

TENTATIVE AGENDA FOR COMMISSION MEETING
September 6, 2016, 6:30 P.M.

1. ROLL CALL - SEPTEMBER 6, 2016

Reverend Harris to deliver the invocation, followed by the Salute to the flag.

Open Public Meetings Statement by Mayor Michael Santiago

"This meeting is being conducted in accordance with the Open Public Meetings Act of 1975, was advertised, posted, and made available to the public as required by Statute. The Municipal Clerk is directed to include a statement in the minutes of this meeting."

2. CITY CLERK TO REVIEW CHANGES TO THE AGENDA

3. CEREMONIAL SWEARING-IN - FIRE DEPARTMENT

Paul T. Williams, Jr.

4. MINUTES

Motion to approve and dispense with the reading of the August 16, 2016 Work Session minutes, August 16, 2016 Commission Meeting minutes, August 23, 2016 Special Meeting minutes and August 23, 2016 Closed Session minutes and to proceed with the regular order of business.

5. BILLS

6. PUBLIC COMMENT ON AGENDA ITEMS ONLY

7. OLD BUSINESS

7.I. Old Business Item (1)

Motion to receive and file the following reports received from the Purchasing Agent:

August 11, 2016

Project known as "15th Street Fencing and Gates"

August 18, 2016

Project known as "Solar Energy System at the 15th Street Facility"

August 23, 2016

Project known as "CY2016 Auto Parts for OEM and NON OEM Vehicles"

Motion-

Second-

Documents:

[QPA RPT- FENCING.PDF](#)
[QPA RPT- SOLAR.PDF](#)
[QPA RPT- AUTO PARTS.PDF](#)

8. PETITIONS & LETTERS

8.I. Petitions & Letters Item (1)

Resolution adopted by the Millville Industrial Commission recommending the City Commissioners adopt a resolution in support of the elimination of the northern portion from the Millville Airport Historical District

Motion-

Second-

Documents:

[RES MILLVILLE INDUSTRIAL COMMISSION 8 22 16.PDF](#)

8.II. Petitions & Letters Item (2)

Correspondence received from Verizon concerning errors in the recently delivered Verizon Yellow Pages phonebook

Motion-

Second-

Documents:

[YELLOW PAGES ERROR.PDF](#)

9. REPORTS OF COMMISSIONERS

10. DEPARTMENT OF PUBLIC WORKS

11. DEPARTMENT OF PUBLIC AFFAIRS

11.I. Department Of Public Affairs Item (1)

Jane Morton Galetto, President, Citizens United to Protect the Maurice River and its Tributaries, Inc. - Announcement of Special Event at Waltman Park on October 1, 2016

12. DEPARTMENT OF REVENUE & FINANCE

12.I. Department Of Revenue & Finance

Tax Collector's Report for the month of July 2016

Motion-

Second-

Documents:

[TAX COLLECTORS RPT-9-6-16.PDF](#)

13. DEPARTMENT OF PARKS & PUBLIC PROPERTY

14. DEPARTMENT OF PUBLIC SAFETY

15. ORDINANCES 1ST READING

15.I. Ordinance 1st Reading Item (1)

Ordinance repealing Article VI of Chapter 33, Secondhand Goods and Article XIII, Pawnbrokers and enacting new amended Article VI, Dealers in Precious Metals, Gems and

Secondhand Goods

Motion-

Second-

Documents:

[ORD REPEALING ARTICLE VI AND ARTICLE XIII SECONDHAND GOODS AND PAWNBROKERS REVISED.PDF](#)

- 15.II. Ordinance 1st Reading Item (2)
Ordinance amending Chapter 39 Motor Vehicle and Traffic Regulations, Article III, Parking, Stopping and Standing, Section 20, Loading Zones in order to establish a Loading Zone for Municipal and other governmental vehicles on High Street in front of the Police and Municipal Complex buildings
Motion-
Second-

Documents:

[ORD AMENDING ARTICLE III CHAPTER 39 MV AND TRAFFIC REGS 8 17 16.PDF](#)

- 15.III. Ordinance 1st Reading Item (3)
An Ordinance amending the Salary Ordinance Section 2-69 of the Municipal Code reflecting the creation of new part-time title and range of compensation for the following:
Title Minimum Maximum
Supervising Field Representative
Property Improvement/PT \$20.00 ph \$50.00 ph
Motion-
Second-

Documents:

[ORD - SALARY ORDINANCE - SPVSNG FLD RPRSNTV PRPRTY IMPRVMT.PDF](#)

- 15.IV. Ordinance 1st Reading Item (4)
Ordinance amending Chapter 46 Article 1. General Personnel Policies §46-3. Disclaimer; Article 10. Discipline §46-41. Systems of Progressive Discipline and adding Article 38. Settlement of Certain Claims Made by Employees §46-157 Board approval required due to deleted in error.
Motion-
Second-

Documents:

[ORD AMENDING CHAPTER 46 PERSONNEL POLICIES 9-6-2016.PDF](#)

- 15.V. Ordinance 1st Reading Item (5)
An ordinance amending Chapter 46 Article XXI Residency Requirements: Section 102 Appointment, Section 103 Classification of Qualified Applicants, Section 105 Special Skills and delete Section 104 Appointment in Class Order
Motion-
Second-

Documents:

[ORD AMND ART 21 CHPTR 46 RESIDENCY REQUIREMENT.PDF](#)

16. ORDINANCES 2ND READING

- 16.I. Ordinance 2nd Reading Item (1)
Ordinance amending Chapter 11, Article II, Abandoned Properties requiring registration, payment of a registration fee and inspection of vacant properties by making certain revisions to Section 13, Definitions and adding new Sections 19A to 19F
Motion-
Second-
(Public Hearing)

Documents:

[PN - ORD ABANDONED PRPRTS.PDF](#)
[ORD AMND CHPTR 11 SCTN13 ABNDND PRPRTY DEFS.PDF](#)

- 16.II. Ordinance 2nd Reading Item (2)
Ordinance amending Chapter 11, Article II, Section 7, Violation and Penalties of the Municipal Code changing the minimum fine set forth in the Municipal Code Section 11-7c from \$200.00 for each offense to \$100.00 pursuant to NJSA 40:49-5, which provides that a minimum penalty for an ordinance violation may not exceed \$100.00
Motion-
Second-
(Public Hearing)

Documents:

[PN - ORD CHPTR 11 - CHANGING MIN FINE.PDF](#)
[ORD AMND CHPTR 11 SEC 7 VIOLATIONS AND PENALTIES .PDF](#)

- 16.III. Ordinance 2nd Reading Item (3)
Ordinance amending Chapter 11, Article XVIII, Foreclosure Properties, in order to make certain revisions to Section 134, Registration and Section 138, Violations and Penalties
Motion-
Second-
(Public Hearing)

Documents:

[PN - ORD FORECLOSURE PRPRTS.PDF](#)
[ORD AMND CHAPTER 11 ARTCL XVIII FRCLSR PRPRTYS 8-16-16.PDF](#)

- 16.IV. Ordinance 2nd Reading Item (4)
An Ordinance amending the Municipal Code of the City of Millville, Chapter 61, Streets and Roads Department Article IV - Collection and Disposal of Solid Waste, Article V - Source Separation of Recyclable Materials specifically by amending Sections 61-25 and 61-36 in order to clarify that owners of multi-family dwellings are to provide dumpsters for the collection of solid waste and recyclable materials
Motion-
Second-
(Public Hearing)

Documents:

[PN - ORD STREETS AND ROADS.PDF](#)
[ORD AMENDING ARTICLE IV COLLECTION AND DISPOSAL 8 4 16.PDF](#)

17. RESOLUTIONS

- 17.I. Resolution Item (1)

Resolution authorizing a Memorandum of Agreement between the City of Millville and Business Watch International (USA) Inc., developer of the Regional Automated Property Information Database ("RAPID") System

Motion-
Second-

Documents:

[RES BWI RAPID SYSTEM 2016.PDF](#)
[MOA RAPID BWI BUSINESS WATCH INTERNATIONAL 6 29 16.PDF](#)

17.II. Resolution Item (2)

Resolution authorizing Special Assessment of Municipal Liens for certain properties due to expenses incurred by the City of Millville relating to Cut & Clean of Properties plus administrative fees in accordance with Chapter 11, Article VI of the Municipal Code

Motion-
Second-

Documents:

[RES CUT AND CLEAN 9-6-16.PDF](#)

17.III. Resolution Item (3)

Resolution authorizing adjustments in the Tax and Utility Records

Motion-
Second-

Documents:

[RES TAX-UTILITY 9-6-16.PDF](#)

17.IV. Resolution Item (4)

Resolution authorizing Water/Sewer Termination on September 26, 2016 due to payment default pursuant to Section 56-18 of the Municipal Code

Motion-
Second-

Documents:

[RES TURN OFF 9-6-16.PDF](#)

17.V. Resolution Item (5)

Resolution authorizing Water/Sewer Termination on September 26, 2016 due to failure to comply with the utility ordinance pursuant to Section 56-18 of the Municipal Code

Motion-
Second-

Documents:

[RES - WTR AND SWR TERMINATION NONCOMPLIANCE OF ORD.PDF](#)

17.VI. Resolution Item (6)

Resolution authorizing Special Assessment of Municipal Liens for certain properties due to expenses incurred by the City of Millville relating to Board & Secure of Properties plus administrative fees in accordance with Chapter 11, Article III of the Municipal Code

Motion-
Second-

Documents:

[RES BOARD AND SECURE-9-6-16.DOCX](#)

17.VII. Resolution Item (7)

Resolution authorizing the adoption of the Mitigation Plan for Four New Jersey Counties and the City of Millville Appendix including authorizing the formation and duties of the City of Millville Hazard Mitigation Working Group

Motion-
Second-

Documents:

[RES MITIGATION PLAN FOR FOUR NEW JERSEY COUNTIES.PDF](#)
[MITIGATION PLAN APPENDIX.PDF](#)

17.VIII. Resolution Item (8)

Resolution authorizing award of contract with All Vinyl Fencing LLC, 453 Middle Rd, Hammonton, New Jersey 08037 for 15th Street Fencing and Gates, in an amount not to exceed \$79,650.00

Motion-
Second-
(Certification of Funds)

