

ORDINANCE 2023-11

ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO ADD CHAPTER II SECTION 25 REGARDING LOCAL EMERGENCY MANAGEMENT COUNCIL

WHEREAS, pursuant to N.J.S.A. App, A:9-41, "Every municipality of this State, other than counties, shall create a local emergency management council. Each local emergency management council shall be composed of not more than 15 members who shall be appointed by the mayor or chief executive officer of the municipality and shall hold office at the will and pleasure of the appointing authority"; and

WHEREAS, pursuant to State law, the Chatham Township Council wishes to establish a Local Emergency Management Council ("LEMC"); and

WHEREAS, the Chatham Township Emergency Coordinator has reviewed the ordinance and procedures that will be put in place and agrees with same as it relates to the establishment of the LEMC; and

WHEREAS, the Chatham Township Council wishes to amend Chapter 2 of the Township Code in order to conform to the aforementioned statute pertaining to the creation of a LEMC.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Chatham, County of Morris, State of New Jersey, is hereby amended by the addition of § 2-25, Local Emergency Management Council, as follows:

Chapter II Administration Article V Boards, Committees and Commissions § 2-25 Local Emergency Management Council

"§ 2-25 Local Emergency Management Council.

§ 2-25.1. Establishment of Local Emergency Management Council.

There is hereby established, within the Township of Chatham, a Local Emergency Management Council ("LEMC") as required by N.J.S.A. App. A:9-41.

§ 2-25.2. Membership; officers.

A. The LEMC shall be comprised of the up to 15 members who, in accord with N.J.S.A. App. A:9-41 and as suggested by *FEMA Comprehensive Preparedness Guide 101*, shall be appointed by the Mayor, and who shall serve at the will and pleasure of the Mayor. The composition of the LEMC is recommended as set forth below:

- (1) Mayor.
- (2) Township Administrator.
- (3) Township Engineer.
- (3) Chief of Police.
- (4) DPW Superintendent.
- (5) Health Officer.
- (6) OEM Coordinator.

- (7) Chatham Township Fire Department Chief or Chiefs designee.
- (8) Green Village Fire Department Chief or Chiefs designee.
- (9) Ambulance Corps Captain or Captain designee.
- (10) Red Cross Administrator.
- (11) Religious institution representative number 1.
- (12) Religious institution representative number 2.
- (13) School District of the Chatham's Superintendent or designee.
- (14) Private sector representative number 1 (hospital or health care facilities)
- (15) Private sector representative number 2 (utility operators or Childcare facilities)

- B. The Mayor, in accordance with N.J.S.A. App. A:9-40.1a, shall appoint a Municipal Emergency Management Coordinator, preferably from among the residents of the Township. If a qualified Township resident cannot be identified, then any qualified individual appointed as a Municipal Emergency Management Coordinator who is not a resident of the municipality shall reside within a reasonable proximity of the municipality to ensure a prompt response and coordination of municipal resources for any local incident. The Municipal Emergency Management Coordinator shall serve as the Chairperson of the LEMC.
- C. The Municipal Emergency Management Coordinator, subject to fulfilling the requirements of law, shall serve for a term of three (3) years, unless removed pursuant to N.J.S.A. App. A:9-40.2. As a condition of appointment and right to continue for the full term of appointment, each Municipal Emergency Management Coordinator shall have successfully completed at the time of appointment or within one (1) year immediately following appointment or the effective date of this ordinance, whichever is later, the current approved home study course and the basic emergency management workshop. The failure of any Municipal Emergency Management Coordinator to fulfill such requirement within the period prescribed shall disqualify the coordinator from continuing in the office of Coordinator and thereupon a vacancy in said office shall be deemed to have been created.
- D. The Emergency Management Coordinator, subject to the Mayor's approval, in accordance with N.J.S.A. App. A:9-40.3, shall appoint a Deputy Emergency Management Coordinator from amongst the employees of the Township.

§ 2-25.3. Duties.

The Emergency Management Coordinator shall be responsible for the planning, activating, coordinating, and the conduct of emergency management operations within the Township. [N.J.S.A. App. A:9-40.4]

- A. The LEMC is directed, within the limits of appropriations, to establish an adequate organization to assist in supervising and coordinating the emergency management activities of the Township.
- B. The LEMC shall assist the Township in establishing the various local volunteer agencies needed to meet the requirements of all local emergency management activities in accordance with rules and regulations established by the governor in pursuance of the provisions of this chapter. [N.J.S.A. App. A:9-41].
- C. The LEMC shall meet a minimum of two (2) times per year.
- D. The LEMC shall prepare written emergency operations plans focused on all hazards, including homeland security, flooding, fire, loss of utilities and sanitary services, and shall confidentially share such plans as necessary with the various Township departments and personnel impacted by such plans.
- E. The LEMC shall, at least once per year, review previously prepared emergency response plans and update same as necessary in conformity with State statutes, N.J.S.A. App. A:9-

42.1 through 43.4, Executive Orders issued by the Governor, any current or future NJOEM directives, or any applicable Federal statutes or regulations.

