

## Ordinance #13-1381

**AN ORDINANCE TO ESTABLISH THE POSITION OF SUPERVISOR OF PUBLIC WORKS  
IN THE BOROUGH OF MILLTOWN, STATE OF NEW JERSEY**

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Milltown, County of Middlesex, New Jersey that the Revised General Ordinances of the Borough of Milltown are amended as follows:

**Section 1. Civil Service Commission.**

The position of Supervisor of Public Works is hereby established in accordance with the specifications issued by the New Jersey Civil Service Commission.

**Section 2. Licenses Required.**

- a) Appointees shall be required to possess a valid Commercial Driver's License (CDL) with the applicable endorsements for the class and type of vehicles owned by the Borough.
- b) Appointees shall possess a valid license issued by the State of New Jersey as a Certified Public Works Manager.

**Section 4. Compensation**

- a) The salary for this position shall be set forth in the salary ordinance to be separately adopted by the Mayor and Council.

**Section 5.** Section 2-4.1(a)(10) of the Revised General Ordinances of the Borough of Milltown, is hereby amended as follows:

- 10. Superintendent/Supervisor of Public Works  
(Certified Public Works Manager)

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**Section 6.** Section 2-15 of the Revised General Ordinances of the Borough of Milltown, is hereby amended as follows:

**2-15 SUPERINTENDENT/SUPERVISOR OF PUBLIC WORKS.**

**2-15.1 Creation; Appointment; Term of Office.**

There shall be a Superintendent of Public Works pursuant to the provisions of N.J.S.A. 40A:9-154.5, et seq. The Superintendent of Public Works shall be appointed by the Mayor, with the advice and consent of the Council. The term of the Superintendent of Public Works shall be for a calendar year, and any vacancy during the term shall be filled only for the unexpired term.

The Borough may appoint a Supervisor of Public Works in lieu of a Superintendent of Public Works. In such an event, the Supervisor of Public Works shall act as, and fulfill the duties of, the Superintendent of Public Works.

**2-15.2 Residency Requirements; Qualifications.**

a. The Superintendent or Supervisor of Public Works need not be a resident of the Borough as of the date of appointment, but the Superintendent or Supervisor of Public Works shall establish a residence within the Borough within six (6) months of the date of appointment.

b. The Superintendent or Supervisor of Public Works shall be a person qualified by education, training and/or experience to perform the duties of the office. The Superintendent or Supervisor of Public Works shall hold no other office or engage in any other employment.

**2-15.3 Powers and Duties.**

The Superintendent or Supervisor of Public Works shall:

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**2-15.4 Regulation by Borough Council on Duties.**

The Council shall, by resolution, make such rules and regulations necessary for the proper regulation of the various duties of the Superintendent or Supervisor of Public Works.

Each clause, section or subsection of the ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

**Section 7.** Section 18-8 of the Revised General Ordinances of the Borough of Milltown, is hereby amended as follows:

**18-8 POOL DISCHARGE INTO SANITARY SEWER SYSTEM.**

No pool shall be connected to the sanitary sewer system, either by means of a rigid permanent connection or by some temporary arrangement, for purposes of draining the pool unless permission is obtained from the Superintendent or Supervisor of Public Works. Permission to connect to the sanitary system will not be granted if the pool can be drained onto the property owner's surrounding ground area without running onto neighbor's property or if a storm drain is reasonably accessible to the premises upon which the pool is located. Where, however, the sanitary sewer system is the only available means for discharging the pool water, permission for such discharge into the sanitary sewer system will be granted, provided that the discharge pipe or hose is

not over two (2) inches in diameter, the pool shall not be drained more than once each year, the pool is drained only after obtaining a permit from the Superintendent or Supervisor of Public Works and the pool is drained only on the date and at the time designated within the permit.

**Section 8.** Section 23-2 of the Revised General Ordinances of the Borough of Milltown, is hereby amended as follows:

**23-2 SIDEWALK CONSTRUCTION AND REMOVAL; PERMITS.**

**23-2.1 Permit Required.**

It shall be unlawful for any person to construct or remove or cause to be constructed or removed any sidewalk, driveway, apron, curb or gutter or any part thereof, or to make any curb cuts within any public right-of-way in the Borough without first having obtained a permit to do so from the Superintendent or Supervisor of Public Works. (1984 Code § 155-23)

**23-2.2 Application.**

Application for a permit under this section shall be made to the Superintendent or Supervisor of Public Works by the owner of the premises or his agent upon forms provided by the Borough and shall contain the following information:

\* \* \*

f. Any other information that the Superintendent or Supervisor of Public Works deems necessary in order to determine whether the work will comply with this section.

**23-2.3 Fees.**

a. A fee as designated by resolution of the Borough Council shall be charged for each permit, and, in addition thereto, the applicant shall pay the cost of all tests which the Superintendent or Supervisor of Public Works deems necessary.

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Section 9. 25-1 of the Revised General Ordinances of the Borough of Milltown, is hereby amended as follows:

**25-1 DEFINITIONS.**

As used in this chapter:

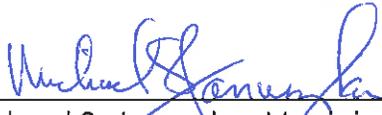
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**Superintendent** shall mean the Director of Public Works and may also be construed to include the Supervisor of Public Works, Assistant Director of Public Works or acting director thereof.

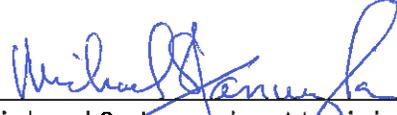
**Section 10.** All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

**Section 11.** This ordinance shall become effective immediately upon adoption and publication according to law.

ADOPTED ON FIRST READING  
DATED: May 13, 2013

  
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Michael S. Januszka, Municipal Clerk

ADOPTED ON SECOND READING  
DATED: May 28, 2013

  
\_\_\_\_\_  
Michael S. Januszka, Municipal Clerk

APPROVAL BY MAYOR ON THIS 30<sup>th</sup> DAY OF MAY, 2013

  
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Eric A. Steeber, Mayor