Documents:

[CERT OF FUNDS- ALL VINYL.PDF](#)
[RES - AWARD 15TH STREET FENCING AND GATES.PDF](#)

17.IX. Resolution Item (9)

Resolution authorizing cancellation of various account/contracts payable or encumbrances

Motion-
Second-

Documents:

[RES CONTRACT CANCELLATION 09 06 16.PDF](#)

17.X. Resolution Item (10)

Resolution to approve the revised rules and regulations for the Millville Fire Department and Millville Police Department

Motion-
Second-

Documents:

[RES POLICE AND FIRE RULES AND REGS 8 16 16.PDF](#)
[FD RULES AND REGS 8 19 16.PDF](#)

PD RULES AND REGULATIONS 2016.PDF

- 17.XI. Resolution Item (11)
Resolution authorizing First Amendment to Professional Service Contract adopted by Resolution No. R52-2016 on February 2, 2016 with David J. Battistini, 212 Geissinger Avenue, Millville, NJ to perform engineering services for the Municipality for an additional amount not to exceed \$7,500 in order to provide engineering services on the Wastewater Treatment Program Phase II Project
Motion-
Second-
(Certification of Funds)

Documents:

[CERT OF FUNDS - BATTISTINI.PDF](#)
[RES BATTISTINI CONSULTING WWTP PHASE II 8 17 16.PDF](#)
[PSC 1ST AMENDED BATTISTINI CONSULTING SERVICES 8 17 16.PDF](#)

- 17.XII. Resolution Item (12)
Resolution authorizing First Amendment to Supplemental Professional Service Contract adopted by Resolution No. R100-2016 on March 15, 2016 with Blaney & Karavan, P.C. to act as Special Labor Counsel for the balance of Calendar Year 2016 for an additional amount of \$20,000.00
Motion-
Second-
(Certification of Funds)

Documents:

[CERT OF FUNDS - BLANEY.PDF](#)
[RES BLANEY KARAVAN FIRST AMEND PSC 8 16 16.PDF](#)
[PSC 1ST AMENDMENT BLANEY SUPPLEMENTAL CONTRACT 8 16 16.PDF](#)

- 17.XIII. Resolution Item (13)
Resolution authorizing First Amendment to Professional Service Contract with Nona L. Ostrove, LLC, 1000 White Horse Road, Suite 703, Voorhees, NJ 08043 to perform as Special Counsel for Bankruptcy for an additional amount not to exceed \$10,000.00
Motion-
Second-
(Certification of Funds)

Documents:

[CERT OF FUNDS - OSTROVE.PDF](#)
[RES 1ST AMENDMENT NONA OSTROVE CONTRACT 8 16 16.PDF](#)
[PSC 1ST AMENDED NONA OSTROVE 8 16 16.PDF](#)

- 17.XIV. Resolution Item (14)
Resolution authorizing the purchase of New Jersey State Inoperability 700 MHZ Communication System Upgrade (NCIS) through a State Contract from Motorola Solutions, in care of Wireless C&E, 153 Cooper Road, West Berlin, NJ 08091 in the amount of \$799,993.76
Motion-
Second-
(Certification of Funds)

Documents:

[CERT OF FUNDS - MOTOROLA.PDF](#)
[RES - STATE CONTRACT 9-6-16 MTG.PDF](#)

- 17.XV. Resolution Item (15)
Resolution approving Taxicab Operator License Applications for the period covering January 1, 2016 through December 31, 2016 for the following applicants:
Javier M. Oteya
Arnulfo J. Arteta
Motion-
Second-

Documents:

[RES - TAXI OPERATOR LICENSE 9-6-16.PDF](#)

18. NEW BUSINESS

18.I. New Business Item (1)

Motion to authorize the following Social Affairs Permits, Bingo Licenses and Raffle Licenses:

Social Affairs Permit

a) On behalf of the Millville Elk's Lodge BPOE# 580 for Rob's Pre-Winter Poker Run to be held on September 25, 2016, 2:00 p.m. to 7:00 p.m. at 1815 E. Broad Street.

Bingo License

a) On behalf of Special Olympics of New Jersey, for a Bag Bingo to be held at the Millville Elk's Lodge on October 22, 2016 from 7:00 pm to 10:00 pm.

b) On behalf of Complete Care Health Network, for a Bag Bingo to be held at the Millville Elk's Lodge on November 4, 2016 from 7:00 pm to 10:00 pm.

c) On behalf of Petway Parent Staff Association, Inc., for a Bag Bingo to be held at the Millville Elk's Lodge on October 21, 2016 from 6:00 pm to 11:00 pm.

Raffle License

a) On behalf of Special Olympics of New Jersey, for an On-Premise Merchandise to be held at the Millville Elk's Lodge on October 22, 2016 from 7:00 pm to 10:00 pm.

b) On behalf of Special Olympics of New Jersey, for an On-Premise 50/50 to be held at the Millville Elk's Lodge on October 22, 2016 from 7:00 pm to 10:00 pm.

c) On behalf of Levoy Theatre Preservation Society, Inc., for an On-Premise 50/50 to be held at the Levoy Theatre for various dates from 8:00 pm to 10:00 pm.

d) On behalf of Complete Care Health Network, for an On-Premise Merchandise to be held at the Millville Elk's Lodge on November 4, 2016 from 7:00 pm to 10:00 pm.

e) On behalf of Petway Parent Staff Association, Inc. for an On-Premise Merchandise to be held at the Millville Elk's Lodge on October 21, 2016 from 6:00 pm to 11:00 pm.

f) On behalf of Petway Parent Staff Association, Inc. for an On-Premise 50/50 to be held at the Millville Elk's Lodge on October 21, 2016 from 6:00 pm to 11:00 pm.

g) On behalf of Ellison Elementary School, Inc., for an On-Premise 50/50 to be held at the Cumberland County Fairgrounds on October 16, 2016 from 9:00 am to 4:00 pm.

h) On behalf of the Riverfront Renaissance Center for the Arts, for an Off-Premise 50/50 to be held at the RRCA on December 10, 2016 at 9:00 pm.

Motion:

Second:

18.II. New Business Item (2)

Motion to authorize the City Clerk to advertise for bids for the project known as "Rebid CY 2016 Automotive and Light Duty Truck OEM and Non OEM Parts" with said bids to be returned to the Purchasing Board on September 22, 2016 at 10:00 AM

Motion-

Second-

Documents:

[PUBLIC NOTICE REBID CY 2016 AUTO PARTS.PDF](#)

18.III. New Business Item (3)

Motion to authorize the following Cumberland County Fairgrounds- Other Events Applications:

- a) Suicide Prevention Walk sponsored by the Cumberland County Department of Human Services to be held on Saturday, October 15, 2016, 6:00 a.m. to 3:00 p.m.
- b) Mud Bog & Truck Pull sponsored by the Cumberland County Cooperative Fair Association to be held on Saturday, September 24, 2016, 10:00 a.m. to 8:00 p.m.
- c) Mud Run Fundraiser sponsored by the Bill Bottino Cancer Foundation to be held on Saturday, September 17, 2016, 8:00 a.m. to 4:00 p.m.

Motion-
Second-

18.IV. New Business Item (4)

Motion to approve the following Special Event on Public Lands:

- a) Nascar Parade sponsored by the New Jersey Motorsports Park to be held on Thursday, September 15, 2016 from 6:00 p.m. to 8:00 p.m. beginning on High Street to Main Street to Cedar Street to Dividing Creek Road.

Motion-
Second-

19. PUBLIC COMMENT PORTION

"We have now reached the public comment portion of our meeting. Anyone who would like to address the Commission, please go to the podium, state your name and address your concerns. Please limit your comments to approximately 5 minutes."

Open Public Portion

Close Public Portion

Comments by Commissioners

Adjourn

COMMISSIONERS

MICHAEL SANTIAGO, MAYOR
Director of Public Safety
LYNNE PORRECA COMPARI
Director of Public Affairs
DAVID W. ENNIS
Director of Public Works
JOSEPH SOOY
Director of Parks & Public Property



12 SOUTH HIGH STREET
P.O. BOX 609
MILLVILLE, NEW JERSEY 08332
TELEPHONE: (856)825-7000
FAX: (856)825-3686
www.millvillenj.gov

OFFICERS

SUSAN G. ROBOSTELLO
City Clerk/Administrator
MARCELLA SHEPARD
Chief Financial Officer
SHERRI J. BALL
Tax Collector
BRIAN P. ROSENBERGER
Tax Assessor

August 30, 2016

TO: Board of Commissioners

FROM: Regina Burke, QPA

On August 11, 2016, the Purchasing Board received proposals for 15th Street Fencing and Gates Project. Three Proposals were received.

Accent Fence Inc. - \$113,500.00
NINSA LLC. - \$89,600.00
All Vinyl Fencing - \$79,650.00

The Purchasing Board concurs with the Engineer's recommendation to award to the lowest Bidder - All Vinyl Fencing, 453 Middle Road, Hammonton, NJ 08037 for \$79,650.


Regina Burke, Purchasing Agent

COMMISSIONERS

MICHAEL SANTIAGO, MAYOR
Director of Public Safety
LYNNE PORRECA COMPARI
Director of Public Affairs
DAVID W. ENNIS
Director of Public Works
JOSEPH SOOY
Director of Parks & Public Property



12 SOUTH HIGH STREET
P.O. BOX 609
MILLVILLE, NEW JERSEY 08332
TELEPHONE: (856)825-7000
FAX: (856)825-3686
www.millvillenj.gov

OFFICERS

SUSAN G. ROBOSTELLO
City Clerk/Administrator
MARCELLA SHEPARD
Chief Financial Officer
SHERRI J. BALL
Tax Collector
BRIAN P. ROSENBERGER
Tax Assessor

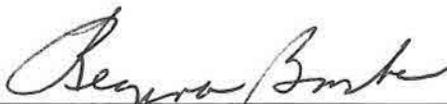
August 30, 2016

TO: Board of Commissioners

FROM: Regina Burke, QPA

On August 18, 2016, the Purchasing Board received proposals for Solar Energy System at the 15th Street Facility.

One proposal was received from Eznergy NJ LLC, 1561 Lakewood Road, Toms River, NJ 08755. This proposal is being reviewed by the appropriate department and the Purchasing Board will make a recommendation at a later date.