- F. The LEMC members shall participate in training and exercises as required by the Chairperson or NJOEM Director.
- G. In compliance with N.J.A.C. 6A:16-5, School Safety and Security Plans, the LEMC will meet with the Chief School Administrator of the School District of the Chathams in the development of the school districts' plans, procedures and mechanisms for school safety and security.
 - (1) The plans, procedures and mechanisms shall be consistent with the provisions of N.J.A.C. 6A:16-5.1 and the format and content established by the Domestic Security Preparedness Task Force, pursuant to N.J.S.A. App. A:9-64 et seq., and the Commissioner of Education.
 - (2) The plans, procedures and mechanisms shall be reviewed annually and updated, as appropriate.
- H. The LEMC shall collaborate with state, county, municipal, other Emergency Management Council personnel and agencies that serve disability and access/functional needs.
- I.
- J. All members of the LEMC shall maintain confidentiality and adhere to all laws, regulations and executive orders governing the confidentiality of any and all emergency operations plans to the extent permitted by law, including but not limited to the common law, the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., and Executive Order 21 (McGreevey 2002) and as amended by Order 26 (McGreevey 2002)."

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 - (15) Private sector representative number 2 (utility operators or Childcare facilities)

- B. The Mayor, in accordance with N.J.S.A. App. A:9-40.1a, shall appoint a Municipal Emergency Management Coordinator, preferably from among the residents of the Township. If a qualified Township resident cannot be identified, then any qualified individual appointed as a Municipal Emergency Management Coordinator who is not a resident of the municipality shall reside within a reasonable proximity of the municipality to ensure a prompt response and coordination of municipal resources for any local incident. The Municipal Emergency Management Coordinator shall serve as the Chairperson of the LEMC.
- C. The Municipal Emergency Management Coordinator, subject to fulfilling the requirements of law, shall serve for a term of three (3) years, unless removed pursuant to N.J.S.A. App. A:9-40.2. As a condition of appointment and right to continue for the full term of appointment, each Municipal Emergency Management Coordinator shall have successfully completed at the time of appointment or within one (1) year immediately following appointment or the effective date of this ordinance, whichever is later, the current approved home study course and the basic emergency management workshop. The failure of any Municipal Emergency Management Coordinator to fulfill such requirement within the period prescribed shall disqualify the coordinator from continuing in the office of Coordinator and thereupon a vacancy in said office shall be deemed to have been created.
- D. The Emergency Management Coordinator, subject to the Mayor's approval, in accordance with N.J.S.A. App. A:9-40.3, shall appoint a Deputy Emergency Management Coordinator from amongst the employees of the Township.

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- D. The LEMC shall prepare written emergency operations plans focused on all hazards, including homeland security, flooding, fire, loss of utilities and sanitary services, and shall confidentially share such plans as necessary with the various Township departments and personnel impacted by such plans.
- E. The LEMC shall, at least once per year, review previously prepared emergency response plans and update same as necessary in conformity with State statutes, N.J.S.A. App. A:9-42.1 through 43.4, Executive Orders issued by the Governor, any current or future NJOEM directives, or any applicable Federal statutes or regulations.
- F. The LEMC members shall participate in training and exercises as required by the Chairperson or NJOEM Director.
- G. In compliance with N.J.A.C. 6A:16-5, School Safety and Security Plans, the LEMC will meet with the Chief School Administrator of the School District of the Chathams in the development of the school districts' plans, procedures and mechanisms for school safety and security.

(1) The plans, procedures and mechanisms shall be consistent with the provisions of N.J.A.C. 6A:16-5.1 and the format and content established by

the Domestic Security Preparedness Task Force, pursuant to N.J.S.A. App. A:9-64 et seq., and the Commissioner of Education.

(2) The plans, procedures and mechanisms shall be reviewed annually and updated, as appropriate.

H. The LEMC shall collaborate with state, county, municipal, other Emergency Management Council personnel and agencies that serve disability and access/functional needs.

I. All members of the LEMC shall maintain confidentiality and adhere to all laws, regulations and executive orders governing the confidentiality of any and all emergency operations plans to the extent permitted by law, including but not limited to the common law, the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., and Executive Order 21 (McGreevey 2002) and as amended by Order 26 (McGreevey 2002).”

SECTION 2. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portions of this ordinance.

SECTION 3. All ordinances of the Township of Chatham which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take effect immediately upon passage and publication.

Introduced: September 26, 2023

Adopted: October 24, 2023

Attest:



Gregory J. LaCente, Clerk

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

BY: _____



Ashley Felice, Mayor