

**ORDINANCE NO. 2020- 43**

**ORDINANCE AMENDING ORDINANCE 2009-43, AS AMENDED, CHAPTER 687, PART II, ARTICLE VIII, SECTION 687-78 A AND B OF THE CODE OF THE CITY OF VINELAND ENTITLED WATER-SEWER UTILITY**

**WHEREAS**, the Water-Sewer Utility (Utility) has grown substantially, expanding its service area as well as facing an aged system in many parts of the City which need replacement; and

**WHEREAS**, it appears that managing the Utility has become overly burdensome on existing management and the Director has recommended the creation of a management position to assist in the development, construction and repairs to the Utility; and

**WHEREAS**, the Director has recommended the creation of the position of Municipal Water-Sewer Utility Department Head to oversee the operation of the Utility thereby allowing other managerial employees to focus on their particular job duties.

**WHEREAS**, it is recommended that Ordinance 2009-43, as amended, Chapter 687, Part II, Article VIII, Sections 687-78A and 687-78B be amended to create the position of Municipal Water-Sewer Utility Department Head.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Vineland that Chapter 687, Part II, Article VIII, Section 687-78A and 687-78B be amended as follows:

Section 687-78A shall be deleted in its entirety and replaced as follows:

Section 687-78A. The Water-Sewer Utility shall be managed by the Municipal Water-Sewer Utility Department Head under the general supervision of the Director of the Utilities. The Water-Sewer Utility Department Head shall be a full time managerial position and not subject to the Fair Labor Standards Act (FLSA) and therefore not entitled to compensatory or over time. He/she shall receive an annual salary to be paid in the same manner as salaries of all other City employees with a salary range as set forth in Ordinance No. 8 and amendments thereto. The position of Municipal Water-Sewer Utility Department Head shall be considered full-time.

- (1) perform all of the managerial duties including review of current workflow, analyze administrative objectives, review the efficiency of the department and review/revise existing procedures.
- (2) serve as the principal Executive Officer of the utility and perform various duties including policy development and implementation, budget planning, finance planning, assignment of duties, manage and direct all field office and supervisory personnel, evaluate employee performance and conduct, recommend the hiring, discipline and promotion of all employees of the utility, investigate employee complaints and report to the Director all findings.
- (3) provide a systematic plan of action for short-term projects, provide a strategic plan for long-term infrastructure modification and replacement, assist in the implementation of a digital information system and work order system.
- (4) operate, maintain, repair and manage the Water-Sewer Utility in compliance with all applicable local, state and federal laws and ordinances.
- (5) enforce the provisions of Chapter 687, Part 4, Water-Sewer Utility, as amended.

Section 687-78B shall be deleted in its entirety and replaced as follows:

Section 687-78B Under the general supervision of the Director and direct supervision of the Water-Sewer Utility Department Head, the Superintendent of the Water-Sewer Utility shall receive an annual salary to be paid in the same manner as salaries of all other City employees with a salary range as set forth in Ordinance No. 8 and amendments thereto. The position of Superintendent of the Water-Sewer Utility shall be considered a full time position.

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**BE IT FURTHER ORDAINED** that the balance of Ordinance 2009-43, as amended, not amended hereby shall remain in full force and effect.

**BE IT FURTHER ORDAINED** that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, that portion so determined to be unenforceable, shall be void and the balance hereof shall remain in full force and effect.

**BE IT FURTHER ORDAINED** that should any Ordinance or portion thereof be inconsistent herewith, such Ordinance or portion thereof shall be void to the extent of such inconsistencies.

This Ordinance shall take effect upon adoption and publication according to law.

Passed first reading:

Passed final reading:

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President of Council

ATTEST:

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City Clerk