Regina Burke, Purchasing Agent

COMMISSIONERS

MICHAEL SANTIAGO, MAYOR
Director of Public Safety
LYNNE PORRECA COMPARI
Director of Public Affairs
DAVID W. ENNIS
Director of Public Works
JOSEPH SOOY
Director of Parks & Public Property



12 SOUTH HIGH STREET
P.O. BOX 609
MILLVILLE, NEW JERSEY 08332
TELEPHONE: (856)825-7000
FAX: (856)825-3686
www.millvillenj.gov

OFFICERS

SUSAN G. ROBOSTELLO
City Clerk/Administrator
MARCELLA SHEPARD
Chief Financial Officer
SHERRI J. BALL
Tax Collector
BRIAN P. ROSENBERGER
Tax Assessor

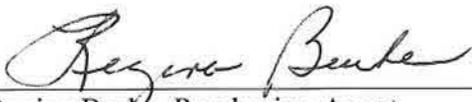
August 30, 2016

TO: Board of Commissioners

FROM: Regina Burke, QPA

On August 23, 2016, the Purchasing Board received proposals for CY 2016 Auto Parts for OEM and NONOEM Vehicles.

One proposal was received from Gentilini Ford, Woodbine, NJ 08270. Since the city only receive one bid and it was limited to Ford parts, the Purchasing Board recommends the City rebid this project.


Regina Burke, Purchasing Agent

**RESOLUTION
MILLVILLE INDUSTRIAL COMMISSION**

WHEREAS, the Millville Industrial Commission finds that the Millville Airport Historical District is unnecessarily large with the result that it inhibits further industrial/commercial development of the City's Airport Industrial Park;

WHEREAS, the northern portion of the existing district is unsuitable for inclusion in the district in that it is separated by a taxi way and fence from the balance of the current site and in that it includes a large hanger that is in dilapidated condition and extremely expensive to maintain;

NOT THEREFORE BE IT RESOLVED BY THE BOARD OF THE MILLVILLE INDUSTRIAL COMMISSION by way of recommendation that the Millville City Commission adopt its own resolution recommending the elimination of the aforesaid northern portion from the Millville Airport Historical District.



Donald Daigle, Chairman
Board of Directors

Jennifer P. Young
Southern New Jersey External Affairs Director



24 Curtis Avenue, Floor 2
Woodbury, NJ 08096

Phone 856 853-9955
Fax 856 853-9903
jennifer.p.young@verizon.com

August 12, 2016

Mayor Michael Santiago
City of Millville
12 S. High Street
Millville, NJ 08332

Mayor Santiago,

On August 2, 2016 I received an email from the Deputy Clerk, Ms. Hitchner concerning errors in the recently delivered Verizon Yellow Pages published by Dex Media. After some investigation by Dex they realized approximately 1,000 business listings in the July 2016 Verizon Millville Vineland Area yellow pages are represented incorrectly. The listings contain the correct name, street address, and telephone number, however instead of showing the town "Millville", the listings show "Montville". These errors are contained in the yellow pages advertising section of the directory. The listings in the white pages are correct.

The errors were caused by Verizon's directory publisher, Dex Media when they converted to a new yellow pages publishing system earlier this year. Dex has fixed the root cause of the errors so they will not occur again.

Businesses affected by this error should call Dex Media at 844-339-6334 with any questions.

Sincerely,

Jennifer P. Young

**TAX COLLECTOR'S
STATEMENT OF RECEIPTS
TO THE
BOARD OF COMMISSIONERS
MILLVILLE, NEW JERSEY**

FOR THE MONTH OF JULY 2016


SHERRI J BALL, CTC
Tax Collector

	A	B	C
1		TAX COLLECTOR'S	
2		MONTHLY REPORT OF CASH RECEIPTS	
3			
4			COLLECTIONS
5			
6			
7	101	Tax Sale Payment - Current	
8	109	Tax Sale Payment - Arrears	
9	SPL	SPEC CH-LIEN INSTALLMENT	
10	09	ARREARS	8,783.28
11		DELINQUENT TAXES	1,428.20
12	CY16	CURRENT YEAR TAXES	3,891,157.89
13	CY17	PRE-PAID TAXES	74,479.94
14			\$ 3,975,849.31
15			
18	96	RECORDING FEES	995.00
19	99	TAX TITLE LIENS	2,464.40
20			
21		INTEREST	
22		TAXES	10,961.92
23		LIEN	553.91
27		ARREARS	6,106.05
28		CLEAN-UP ASSMT	39.34
31			\$ 21,120.62
32			
34	18	CLEAN-UP/DEMO ASSMT	1,896.24
36	AA	DUE STATE MARRIAGE LIC.	275.00
38	A2	FINGER PRINTS	31.75
39	A4	MARRIAGE LICENSE	33.00
41	A6	RAFFLE LICENSE	40.00
42	A7	BINGO LICENSE	40.00
43	A8	YARD SALE LICENSE	160.00
44	A9	TAXI LICENSE & REGIS	225.00
45	B1	UNIFORM CONST. CODE	117.00
46	B2	VITAL STATISTICS	910.00
49	B5	TAX SEARCHES	10.00
50	B6	IMPROV. SEARCH	10.00
52	B8	OCCUPANCY PERMITS	5,265.00
53	B9	SMOKE DET. COMP.	1,070.00
59	C1	ST OPENINGS W/S	900.00
61	C3	FIRE SAFETY OFFICIAL	1,041.00
63	C5	MUNICIPAL COURT	32,770.46
64	C6	FORECLOSED PROP REG	19,700.00
65	C8	MUN PROP TAX ASSIST	20.00
68	CC	P.I.L.O.T.	61,170.06
69		P.I.L.O.T. INTEREST	
70	CD	PLANS & SPEC FEES	2,875.00
71	CE	ZONING APPL FEE	2,065.00
95	E8	INTEREST INC. CURRNT	529.77
108	F3	TRAILER LICENSE FEE	37,822.44
110	F5	FIREARMS REG.	223.00
112	F7	SALE OF MUN ASSETS	11,558.00
113	F8	MRNA	842.06
114	F9	ACCIDENT REPORTS	10.50
117	FC	SPRINT RENT PROCEEDS	1,520.88
118	FD	TMOBILE RENT PROCESS	1,815.11
119	FE	AT&T-RENT PROCEED	3,539.05
123	G1	P.I.L.O.T. MHA	79,219.13
125	G3	PHOTOCOPIES	5.80
129	G7	INS PROCEEDS CONTRA	7,835.47
165	INV	INVOICE-CURRENT	505.72
166		MISCELLANEOUS CURRENT	\$ 276,051.44
215			
216		TOTAL DEPOSIT TO CURRENT FUND:	4,273,021.37

	A	B	C
1		TAX COLLECTOR'S	
2		MONTHLY REPORT OF CASH RECEIPTS	
3			
4			COLLECTIONS
217			
218	WATER UTILITY		
219			
220		RENTS	
221			
222		RESIDENTIAL COLLECTIONS	124,047.97
223		NON-RESIDENTIAL COLLECTIONS	28,783.37
224		FIRE HYDRANTS	400.00
227	12	WATER ARREARS	1,185.60
229			
230		SUB TOTAL	154,416.94
231			
232		INTEREST	
233			
234		COLLECTIONS	904.66
236		ARREARS	354.65
238			
239		SUB TOTAL	\$ 1,259.31
240			
241		MISCELANEOUS	
242			
243	WMF	TURN ON/OFF	1,325.00
246	MTR	NEW METER	200.00
268	J9	INTRFND OTHER	
269			
270		TOTAL WATER MISCELLANEOUS	\$ 1,525.00
271			
281			
282		TOTAL WATER DEPOSIT	\$ 157,201.25
283			
284			
285	SEWER OPERATING		
286			
287		RENTS	
288			
289		RESIDENTIAL COLLECTIONS	\$ 289,480.16
290		NON-RESIDENTIAL COLLECTIONS	\$ 48,990.69
293	13	SEWER ARREARS	\$ 3,005.22
295		SUB TOTAL	\$ 341,476.07
296			
297		INTEREST	
298			
299		COLLECTIONS	1,973.09
301		ARREARS	860.25
303		SUB TOTAL	\$ 2,833.34
304			
305		MISCELLANEOUS	
306	SCF	CONNECTING FEES	
330		Total Sewer Miscellaneous	\$ -
342			
343		TOTAL SEWER DEPOSIT	344,309.41
344			
388			

	A	B	C
1	TAX COLLECTOR'S		
2	MONTHLY REPORT OF CASH RECEIPTS		
3			
4			COLLECTIONS
389			
390	PAYROLL DEDUCT ACCOUNT		
391			
392	IRT	RETIREE CONTRIBUTION	4,850.82
394			
395	TOTAL PAYROLL DEDUCT		\$ 4,850.82
396			
397			
398	ANIMAL CONTROL		
399			
400	DOG	DOG LICENSE	528.00
407			
408	TOTAL ANIMAL CONTROL		\$ 528.00
409			
435			
436	TRUST - OTHER		
437			
438	IPE	PUBLIC DEF-(INVOICE)	315.00
447	TD	O/S POLICE EMPLOYMENT	27,083.00
465	V4	PLANNING BD ESCROWS	1,000.00
467	V6	DED/COMPEN/FIRE	50.00
468	V8	POAA (PARK OFF ADJ)	132.00
469	V7	PUB DEF APPLIC FEE	1,110.00
470	TOTAL TRUST (1)		\$ 29,690.00
471			
493			
494			
495			
496			
497	TOTAL ALL		4,809,600.85

**CITY OF MILLVILLE
COUNTY OF CUMBERLAND
STATE OF NEW JERSEY**

ORDINANCE NO.

