets within appropriate limits; submit periodic and special reports of department performance to the Board, as requested, and make recommendations to the Board and the Administrator regarding department operations and functions.

6. Perform related work as required.

5.9 Employees

Each department shall have such employee strength as the Board or other appointing authority shall approve, subject to the available appropriations

5.10 Appointment of “Acting” County Officers

In the event a county officer or Department/Division Head whom the Board has appointed, is absent for an extended period on sick leave, vacation leave or for any other reason, the Board, where the good of the service requires, may appoint, on a temporary basis, a qualified person to act for such an absent official/employee in an “acting” capacity for the duration of such absence. Nothing contained in this section shall adversely affect the legal, contractual or statutory rights or status of the absent official/employee. This provision shall not apply to constitutional officers or other officials who are not appointed by the Board.



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| Article Administrative Procedures | Effective Date 5/23/90 | Approval Board of Chosen Freeholders |
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The Constitutional Officers, Educational Institutions, Independent Agencies, Board of Elections, Superintendent of Elections, and Board of Taxation shall be subject to the requirements adopted by the Board of Chosen Freeholders as to annual budgeting procedures and requirements, periodic budget reporting requirements, accounting controls, central purchasing practices, personnel procedures, including salary administration, and central data processing services as are specified in the County Policy and Procedures Manual or in administrative orders adopted pursuant thereto; provided, however, that nothing herein shall restrict or limit the authority of any of the above as the appointing authority of their respective offices.



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| Article Department of Law and Public Safety | Effective Date 1/1/04 Rev. 11/25/03 Rev. 1/28/04 Rev. 11/25/08 Effective 1/1/09 Rev. 12/20/10 Effective 2/12/11 | Approval Board of Chosen Freeholders |
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7.1 Director

The department shall be headed by a director.

7.2 Divisions

The department shall be organized pursuant to Section 5.2 of this Code to perform the following functions and such others as may be assigned from time to time:

Divisions

- Medical Examiner
- Emergency Management
- Weights and Measures
- Public Safety Training Academy
- Health Management
- Communications Center



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| Article Department of Finance | Effective Date 5/23/90 Rev. 11/25/03 Effective 1/1/04 Rev. 11/25/08 Effective 1/1/09 Rev. 7/11/12 Effective 8/1/12 | Approval Board of Chosen Freeholders |
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8.1 Director

The Department shall be headed by a director.

8.2 Divisions

The department shall be organized pursuant to Section 5.2 of this Code to perform the following functions and such others as may be assigned from time to time:

Divisions

Treasury

Central Purchasing

Adjuster's Office

Office Services



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| Department of Employee Resources | 5/23/90 Rev. 11/25/08 Effective 01/01/09 Rev. 12/20/10 Effective 02/12/11 Rev. 12/14/11 Effective 01/01/12 Rev. 7/11/12 Effective 08/01/12 Rev. 1/13/16 Effective 01/27/16 | Board of Chosen Freeholders |

9.1 Director

The department shall be headed by a Director.

9.2 Divisions

The department shall be organized pursuant to Section 5.2 of this Code to perform the following functions and such others as may be assigned from time to time:

Divisions

Labor Relations

Medical Services

Personnel

Risk Management



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| <p>Article Department of Human Services</p> | <p>Effective Date 5/23/90 Rev. 05/10/00 Rev. 11/25/03 Effective 01/01/04 Rev. 09/14/05 Effective 10/14/05 Rev. 08/09/06 Effective 09/08/06 Rev. 11/25/08 Effective 01/01/09 Rev. 12/20/10 Effective 02/12/11 Rev. 08/28/13 Effective 09/01/13 Rev. 02/24/15 Effective 03/11/15 Rev. 07/08/15 Effective 07/22/15</p> | <p>Approval</p> <p style="text-align: center;">Board of Chosen Freeholders</p> |
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10.1 Director

The department shall be headed by a director.

10.2 Divisions

The department shall be organized pursuant to Section 5.2 of this Code to perform the following functions and such others as may be assigned from time to time:

Divisions

- Employment and Training Services
- Community and Behavioral Health Services
- Division of Community Assistance and Resources
- Juvenile Detention Center
- Youth Shelter
- Workforce Investment Board
- Morris View Healthcare Center
- Fiscal Operations Unit



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| Article Public Works | Effective Date 5/23/90 Rev. 9/14/05 Effective 10/14/05 Rev. 11/25/08 Effective 1/1/09 Rev. 10/23/13 Effective 12/01/13 Rev. 10/23/13 Effective 1/01/14 Rev. 7/26/17 Effective 8/1/17 | Approval Board of Chosen Freeholders |
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11.1 Director

The department shall be headed by a director.

