

**BOROUGH OF AVALON
CAPE MAY COUNTY
NEW JERSEY**

ORDINANCE No. 879 -2024

AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) OF THE BOROUGH CODE TO CREATE THE DIVISION OF INFORMATION TECHNOLOGY AND CYBER SECURITY AND TO SPECIFY THE DUTIES AND RESPONSIBILITY OF SUCH DIVISION AND TO DESIGNATE AN INDIVIDUAL TO DIRECT SUCH OFFICE AND SPECIFY THE DUTIES AND RESPONSIBILITIES OF SUCH INDIVIDUAL AND TO DESIGNATE THE APPOINTMENT PROCESS

WHEREAS, James V. Craft will retire from the Borough of Avalon effective May 31, 2024 thereby creating a vacancy in the positions of Director of Revenue & Finance, Chief Financial Officer (CFO), and Director of Information Technology; and

WHEREAS, it has been determined that the duties and responsibilities of Information Technology should be separated into a stand-alone position which shall be assigned to and become part of the Department of Administration; and

WHEREAS, § 2-6.5 of the Borough Code provides that the Department of Administration shall be organized pursuant to a plan approved by the Mayor. Such plan shall also be filed with the Borough Clerk as required by § 2-4.2 and

WHEREAS, the establishment of the new division of Information Technology and Cyber Security and the creation of the position of System Administrator for Information Technology have been approved by Mayoral Executive Order (MEO) 2024-007 subject to the advice and consent of Borough Council and any necessary ordinance amendments; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL, the Governing Body of the Borough of Avalon, in the County of Cape May and State of New Jersey as follows:

SECTION 1. Chapter 2 entitled “Administration” of the Borough Code of the Borough is hereby amended to create a new division entitles “Division of Information Technology and Cyber Security” and to create the position of “System Administrator” as follows:

§ 2-6.6 Divisions Within the Department of Administration.

[2000 Code § 2:7-1—2:7-5; New; Ord. No. 724-2015; Ord. No. 731-2015 § 1]

ADD NEW SECTION AS FOLLOWS:

**L. Division of Information Technology and Cyber Security
[Added May 22, 2024 by Ord. No.879-2024]**

1. **Duties and Responsibilities of Division:** The duties and responsibilities of this Division shall be to manage, direct, and oversee the Bourgh computer and information technology systems.
2. **Division Head:** This Division shall operate under the direction of the “System Administrator for Information Technology”
3. **Appointment and Term of Office:** The System Administrator shall be appointed by the Mayor with the advice and consent of Borough Council and, after serving a designated period of probation, shall serve during good behavior and efficiency.
4. **Duties of System Administrator:** The duties and responsibilities of the System Administrator shall be as set forth in the Job Description as approved by Borough Council and filed with the Division of Human Resources and which may, from time to time, be amended and supplemented. Those duties shall include, but are not limited to, the following:

- aa. provide analysis of broad, complex issues that focus on analyzing, planning, and implementing Information Technology (IT) initiatives, which are consistent with the strategic direction of the Borough and shall develop IT strategies, policies, and plans for consideration by the Borough and be involved with providing guidance and direction to Borough.
- bb. performs analytical, technical, and administrative work in the planning and installation of new and existing personal and Borough devices and workstations; as well as diagnose and resolve problems in response to resident/customer incidents.
- cc. be responsible for the oversight, planning, development, implementations and maintenance of the Borough's business and information systems. This would include the development and maintenance of IT infrastructure; researching and recommending new technologies; developing operating and capital budgets and handling daily operations of the IT system; maintenance of centralized, decentralized, and remote network services, network security, data integrity, network performance monitoring, network problems resolution, and user support; does other related duties as required.
- dd. be responsible to respond on a 24/7 basis to cyber-attacks – whether actual or threatened – or significant system failures. Such individual shall also be responsible to make certain that the Borough's needs for both emergent and routine matters have appropriate backup support.
- ee. be required to provide training and support, when required, for other Borough employees who are required to learn or use existing or new software systems in order to facilitate the performance or execution of official business of the Borough.
- ff. function as the Chief Information Security Officer ("CISO"). The Borough deems that managing cybersecurity shall be treated as a core, critical element of technology management. The primary technology responsibilities of the CISO include, but are not limited to, the following:
 - i. Network security: Includes reviewing logs or automated alerts (based on technology used) to detect intrusions, assigning and periodically reviewing user access to programs and network resources, investigating unusual network activity, managing remote access software, supporting application patching needs, in addition to other routine network support activities (e, g., adding and deleting users).
 - ii. Checking public and government security alerts from organizations like MS ISAC, NUCCI, US CISA, Borough insurance carriers, and other sources and acting as needed.
 - iii. Developing and implementing security policies, including a cyber incident response plan. Periodically auditing and testing policies for compliance.
 - iv. Managing security, network, and user access to digital device hardware. This includes desktop computers, laptops, tablets, phones, video cameras, and network management devices such as servers, routers, etc.
 - v. Overseeing staff cyber hygiene training.
 - vi. Managing building and other facility digital security devices and services (e.g., intrusion detection and other alarms).
 - vii. Reviewing third-party vendor security risks and practices as necessary.
 - viii. Maintaining an inventory of technical assets.

- ix. Conducting internal and external risk assessments; developing and implementing risk management decisions in line with budgetary constraints. The use of a technology control framework as a guide is a useful tool when making those decisions.
- x. Liaising with the public and outside security organizations.
- xi. Keeping current on the changes in security threats, risks, and technology to modify plans and policies accordingly.
- xii. Maintain updates as required by the Borough's insurers to protect against cyber threats and attacks including periodic updates of cyber security plan(s).
- xiii. Updating Borough Business Administrator and Assistant Business Administrator and Mayor and Borough Council via periodic reporting and communicating to all Department and Division Heads the importance of complying with the Borough's security plans.

AMEND FOLLOWING SECTION TO READ AS FOLLOWS:

§ 2-6.7 Appointment of Division Heads.

[2000 Code § 2:7-6; Ord. No. 724-2015] [Amended 4/24/2024 by Ord. No. 879-2024]

The Division Heads within the Department of Administration shall be appointed by the mayor, or by the Business Administrator with the express consent and approval of the mayor, except where otherwise provided by law.

§ 2-7(REERVED)

SECTION 2. SALARY RANGE. Pending the amendment of the Borough Salary Ordinance, the salary range for the position created herein, that is, System Administrator for Information Technology shall be from \$ 75,000.00 to \$100,000.00 for a person working in a full-time position.

SECTION 3. REPEALER. All Ordinances or parts of Ordinances which are in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency or conflict only.

SECTION 4. SEVERABILITY. If any section, paragraph, subdivision, subsection, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause, or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon final adoption and publication as required by law.

NOTICE OF PENDING ORDINANCE

The Ordinance published herewith was introduced and passed on first reading of the Municipal Council of the Borough of Avalon on April 24, 2024. It will be further considered for second reading, public hearing and final adoption at a meeting of said Council to be held on the 22nd day of May, 2024 in the Meeting Room of the Municipal Building, Avalon, New Jersey at 4:00 p.m. and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

C. DANIELLE NOLLETT
Borough Clerk