**AN ORDINANCE REPEALING ARTICLE VI OF CHAPTER
33 (“SECONDHAND GOODS”) AND ARTICLE XIII
 (“PAWNBROKERS”) AND ENACTING NEW AMENDED
ARTICLE VI (“SECOND-HAND GOODS LICENSING”)**

WHEREAS, the Board of Commissioners of the City of Millville finds that the theft of precious metals and second hand goods from the inhabitants of the City has become a serious, widespread problem affecting the quality of life within the City;

WHEREAS, the Board of Commissioners desires to become a member of the Regional Automated Property Information Database (“RAPID”) system in order to better combat burglary and theft within the City;

WHEREAS, the RAPID system will require pawn, second hand, precious metal and scrap metal dealers to comply with certain system registration requirements;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE AS FOLLOWS:

SECTION 1

ARTICLE VI (“Dealers in Secondhand Goods”) Sections 39 through 50 and ARTICLE XIII (“Pawnbrokers”) of Chapter 33, Sections 93 through 101 are each hereby repealed in their entirety and replaced by new amended ARTICLE VI as set forth in Section 2 below.

SECTION 2

ARTICLE VI

Dealers in Precious Metals, Gems and Secondhand Goods

33-39	Purpose of Intent.
33-40	Definitions.
33-41	Registration and Issuance of License.
33-42	License Fee; Non-Transferability.
33-43	Revocation of License.
33-44	Dealers’ Responsibilities, Requirements and Recordkeeping
33-45	Non-Applicability.
33-46	Purchases from Minors.
33-47	Violations and Penalties.

§33-39. Purpose and Intent.

- A. The purpose and intent of this article is to assist law enforcement officials and victims of crime in recovering stolen precious metals, gems,

gemstones and/or other articles by requiring reasonable reporting, maintenance and distribution criteria for secondhand and transient dealers.

- B. No person shall use, exercise or carry on the business, trade or occupation of buying, receiving, receiving for pawn or selling of any property described in Appendix I of this Ordinance or operate as a dealer of said property within the City of Millville, without having first obtained a license from the City of Millville Clerk's Office as hereinafter provided.

§33-40. Definitions.

For the purposes of this article, the following terms, phrases, words and their derivations shall have the meanings ascribed herein. Words used in the present tense shall include the future, words in the plural number shall include the singular number and words in the singular number shall include the plural number. The word "shall" is always mandatory and not merely directory.

ACCEPTABLE IDENTIFICATION - Acceptable forms of identification include a current valid New Jersey driver's license or identification card issued by the N.J. Motor Vehicle Commission, a current valid photo driver's license issued by another U.S. state, other verifiable United States government-issued photo identification with address, or valid United States passport and evidence of current address. All of the above-listed identification procedures require the dealer to capture/record evidence of the person's current address.

ARTICLE - Any article of merchandise, including any portion of such article, whether a distinct part thereof or not, including every part thereof whether separable or not, and also including material for manufacture, and as so defined in N.J.S.A. 51:6-1.

CHIEF OF POLICE - The Chief of Police of the City of Millville or his designee/representative.

DATABASE - A computerized Internet-capable database with hardware and software compliant with standards set by the Chief of Police.

DEALER - Any person, partnership, corporation, or other entity, whether permanent or itinerant, who on one or more occasions (through any means) buys or sells, receives for pawn or otherwise exchanges or trades any property as described in Appendix I of this ordinance and includes anyone advertising the purchase, sale or receipt for pawn of any of the aforementioned items.

GIFT CARD - Is a restricted monetary equivalent or scrip that is issued by retailers or banks to be used as an

alternative to a non-monetary gift.

ITINERANT BUSINESS - Any business conducted intermittently within the City of Millville or at varying locations.

PAWN - A bailment of personal property as security for any debt or engagement redeemable upon certain terms and with the implied power of sale or default.

PERSON - Any individual natural person, partnership, joint venture, business, society, associate, club, trustee, trust, corporation, or unincorporated group, or an officer, agent, employee, servant, factor or any form of personal representative of any thereof, in any capacity, acting for self or on behalf of another.

PRECIOUS METALS - Comprised of gold, silver, sterling, platinum and/or their alloys as defined in N.J.S.A. 51:5-1 et seq., N.J.S.A. 51:6-1 et seq. and/or N.J.S.A. 51:6A-1 et seq.; gems, gemstones, coins and all forms of jewelry herein contained.

PUBLIC - Individuals and other retail sellers, not to include businesses engaged primarily in wholesale transactions.

PURCHASE - The exchange of money or other consideration for the pledge, sale, conveyance or trade of any property described in Appendix I of this Ordinance.

REPORTABLE TRANSACTION - Every transaction conducted by a dealer in which property described in Appendix I of this Ordinance is purchased, pawned or exchanged from or with the public, as that term is defined in this section.

SECONDHAND GOODS - Any article previously sold, acquired, exchanged, conveyed, traded or otherwise formerly owned, but limited to scrap gold, old gold, silver, jewelry, platinum, all other precious metals and other items listed in Appendix I.

TRANSIENT BUYER - A dealer who has not been in any retail business continuously for at least six months at that address in the municipality where the dealer is required to register. The term "transient buyer" will also include a dealer who intends to close out or discontinue all retail business in the City of Millville within six months, or as so defined in N.J.S.A. 51:6A-5 and N.J.A.C. 13:47C-1.1. Vendors doing business during a community event sponsored/sanctioned by the City of Millville shall not be considered a transient buyer.

§ 33-41. Registration and issuance of license.

Every dealer conducting business or intending to conduct business within the jurisdiction of the City of Millville shall first register with the Clerk's Office. He or she shall

provide fingerprints in a manner determined by the Police Chief who shall institute such an investigation of the applicant's moral character and business responsibility as he deems necessary for the protection of the public welfare. In the event that the dealer is a business entity other than a sole proprietorship, the officers in a corporation or the partners in a partnership (or limited partnership) shall be deemed to be the applicant(s) who shall be fingerprinted and investigated in accordance with this article. Upon completion of the investigation, the Clerk of the City of Millville shall either issue or deny the license based upon the results of his investigation. Upon issuance of the license, the applicant shall be given a copy of this article.

§ 33-42. License fees; non-transferability.

1. Prior to final issuance of a license, a fee of \$400 shall be paid to the Clerk of the City of Millville.
2. A license issued under the provisions of this article shall not be transferable and shall terminate on December 31 of the year in which said license is issued, unless it is renewed pursuant to the provisions of Paragraph 3 below.
3. On or about November 1 of each year, the Clerk's Office shall make available a renewal application for each licensed dealer under this article. Upon submission of the renewal application and required annual fee of \$400, the license will be renewed unless the dealer has violated provisions of §33-43. In such case, the Clerk of the City of Millville will notify the dealer, who may request a hearing as described in §33-43.

§ 33-43. Revocation of license.

1. Licenses issued under the provisions of this article may be revoked by the Board of Commissioners of the City of Millville after a hearing, upon notice to the applicant, for any of the following causes:
 - a. Fraud, misrepresentation, or false statement contained in the application for license;
 - b. Fraud, misrepresentation, or false statement made in the course of carrying on the business as a dealer in property as described in Appendix I of this Ordinance;
 - c. Any violation of this article;
 - d. Conviction of any crime;
 - e. Conviction of any disorderly persons offense involving moral turpitude;
 - f. Conviction of an offense under the laws of

the United States or any other state which is substantially equivalent to the offenses named in paragraph d. or e. above; or;

- g. Conducting the business of soliciting or canvassing in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public.
2. Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his last known address at least 10 business days prior to the date set for the hearing. The hearing shall be conducted by the Board of Commissioners.

§ 33-44. Dealers' responsibilities, requirements and record keeping.

Every dealer within the City of Millville shall, upon the purchase, receiving for pawn, or receiving for consignment, of any property described in Appendix I of this Ordinance, from the public, as this term is defined in Section 33-40, be required to:

1. Record using a unique transaction number the name, address and telephone number of the seller or sellers; the time and date of the transaction; the net weight in terms of pounds Troy, pennyweight (Troy) or kilograms/grams of the precious metals; fineness in terms of karats for gold, and sterling or coin for silver, in accordance with N.J.S.A. 51:5-1 et seq. and N.J.S.A. 51:6-1 et seq. and any property containing a serial number.
2. Document, through use of an electronic database software system as designated by the Chief of Police, the information listed in Subsections 3(a) through (f) below. These records shall be subject to the inspection of any sworn police officer acting in the performance of his or her duties.
3. Through the use of applicably required computer equipment, and using the electronic format approved by the Chief of Police, enter all transactions into the electronic database within 48 hours from the date of purchase, including the following information:
 - a. The name, address, date of birth, telephone number, and governmental identification number of the seller;
 - b. A full description of property sold or pawned by the seller, including, but not

limited to, marks, numbers, dates, sizes, shapes, initials, monograms and serial numbers, face value and identifying numbers of gift cards;

- c. The price paid for the property;
 - d. The entry must include the name of the clerk or the dealer who made the transaction so as to readily identify that individual.
 - e. A color photograph or color image of the seller's presented governmental photo identification scanned into the transaction record.
 - f. A color photograph or color image of all property sold scanned into the transaction record. When photographing or imaging, all property must be positioned in a manner that makes it readily and easily identifiable.
4. All of the above-described property cannot be sold or disposed of and shall be made available for inspection by any sworn police officer in the performance of his or her duties for a period of fifteen (15) business days from the date the information required above is received by the Chief of Police in the prescribed electronic format. The property shall remain in the same condition as when purchased and shall not be changed, modified, melted or disposed of by the dealer until the three-day period has expired. If the property is such that it would create a hardship on the dealer by holding the property for such period, the dealer may present the property to the Chief of Police in order that it may be photographed and, if deemed necessary by the Chief of Police, an investigation be implemented. The Chief of Police has the authority to grant the dealer a waiver of the requirement under this section.
5. In the event of a database failure or dealer's computer equipment malfunctions, all transaction information is required to be submitted on paper forms approved by the Chief of Police. In the event that paper forms are used, the dealer is responsible to enter all required transaction information described in Subsections 3(a) through (f) above into the database as soon as possible upon the dealer's equipment being repaired or replaced or the database coming back into service. Failure by the dealer to properly maintain computer equipment in a reasonable fashion, or failure by the dealer to replace faulty computer equipment, may result in the dealer being cited for a violation of the ordinance and may result in the revocation of the dealer's license under Section

33-43 of this Ordinance.

6. It shall be the requisite duty of every dealer, and of every person in the dealer's employ, to admit to the premises during business hours any member of the Millville Police Department or any other sworn police officer acting in the performance of their duties to examine any database, book, ledger, or any other record on the premises relating to the purchase of property from the public as defined in Section 33-40. City of Millville police officers are empowered to take possession of any property known by a police officer or official to be missing or to have been stolen or where the officer or official has probable cause to believe the article is missing or stolen. A receipt will be provided to the dealer for any property seized by the Millville Police Department.