11.2 Divisions

The department shall be organized pursuant to Section 5.2 of this Code to perform the following functions and such others as may be assigned from time to time:

Divisions

Roads, Bridges and Shade Tree

Buildings and Grounds

Engineering and Transportation

Motor Service Center

Mosquito Control (effective 1/1/14)



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| Article Department of Information Technology | Effective Date 8/1/17 | Approval Board of Chosen Freeholders |
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12.1 Director

The department shall be headed by a director.



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| Compensation and Qualifications | 5/23/90 Rev. 11/25/03 Effective 1/1/04 Rev. 9/14/05 Effective 10/14/05 Rev. 8/9/06 Effective 9/8/06 Rev. 11/25/08 Effective 1/1/09 Rev. 7/11/12 Effective 8/1/12 Rev. 7/26/17 Effective 8/1/17 | Board of Chosen Freeholders |

The following shall be paid according to the management compensation plan approved by the Board and shall be selected with specific reference to qualification standards specified as follows:

13.1 Administrator

The Administrator shall have a master's degree in public or business administration from an accredited institution and ten or more years of progressively responsible administrative experience in state, county or municipal government. A bachelor's degree in a related discipline with extensive work related experience beyond the above requirements will be given due consideration.

13.2 Assistant County Administrator

The Assistant County Administrator shall have a master's degree in public or business administration or a related field and five years of progressively responsible administrative experience in the public or private sector demonstrating planning, management and technical skills. A bachelor's degree in a related discipline with extensive related work experience beyond the above requirements will be given due consideration.

13.3 Director, Department of Law and Public Safety

The Director of the Department of Law and Public Safety shall have a master's degree in public or business administration, law and public safety or a related field and seven (7) years of progressively responsible administrative experience in the public or private sector demonstrating planning, management and technical skills. A bachelor's degree in a related discipline with extensive related work experience beyond the above requirements will be given due consideration.

13.4 Director, Department of Finance

The Director of the Department of Finance shall have a master's degree in public or business administration, public finance, or accounting, including courses in business and governmental accounting and seven (7) years of progressively responsible and successful experience in administration in the public sector, including two or more of the following areas: accounting, auditing, and centralized purchasing. A bachelor's degree in a related work experience beyond the above requirements will be given due consideration.

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| Article Compensation and Qualifications | Effective Date 5/23/90 Rev. 11/25/03 Effective 1/1/04 Rev. 9/14/05 Effective 10/14/05 Rev. 8/9/06 Effective 9/8/06 Rev. 11/25/08 Effective 1/1/09 Rev. 7/11/12 Effective 8/1/12 Rev. 7/26/17 Effective 8/1/17 | Page 2 of 2 |
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13.5 **Director, Department of Employee Resources**

The Director of the Department of Employee Resources shall have a master's degree in social work, public or business administration or a related field and seven (7) years of progressively responsible administrative experience in the public or private sector demonstrating planning, management and technical skills. A bachelor's degree in a related discipline with extensive work experience beyond the above requirements will be given due consideration.

13.6 **Director, Department of Human Services**

The Director of the Department of Human Services shall have a master's degree in social work, public administration or a related field and seven (7) years or more of progressively responsible administrative experience in planning, managing, monitoring and coordinating social service programs in the public sector, or upon approval of the Board of Chosen Freeholders of the County of Morris, in its place a bachelor's degree with work related experience.

13.7 **Director, Department of Public Works**

The Director of the Department of Public Works shall have a master's degree in public or business administration or a related field and seven (7) years of progressively responsible administrative experience in the public or private sector demonstrating planning, management and technical skills. A bachelor's degree in a related discipline with extensive related work experience beyond the above requirements will be given due consideration.

13.8 **Director, Department of Information Technology**

The Director of the Department of Planning and Development shall have a master's degree in planning, public or business administration or a related field and seven (7) or more years of progressive experience in administration and planning in the public or private sector. A bachelor's degree in a related discipline with extensive related work experience beyond the above requirements will be given due consideration.



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| Article Miscellaneous | Effective Date 5/23/90 Rev 11/25/03 Effective 1/1/04 Rev. 7/26/17 Effective 8/1/17 | Approval Board of Chosen Freeholders |
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14.1 Department of Library Services

The Morris County Free Public Library shall continue to exist under the direction and supervision of the Department of Library Services as heretofore established through resolution adopted on December 9, 1987, and is hereby reaffirmed in its establishment pursuant to and in accordance with all of the terms of said resolution, excepting however, the reference to the prior Administrative Code which the within Code supersedes.

14.2 Mental Health Advisory Board

The Mental Health Advisory Board shall continue to exist in accordance with a resolution adopted by the Board on December 9, 1987, and all of the terms of said resolution are reaffirmed, excepting however, the reference to the prior Administrative Code which the within Code supersedes. Said Board shall continue to follow the Human Services Planning and Funding Recommendation Policy as required for all Freeholder-appointed advisory boards.