§ 33-45. Non-Applicability.

This article shall not apply to purchases made by dealers from wholesalers or other legitimate suppliers but shall only apply to those purchases made from the public which includes other retail sellers as defined in Section 33-9. The dealer shall keep records of all wholesale purchases for a period of six months from the date of such purchase, which records shall be opened to investigation by the Millville Police Department or any sworn police officer in the performance of their duties.

§ 33-46. Purchases from minors.

No dealers within the City of Millville shall purchase any property as defined in Appendix I from any person under the age of 18 years.

§33-47. Violations and penalties.

Violation of any provision of this Chapter shall, upon conviction thereof, be punished by a minimum fine of \$100 or a maximum of \$2,000 and/or by imprisonment for a term not exceeding 90 days and/or by a period of community service not exceeding 90 days. Each and every violation shall be considered a separate violation. Each day that a violation continues shall be a separate violation. Each violation shall result in a ten-day suspension of the dealer's license under this article.

**APPENDIX I
PROPERTY AS FOLLOWS:**

Scrap gold
Old gold
Silver
Jewelry
Coins
Platinum
All other precious metals

SECTION 3

Should any provision of this ordinance be deemed invalid for any reason that invalidity shall not affect the remaining provisions of the ordinance, and the provisions and sections of the ordinance are hereby declared to be severable with respect to their validity.

SECTION 4

This ordinance shall take effect twenty (20) days after final passage, according to law.

Moved By:
Seconded By:

VOTING

Michael Santiago

Lynne Porreca Compari
David W. Ennis
Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Ordinance adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held September 6, 2016.

Susan G. Robostello, City Clerk

**CITY OF MILLVILLE
COUNTY OF CUMBERLAND
STATE OF NEW JERSEY**

ORDINANCE NO.

**AN ORDINANCE AMENDING ARTICLE III
("PARKING, STOPPING AND STANDING") OF
CHAPTER 39 ("MOTOR VEHICLE AND
TRAFFIC REGULATIONS"), SECTION 20
("LOADING ZONES") SO AS TO
ESTABLISH A LOADING ZONE FOR
MUNICIPAL AND OTHER GOVERNMENTAL
VEHICLES ON HIGH STREET**

WHEREAS, the Board of Commissioners of the City of Millville finds that there is a need for marked parking spaces for loading purposes on that part of South High Street immediately in front of the Police Administration and Municipal Complex buildings. The Board finds that vehicles operated by members of the Police Department, by members of the Cumberland County Sheriff's Department, by municipal employees and by other government officials from time to time need loading spaces convenient to the entrances of the Police Administration Building and the Municipal Complex for the purpose of loading and unloading persons, inmates as well as municipal documents and other property; and

WHEREAS, the Chief of the Millville Fire Department has been consulted and advises that the establishment of such marked parking spaces for loading purposes will not compromise or otherwise affect the ability of emergency vehicles to have access to the aforesaid buildings; and

WHEREAS, pursuant to N.J.S.A. 39:4-197 said marked parking spaces shall be consistent with the current standards prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways as certified by the City Engineer's office;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE that Article III of Chapter 39, Section 20 is hereby amended as follows:

SECTION 1

§ 39-20. Loading zones.

a. In General.

The locations described in Schedule 12 of Article X, attached to and made a part of this chapter, are hereby designated as loading zones. No person shall park a vehicle in the locations listed during the times indicated other than for the loading or unloading of goods and

materials.

b. Loading Zone Restricted to Police and Other Governmental Vehicles.

Parking spaces shall be established at the southern terminus of High Street adjacent to the City Police Administration Building and the City Municipal Complex. Said spaces shall be designated solely for the loading and unloading of police, municipal or other governmental vehicles. Said parking spaces shall be established, marked and signed consistent with the Manual on Uniform Traffic Control Devices for Streets and Highways pursuant to N.J.S.A. 39:4-197. No other person shall park in the aforesaid spaces for loading or unloading or for any other purpose.

SECTION 2

Should any provision of this ordinance be deemed invalid for any reason that invalidity shall not affect the remaining provisions of the ordinance, and the provisions and sections of the ordinance are hereby declared to be severable with respect to their validity.

SECTION 3

This ordinance shall take effect twenty (20) days after final passage, according to law.

Moved By: _____

Seconded By: _____

VOTING	In Favor	Against	Abstain	Absent
Michael Santiago				
Lynne Porreca Compari				
David W. Ennis				
Joseph Sooy				

CERTIFICATION

I certify that the foregoing is a true copy of an Ordinance adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on _____, 2016.

Susan G. Robostello, City Clerk

Ordinance No. _____

WHEREAS Section 2-69 of the Municipal Code requires that the currently effective ordinances fixing the salaries and rates of compensation of officers and employees of the municipality shall be kept on file in the office of the City Clerk; and

WHEREAS, the governing body of the municipality desires to amend the salary ordinance to reflect the creation of a new part-time title and range of compensation for the following:

<u>Title</u>	<u>Minimum</u>	<u>Maximum</u>
Supervising Field Representative Property Improvement/PT	\$20.00 ph	\$50.00 ph

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MILLVILLE AS FOLLOWS:

1. The salary ordinance is hereby amended to reflect the creation of a new title and salary range of compensation.
2. A copy of the ordinance shall be kept on file in the office of the City Clerk.
3. This amendment to the salary ordinance shall be effective after final approval and publication as required by law.

Moved By:
Seconded By:

VOTING

Michael Santiago

Lynne Porreca Compari

David W. Ennis

Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held _____.

Susan G. Robostello, City Clerk

**CITY OF MILLVILLE
COUNTY OF CUMBERLAND
STATE OF NEW JERSEY**

ORDINANCE NO.

AMENDING CHAPTER 46 (“PERSONNEL POLICIES”)

WHEREAS, as a general matter the Personnel Policies of the City of Millville are codified in Chapter 46 of the Millville City Code; and

WHEREAS, Ordinance 31-2016 amending Chapter 46 (“Personnel Policies”) was adopted on August 2, 2016; and

WHEREAS, after further review and recommendation from Cumberland County Council No. 18, revisions to Article 1 and Article 10 are recommended to clarify the policies; and

WHEREAS, Article 38 was added on February 2, 2016 by Ordinance No. 5-2016 and deleted in error from Ordinance 31-2016 adopted on August 2, 2016.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners as follows:

Article 1. General Personnel Policies

§ 46-3 Disclaimer

Addition of the following language:

“The governing body of the City reserves the right to amend or repeal these policies, together with the standard operating procedures, rules and regulations, at any time with or without notice to the employees. None of these policies and procedures or rules and regulations shall be deemed to create a vested contractual right in any employee nor to limit the power of the governing body to amend or repeal them. Nothing contained herein in these personnel policies and procedures is intended to restrict, eliminate, or interfere with an employee’s rights under a collective negotiation agreement, Civil Service laws and regulations, the New Jersey Employer-Employee Relations Act, or other statutory entitlements and provisions.”

Article 10. Discipline

§ 46-41 System of Progressive Discipline

Deletion of the following language enclosed in brackets found in paragraph 2F:

“The employee will be asked to sign copies of this document attesting to his or her receipt [and understanding] of the corrective action outlined in these documents.

All supervisory and managerial employees must follow the progressive discipline policy set forth in this handbook.

Employees can appeal disciplinary actions pursuant to the rules of the New Jersey Civil Service Commission, with notification to the City Commissioner.

Article 38. Settlement of Certain Claims Made by Employees

§ 46-157 Board Approval Required

All settlements of claims by employees against the City or its municipal officers, servants, agents and employees for monetary damages shall not be authorized unless approved by resolution adopted by the Board of Commissioners.

This ordinance shall take effect twenty (20) days after final passage, according to law.

Moved By:
Seconded By:

VOTING
Michael Santiago

Lynne Porreca Compari
David W. Ennis
Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Ordinance adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held September 6, 2016.

Susan G. Robostello, City Clerk

CITY OF MILLVILLE
COUNTY OF CUMBERLAND
STATE OF NEW JERSEY

ORDINANCE NO. _____

ORDINANCE AMENDING ARTICLE XXI
("RESIDENCY REQUIREMENT") OF CHAPTER 46
OF THE CITY OF MILLVILLE CODE, SECTION 102
("APPOINTMENT"), SECTION 103
("CLASSIFICATION OF QUALIFIED APPLICANTS")
AND SECTION 105 ("SPECIAL SKILLS")
AND TO DELETE SECTION 104
("APPOINTMENT IN CLASS ORDER")

WHEREAS, the Board of Commissioners finds that the residency requirement contained in existing Article XXI of Chapter 46 of the City of Millville Code does not allow the appointing authority sufficient discretion to hire certain employees, such as police officers, who may possess special skills, but who may not qualify under the special skills exception contained in the existing ordinance;

WHEREAS, the Board of Commissioners finds that this amendment will allow the appointing authority to hire Class II police officers who already possess substantial training as regular police officers thereby saving the City considerable training time and expense;

WHEREAS, the Board of Commissioners finds the aforesaid amendment to be in the best interest of the City;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE that Article XXI ("Residency Requirement") of Chapter 46 is hereby amended as follows:

SECTION 1

§ 46-102 Appointment.

All applicants for initial appointment to an employment position with the City, excluding policemen, shall be residents of the City of Millville and must maintain continuous residency within the City of Millville from the announced closing date of the Department of Personnel examination up to and including the date of appointment.

§46-103 Classification of Qualified Applicants.

Where the appointing authority shall determine that there cannot be recruited a sufficient number of qualified residents for available specific positions or employments, the appointing authority may, in its discretion, hire nonresidents for such positions or employments; with applicants to be classified in the following manner in

accordance with N.J.S.A. 40A:14-123.1(a):

- A. Residents of Cumberland County
- B. Residents of counties contiguous to Cumberland County
- C. Residents of the State of New Jersey
- D. All other applicants

The hiring authority shall first appoint those in Class A and then those in each succeeding class in the order above listed and shall appoint a person or persons in any such class only to a position or positions, or employment or employments, remaining after all qualified applicants of the preceding class or classes have been appointed or have declined an offer of appointment. The preference established by this section shall in no way diminish, reduce or affect the preferences granted pursuant to any other provisions of the law.

§46-104 Special Skills. [renumbered from § 105]

The City reserves the right to hire or appoint without reference to the residency requirement any officer or employee with special talents or skills necessary for the operation of government.

§46-105 (Reserved).

SECTION 2

Should any provision of this ordinance be deemed invalid for any reason that invalidity shall not affect the remaining provisions of the ordinance, and the provisions and sections of the ordinance are hereby declared to be severable with respect to their validity.

SECTION 3

This ordinance shall take effect twenty (20) days after final passage, according to law.

Moved By: _____

Seconded By: _____

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Michael Santiago				
Lynne Porreca Compari				
David W. Ennis				
Joseph Sooy				

CERTIFICATION

I certify that the foregoing is a true copy of a Resolution adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on _____, 2016.

Susan G. Robostello, City Clerk

Daily Journal, Vineland



Publication Name:
Daily Journal, Vineland

Publication URL:

Publication City and State:
Millville , NJ

Publication County:
Cumberland

Notice Popular Keyword Category:

Notice Keywords:

Notice Authentication Number:
201608310621317757948
3350500898

Notice URL:

Notice Publish Date:
Saturday, August 20, 2016

Notice Content

CITY OF MILLVILLE NOTICE OF INTENTION Notice is hereby given that an Ordinance a summary of which is hereinafter set out, was introduced before the Board of Commissioners of the City of Millville and passed its first reading on August 16, 2016 and that said ordinance will be considered by said Board on final passage on September 6, 2016 at 6:30 P.M. in the City Commission Chamber, City Hall, Millville, New Jersey, when and where all persons interested therein will be given ample opportunity to be heard for or against the adoption of said Ordinance. Following is a summary of the proposed Ordinance above referred to. Ordinance amending Chapter 11, Article II, Abandoned Properties requiring registration, payment of a registration fee and inspection of vacant properties by making certain revisions to Section 13, Definitions and adding new Sections 19A to 19F A copy of this Ordinance can be obtained without cost by any member of the general public at the City Clerk's Office, 3rd floor, Municipal Building, 12 S. High Street, Millville, NJ 08332 during Monday through Friday 8:30 am to 4:30 pm or on the City of Millville website at www.millvillenj.gov Dated: August 20, 2016 By Order of the Board of Commissioners Susan G. Robostello, City Clerk \$22.36

[Back](#)

**CITY OF MILLVILLE
COUNTY OF CUMBERLAND
STATE OF NEW JERSEY**

ORDINANCE NO.

**ORDINANCE AMENDING ARTICLE II
("ABANDONED PROPERTIES")
OF CHAPTER 11 OF THE MILLVILLE CITY
CODE IN ORDER TO REQUIRE THE REGISTRATION
AND INSPECTION OF VACANT PROPERTIES
BY MAKING CERTAIN REVISIONS TO SECTION 13
("DEFINITIONS") AND ADDING NEW SECTIONS
19A TO 19F**

WHEREAS, the Board of Commissioners of the City of Millville finds that there are numerous structures vacant in whole or in large part in the City; and

WHEREAS, in many cases, the owners and responsible parties of or for these structures are neglectful of them, are not maintaining or securing them to an adequate standard or restoring them to productive use; and

WHEREAS, it has been established that vacant and abandoned structures cause severe harm to the health, safety and general welfare of the community, including diminution of neighboring property values, increased risk of fire and potential increases in criminal activity and public health risks; and

WHEREAS, the City incurs disproportionate costs in order to deal with the problems of vacant and abandoned structures, including but not limited to, excessive police calls, fire calls and property inspections; and

WHEREAS, it is in the public interest for the City to establish minimum standards of accountability on the owners or other responsible parties of vacant and abandoned structures in order to protect the health, safety and general welfare of the residents of the City; and

WHEREAS, it is in the public interest for the City to impose a fee in conjunction with the registration of vacant and abandoned structures in light of the disproportionate costs imposed on the City by the presence of these structures.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE AS FOLLOWS:

SECTION 1

§ 11-13. Definitions.

As used in this article, the following terms shall have the

following meanings unless the context clearly indicates that a different meaning is intended.

As used in this article, the following terms shall have the following meanings unless the context clearly indicates that a different meaning is intended.

ABANDONED PROPERTY - Any property that is determined to be abandoned pursuant to P.L. 2003, c.210 (N.J.S.A. 55:19-78 et seq.).

LIENHOLDER or MORTGAGE HOLDER - Any person or entity holding a note, mortgage or other interest secured by the building or any part thereof.

MUNICIPALITY - Any borough, City, town, City or village situated within the boundaries of this state and shall include a qualified rehabilitation entity that may be designated by the City pursuant to N.J.S.A. 55:19-90 to act as its agent to exercise any of the City's rights pursuant thereto.

OWNER - The holder or holders of the title to an abandoned property.

PROPERTY - Any building or structure and the land appurtenant thereto.

PUBLIC OFFICER - The person designated by the City pursuant to N.J.S.A. 40:48-2.5.

QUALIFIED REHABILITATION ENTITY - Any entity organized or authorized to do business under the New Jersey statutes which shall have as one of its purposes the construction or rehabilitation of residential or nonresidential buildings, the provision of affordable housing, the restoration of abandoned property, the revitalization and improvement of urban neighborhoods, or similar purpose, and which shall be well qualified by virtue of its staff, professional consultants, financial resources, and prior activities set forth in P.L. 2003, c.210 (N.J.S.A. 55:19-78 et seq.) to carry out the rehabilitation of vacant buildings in urban areas.

REPRESENTATIVE - The individual registered with the City as the representative of the property owner. If the property owner is an LLC or a corporation, the registered agent, president or managing partner of same are also "representatives" of the owner upon whom service may be made.

VACANT PROPERTY - any building used or to be used as a residence which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased, and which is in such condition that it cannot legally be re-occupied without repair or rehabilitation, including but not limited to any property meeting the definition of abandoned property in N.J.S.A. 55:19-80; provided, however, that any property where all building systems are in working order, where the building and grounds are maintained in good order,

or where the building is in habitable condition, and where the building is being actively marketed by its owner for sale or rental, shall not be deemed a vacant property for purposes of this ordinance.

¶ 11-19 A - Registration Requirements.

Effective January 1, 2016, the owner of any vacant property as defined herein shall, within 30 calendar days after the building becomes a vacant property or within 30 calendar days after assuming ownership of the vacant property, whichever is later; or within 10 calendar days of receipt of the notice by the City, file a registration statement for such vacant property with the public officer on forms provided by the City for such purposes. Failure to receive notice by the City shall not constitute grounds for failing to register the property.

- a. Each property having a separate block and lot number as designated in official records of the City shall be registered separately.
- b. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person twenty-one (21) years or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such owner or owners in connection with the enforcement of any applicable code; and the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a 24-hour per day, seven-day per week basis. The two (2) entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.
- c. The registration shall remain valid for one (1) year from the date of registration. The owner shall be required to renew the registration annually as long as the building remains a vacant property and shall pay a registration or renewal fee in the amount prescribed in section 11-19D, for each vacant property registered. The owner shall be required to renew the registration annually as long as the building remains a

vacant property and shall pay a registration or renewal fee in the amount prescribed in section 11-19D, for each vacant property registered.

- d. The owner shall notify the Clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the Clerk for such purpose.
- e. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the City against the owner or owners of the building.

§11-19B Access to Vacant Properties.

The owner of any vacant property registered under this section shall provide access to the City to conduct exterior and interior inspections of the building to determine compliance with municipal codes, upon reasonable notice to the property owner or the designated agent. Such inspections shall be carried out on weekdays during the hours of 9:00 a.m. and 4:00 p.m., or such other time as may be mutually agreed upon between the owner and the City.

§11-19C Responsible Owner or Agent.

- a. An owner who meets the requirements of this section with respect to the location of his or her residence or workplace in the State of New Jersey may designate him or herself as agent or as the individual responsible for maintaining the property.
- b. By designating an authorized agent under the provisions of this section the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the owner notifies the City of Millville in writing of a change of authorized agent or until the owner files a new annual registration statement.
- c. Any owner who fails to register vacant property under the provisions of this

section shall further be deemed to consent to receive, by posting on the building, in plain view, and by service of notice at the last known address of the owner of the property on record within the City of Millville by regular and certified mail, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the building.

§11-19D Fee Schedule.

The initial registration fee for each building shall be five hundred (\$500.00) dollars. The fee for the first renewal is one thousand (\$1,000.00) dollars, and the fee for the second renewal is one thousand five hundred (\$1,500.00) dollars. The fee for any subsequent renewal beyond the second renewal is two-thousand (\$2,000.00) dollars.

Vacant Property Registration Fee Schedule.

<u>Initial Registration</u>	<u>\$ 500.00</u>
<u>First Renewal</u>	<u>\$ 1,000.00</u>
<u>Second renewal</u>	<u>\$ 1,500.00</u>
<u>Subsequent renewal</u>	<u>\$ 2,000.00</u>

§11-19E Requirement of Owners of Vacant Property.

The owner of any building that has become a vacant property, and any person maintaining or operating or collecting rent for any such building that has become vacant shall, within thirty (30) days thereof:

- a. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the city code, or as set forth in the rules and regulations supplementing those codes; and

- b. Post a sign affixed to the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process (if designated pursuant section 11-19C and the person responsible for the day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than eight (8") inches by ten (10") inches; and

- c. Secure the building from unauthorized entry and maintain the sign until the building is again legally occupied or demolished or until repair or rehabilitation

of the building is complete; and

- d. Ensure that the exterior grounds of the structure, including yards, fences, sidewalks, walkways, right-of-ways, alleys, retaining walls, attached or unattached accessory structures and driveways, are well-maintained and free from trash, debris, loose litter, and grass and weed growth; and
- e. Continue to maintain the structure in a secure and closed condition, keep the grounds in a clean and well-maintained condition, and ensure that the sign is visible and intact until the building is again occupied, demolished, or until repair and/or rehabilitation of the building is complete.

§11-19F Violations.

- a. Any person who violates any provision of this section or of the rules and regulations issued hereunder shall be fined not less than one hundred (\$100.00) dollars and not more than one thousand (\$1,000.00) dollars for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this section shall be recoverable from the owner and shall be a lien on the property.
- b. For purposes of this section, failure to file a registration statement within thirty (30) calendar days after a building becomes vacant property or within thirty (30) calendar days after assuming ownership of a vacant property, whichever is later, or within ten (10) calendar days of receipt of notice by the City, and failure to provide correct information on the registration statement, or failure to comply with the provisions of such provisions contained herein shall be deemed to be violations of this section.

SECTION 2

Should any provision of this ordinance be deemed invalid for any reason that invalidity shall not affect the remaining provisions of the ordinance, and the provisions and sections of the ordinance are hereby declared to be severable with respect to their validity.

SECTION 3

This ordinance shall take effect twenty (20) days after final passage, according to law.

Moved By: _____

Seconded By: _____

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Michael Santiago				
Lynne Porreca Compari				
David W. Ennis				
Joseph Sooy				

CERTIFICATION

I certify that the foregoing is a true copy of a Resolution adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on _____, 2016.

Susan G. Robostello, City Clerk

Daily Journal, Vineland



Publication Name:

Daily Journal, Vineland

Publication URL:

Publication City and State:

Millville , NJ

Publication County:

Cumberland

Notice Popular Keyword Category:

Notice Keywords:

Notice Authentication Number:

201608301531255085442

3350500898

Notice URL:

Notice Publish Date:

Saturday, August 20, 2016

Notice Content

CITY OF MILLVILLE NOTICE OF INTENTION Notice is hereby given that an Ordinance a summary of which is hereinafter set out, was introduced before the Board of Commissioners of the City of Millville and passed its first reading on August 16, 2016 and that said ordinance will be considered by said Board on final passage on September 6, 2016 at 6:30 P.M. in the City Commission Chamber, City Hall, Millville, New Jersey, when and where all persons interested therein will be given ample opportunity to be heard for or against the adoption of said Ordinance. Following is a summary of the proposed Ordinance above referred to. Ordinance amending Chapter 11, Article II, Section 7, Violation and Penalties of the Municipal Code changing the minimum fine set forth in the municipal Code Section 11-7c from \$200.00 for each offense to \$100.00 pursuant to NJSA 40:49-5, which provides that a minimum penalty for an ordinance violation may not exceed \$100.00 A copy of this Ordinance can be obtained without cost by any member of the general public at the City Clerk's Office, 3rd floor, Municipal Building, 12 S. High Street, Millville, NJ 08332 during Monday through Friday 8:30 am to 4:30 pm or on the City of Millville website at www.millvillenj.gov Dated: August 20, 2016 By Order of the Board of Commissioners Susan G. Robostello, City Clerk \$23.65

[Back](#)

CITY OF MILLVILLE
COUNTY OF CUMBERLAND
STATE OF NEW JERSEY

ORDINANCE NO.

**ORDINANCE AMENDING CHAPTER 11, SECTION 7
("VIOLATION AND PENALTIES") OF THE
CODE OF THE CITY OF MILLVILLE**

WHEREAS, the Board of Commissioners of the City of Millville finds that the minimum fine set forth in City Code Section 11-7C of \$200.00 for each offense is an error and contrary to statute; and

WHEREAS, the Board of Commissioners desires to amend the Ordinance to bring it in conformity with state statute, N.J.S.A. 40:49-5, which provides that a minimum penalty for an Ordinance violation may not exceed \$100.00.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS that Chapter 11, Section 7 of the Millville City Code is hereby amended as follows:

SECTION 1

§ 11-7. Violations and penalties.

- A. It shall be unlawful for any person to be in conflict with, or in violation of, any of the provisions of this chapter.
- B. Each day that a violation continues, after the notice of violation and order for compliance has been served and the time specified in the order has expired, shall constitute a separate offense.
- C. Any person who shall violate the regulations contained herein shall be subject to a fine of not less than \$100 for each offense. The maximum penalties are set forth in Chapter 1, General Provisions, Article III.

SECTION 2

Should any provision of this ordinance be deemed invalid for any reason that invalidity shall not affect the remaining provisions of the ordinance, and the provisions and sections of the ordinance are hereby declared to be severable with respect to their validity.

SECTION 3

This ordinance shall take effect twenty (20) days after final passage, according to law.

Moved By:
Seconded By:

VOTING

Michael Santiago

Lynne Porreca Compari

David W. Ennis

Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Ordinance adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held _____.

Susan G. Robostello, City Clerk

Daily Journal, Vineland

Publication Name:

Daily Journal, Vineland

Publication URL:

Publication City and State:

Millville , NJ

Publication County:

Cumberland

Notice Popular Keyword Category:

Notice Keywords:

Notice Authentication Number:

201608310619105356244**3350500898**

Notice URL:

Notice Publish Date:

Saturday, August 20, 2016

Notice Content

CITY OF MILLVILLE NOTICE OF INTENTION Notice is hereby given that an Ordinance a summary of which is hereinafter set out, was introduced before the Board of Commissioners of the City of Millville and passed its first reading on August 16, 2016 and that said ordinance will be considered by said Board on final passage on September 6, 2016 at 6:30 P.M. in the City Commission Chamber, City Hall, Millville, New Jersey, when and where all persons interested therein will be given ample opportunity to be heard for or against the adoption of said Ordinance. Following is a summary of the proposed Ordinance above referred to. Ordinance amending Chapter 11, Article XVIII, Foreclosure Properties, in order to make certain revisions to Section 134, Registration and Section 138, Violations and Penalties A copy of this Ordinance can be obtained without cost by any member of the general public at the City Clerk's Office, 3rd floor, Municipal Building, 12 S. High Street, Millville, NJ 08332 during Monday through Friday 8:30 am to 4:30 pm or on the City of Millville website at www.millvillenj.gov Dated: August 20, 2016 By Order of the Board of Commissioners Susan G. Robostello, City Clerk \$21.50

[Back](#)

**CITY OF MILLVILLE
COUNTY OF CUMBERLAND
STATE OF NEW JERSEY**

ORDINANCE NO.

**ORDINANCE AMENDING CHAPTER 11,
ARTICLE XVIII ("FORECLOSURE
PROPERTIES") IN ORDER TO MAKE CERTAIN
REVISIONS TO SECTION 134 ("REGISTRATION") AND SECTION 138
("VIOLATIONS AND PENALTIES")**

WHEREAS, the Board of Commissioners of the City of Millville finds that there are numerous properties in the City of Millville in the legal foreclosure process which are abandoned and constitute a public nuisance; and

WHEREAS, the Board of Commissioners finds that the current registration fees of \$250.00 for the first year and \$500.00 for the second year to be inadequate to reimburse the City for inspection, policing and other expenses associated with such properties in the legal foreclosure process.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE that Article VIII ("Foreclosure Properties") of Chapter 11 of the Millville Code is hereby amended as follows;

SECTION 1

§11-134. Registration.

- A. A creditor filing a summons and complaint to foreclose a mortgage on residential property within the municipality must also register the dwelling with the municipality through the Bureau of Permits and Inspections within 30 days from the date when the complaint was filed with the court.
- B. The registration form shall include the full name and contact information of an individual located within the State of New Jersey who is authorized to accept service on behalf of the creditor. The registration form shall be accompanied with an annual registration fee of \$500 for the initial registration, \$1,000.00 for the first renewal, \$1,500.00 for the second renewal and \$2,000.00 for each subsequent annual renewal. Registration forms shall be available at the Bureau of Permits and Inspections. Registrants shall mail the completed and executed form to the Bureau along with a check made payable to the municipality. A registration form is required for each house, commercial property, townhouse, condominium or duplex that is the subject of a foreclosure action.
- C. The cost of inspections is included in the fee charged above.
- D. Property registration shall be renewed every 12 months. The renewal form shall be due on the anniversary date following the original registration date. Failure to register a property on a timely basis shall result in the assessment of civil penalties. It shall be the responsibility of the registrant to notify the Bureau in writing whenever there is a change in the contact information of the registrant.

§11-138. Violations and Penalties.

- A. It shall be unlawful for any person to be in conflict with, or in violation of, any of the provisions of this chapter.

- B. Each day that a violation continues, after the notice of violation and order for compliance has been served and the time specified in the order has expired, shall constitute a separate offense.
- C. Any person who shall violate the regulations contained herein shall be subject to a fine of not less than \$100 nor more than \$1,000 for each offense.

SECTION 2

Should any provision of this ordinance be deemed invalid for any reason that invalidity shall not affect the remaining provisions of the ordinance, and the provisions and sections of the ordinance are hereby declared to be severable with respect to their validity.

SECTION 3

This ordinance shall take effect twenty (20) days after final passage, according to law.

Moved By:
Seconded By:

VOTING

Michael Santiago

Lynne Porreca Compari
David W. Ennis
Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Ordinance adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held _____.

Susan G. Robostello, City Clerk

Daily Journal, Vineland



Publication Name:

Daily Journal, Vineland

Publication URL:

Publication City and State:

Millville , NJ

Publication County:

Cumberland

Notice Popular Keyword Category:

Notice Keywords:

Notice Authentication Number:

201608310620489927838

3350500898

Notice URL:

Notice Publish Date:

Saturday, August 20, 2016

Notice Content

CITY OF MILLVILLE NOTICE OF INTENTION Notice is hereby given that an Ordinance a summary of which is hereinafter set out, was introduced before the Board of Commissioners of the City of Millville and passed its first reading on August 16, 2016 and that said ordinance will be considered by said Board on final passage on September 6, 2016 at 6:30 P.M. in the City Commission Chamber, City Hall, Millville, New Jersey, when and where all persons interested therein will be given ample opportunity to be heard for or against the adoption of said Ordinance. Following is a summary of the proposed Ordinance above referred to. Ordinance amending Municipal Code of the City of Millville, Chapter 61, Streets and Roads Department Article IV collection and Disposal of Solid Waste, Article V Source Separation of Recyclable Materials specifically by amending Section 61-25 and 61-36 in order to clarify that owners of multi-family dwellings are to provide dumpsters for the collection of solid waste and recyclable materials A copy of this Ordinance can be obtained without cost by any member of the general public at the City Clerk's Office, 3rd floor, Municipal Building, 12 S. High Street, Millville, NJ 08332 during Monday through Friday 8:30 am to 4:30 pm or on the City of Millville website at www.millvillenj.gov Dated: August 20, 2016 By Order of the Board of Commissioners Susan G. Robostello, City Clerk \$24.94

[Back](#)

CITY OF MILLVILLE
COUNTY OF CUMBERLAND
STATE OF NEW JERSEY

ORDINANCE NO.

**AN ORDINANCE AMENDING ARTICLE IV
("COLLECTION AND DISPOSAL OF
SOLID WASTE") AND ARTICLE V ("SOURCE
SEPARATION OF RECYCLABLE MATERIALS"),
SPECIFICALLY BY AMENDING SECTIONS
61-25 AND 61-36 SO AS TO MAKE
CLEAR THAT OWNERS OF MULTI-FAMILY
DWELLINGS ARE TO PROVIDE DUMPSTERS FOR
THE COLLECTION OF SOLID WASTE AND
RECYCLABLE MATERIALS**

WHEREAS, Article IV of Chapter 61 currently provides in Section 25 ("Residential Dwelling Compliance Requirements") that the owner of multi-family dwellings is responsible for setting up and maintaining a solid waste collection program in accordance with rules and regulations established by the Municipality; and

WHEREAS, Article V of Chapter 61 ("Source Separation of Recyclable Materials") currently provides in Section 36 ("Residential Dwelling Compliance Requirements") that owners of multi-family dwellings are responsible for separating and collecting recyclables in accordance with the rules and regulations established by the Municipality; and

WHEREAS, the Board of Commissioners finds that it is in the best interest of the City to clarify said sections to make clear that the owners of multi-family dwellings are responsible for providing separate dumpsters for the collection of solid waste as well as the separation and collection of recyclables at their own expense and subject to a reasonable periodic collection schedule;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE that Articles IV and V of Chapter 61 are hereby amended as follows:

SECTION 1

§ 61-25. Residential dwelling and compliance requirements.

- A. The owner, occupant or tenant of any residential dwelling shall comply with the rules and regulations established by the municipality.
- B. For multifamily dwellings, the management or owner is responsible for providing an appropriately sized dumpster sufficient to accommodate solid waste collection from its units at its own expense. Solid waste shall be collected from said dumpster on a schedule of at least one time per week. Violations and penalty notices shall be directed to the owner or management in those instances where the violator is not easily identifiable. The management shall issue notification and collection rules to new tenants when they arrive and every six months during their occupancy.

SECTION 2

§ 61-36 Residential dwelling compliance requirements.

- A. The owner, occupant or tenant of any residential dwelling shall comply with the rules and regulations established by the municipality.
- B. For multifamily dwellings, the management or owner is responsible for the proper separating of recyclable materials and providing an appropriate dumpster sufficient to accommodate recyclables from its units. Recyclables shall be collected from said dumpster on a schedule of at least one time per week. Violations and penalty notices will be directed to the owner or management in those instances where the violator is not easily identifiable. The management shall issue notification and collection rules to new tenants when they arrive and every six months during their occupancy.

SECTION 3

Should any provision of this ordinance be deemed invalid for any reason that invalidity shall not affect the remaining provisions of the ordinance, and the provisions and sections of the ordinance are hereby declared to be severable with respect to their validity.

SECTION 4

This ordinance shall take effect twenty (20) days after final passage, according to law.

Moved By:
Seconded By:

VOTING

Michael Santiago

Lynne Porreca Compari
David W. Ennis
Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Ordinance adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held _____.

Susan G. Robostello, City Clerk

**CITY OF MILLVILLE
COUNTY OF CUMBERLAND
STATE OF NEW JERSEY**

RESOLUTION NO.

WHEREAS, the Board of Commissioners of the City of Millville desires to become a member of the Regional Automated Property Information Database ("RAPID") system in order to better combat the rate of burglary and theft within the City; and

WHEREAS, the implementation of the system will require the City to enter into an Agreement with Business Watch International (USA) INC. hereinafter ("BWI") because said entity is the developer of the RAPID System which enables the electronic transmission between business entities involved in pawn and second hand goods and police departments of information regarding the purchase or pawn of such items; and

WHEREAS, this contract is being awarded on a non-fair and open process because BWI has unique expertise in providing this service; and

WHEREAS, other municipalities in the South Jersey area have become members of the RAPID system which require the engagement of BWI; and

WHEREAS, there will be no cost to the City in becoming a member of the RAPID system as the licensing fees charged by the City will cover the cost of said services.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE AS FOLLOWS:

1. The Board hereby approves the Memorandum of Agreement between the City of Millville and Business Watch International (USA) Inc.;
2. The Mayor and City Clerk are hereby authorized to execute same.
3. This Agreement is awarded without competitive bidding as a Memorandum of Agreement through a non-fair and open process.
4. Notice of this action shall be published in the Daily Journal.

Moved By:
Seconded By:

VOTING
Michael Santiago

Lynne Porreca Compari
David W. Ennis
Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting there of held September 6, 2016.

Susan G. Robostello, City Clerk

**MEMORANDUM OF AGREEMENT
BETWEEN THE CITY OF MILLVILLE
(HEREINAFTER "MUNICIPALITY")
AND
BUSINESS WATCH INTERNATIONAL (USA) INC.
HEREINAFTER ("BWI")**

WHEREAS, the City of Millville is a political subdivision of the State of New Jersey and has a Municipal Police Department known as the Millville Police Department (hereinafter "MPD") which is responsible for law enforcement within the Municipality, and

WHEREAS, as part of its law enforcement functions, the MPD receives, reviews, and maintains a record of reports received from pawnbrokers, secondhand metal recyclers, and secondhand stores in Millville, New Jersey (hereinafter "business entities").

WHEREAS, BWI has developed an Internet based Service, called the BWI Regional Automated Property Information Database (RAPID) system, (the "Service") that will enable the electronic transmission, between the business entities, and the MPD of information regarding the purchase or pawn from the public of second hand goods and;

WHEREAS, the Municipality desires to contract with BWI to provide its service to receive the transaction reports detailing the purchase or pawn of second hand goods from the public by aforesaid business entities, and to provide an investigative interface for the monitoring of the transaction data.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Term/Termination

The term of the Agreement shall be three (3) years from October 1, 2016 to October 30, 2019 (the "Term"), the date of signatures of the parties notwithstanding; unless terminated earlier as set forth herein. This term may be extended upon mutually agreed upon conditions at the end of the first three (3) years.

This Agreement may be cancelled by the Municipality, with or without cause, by giving BWI sixty (60) days' notice, in writing, of its intent to cancel the Agreement.

The parties recognize that the continuation of this Agreement after the close of any fiscal year of Municipality, which fiscal year ends on September 30th of each year, shall be subject to budget approval providing for or covering such contract items as an expenditure in said budget. The Municipality does not represent that

said budget item will be actually adopted, said determination being the determination of the Municipality at the time of the adoption of the budget herein. No penalty shall accrue to Municipality in the event this provision shall be exercised. Should termination be elected in accordance with this Section, a settlement shall be negotiated by the Parties based on items delivered, services, provided, monies paid and monies due.

2. Annual Licensing Fee

The Municipality acknowledges that the licensing fees shall be charged to the business entities for the service provided by BWI, and;

The Municipality will collect the licensing fees and remit that portion thereof to BWI that is due to it.

After initial setup additional pawn dealer business entities may be added, as required, at the rates described in Schedule "A".

Business entities may also be deactivated at any time at the discretion of the MPD or lack of payment by said entities.

All invoices are due and payable within 14 days of invoice.

3. Failure to Make Payment

In the case of the business entities failure to make payment, as outlined in paragraph 2, for a period of 60 days, the Municipality acknowledges that BWI may disable their access to the Service. BWI shall provide notice to MPD of the termination of any Company pursuant to the terms of this paragraph and the reason for termination.

4. Legal Compliance of Electronic Recording of Data

BWI represents and warrants that the Service will contain the information and data as required by the Statutes and all other current and future federal, state or local laws. BWI will add any additional information and data as may be requested by the MPD, if reasonably feasible.

5. Bankruptcy or Insolvency

If BWI becomes insolvent or bankrupt or otherwise unable to carry on business and the service is no longer available through a related or successor company to BWI, which shall be agreeable to the Municipality, this Agreement shall be terminated.

6. Transfer of Data Upon Termination

In the event of termination to this Agreement under Sections 1 or 5 of this Agreement, BWI shall provide the user data entered in the service during the term of this Agreement to the MPD and the business entities in an industry standard format residing on computer media (XML or CSV file format).

7. Reporting to the Service by the Business Entities

- a. The parties agree that after a business entity has been selected for participation in the program by the MPD, use of the Service by said entity will be mandatory.
- b. BWI will provide each business entity with remote training and support, and site access in accordance with the terms of this agreement, at no cost to said entity.

8. Provision of Set-Up and Training

- a. The MPD will provide Bwi with a list of business entities which are required to electronically report transactions to the MPD and their respective locations and hours of operation.
- b. BWI will contact each business entity and offer assistance to ensure said entity is in compliance with the reporting requirements.
- c. BWI will provide remote training in the use of the Service to person(s) identified by the MPD and will provide such training at no cost via web conferences.

9. Read-only Access

Additional agencies will be provided read-only access at no cost. (Unless this agency uses another reporting system.)

10. Provision of Support

BWI will provide the MPD and the business entity with a Monday-Friday 8:00 am to 5:00 pm (Central Standard Time) help line number for any and all types of difficulties with the Service. A complete on-line help feature will also be made available to the MPD and the business entities. The MPD will be provided with an emergency contact number for 24/7/365 help desk support on system performance matters but not including system access related issues such as

password administration.

11. Retention of Transaction Record by the Business Entity

- a. BWI shall advise the MPD and all business entities in the event the service is rendered temporarily or permanently inoperable. The MPD shall inform the business entities of the appropriate procedures in order to maintain compliance in this event.
- b. Where feasible, BWI shall seek the MPD's prior written approval of the written notice it will be providing to the business entities pursuant to this section.
- c. In the event the service is rendered temporarily or permanently inoperable, or BWI experiences any form of Service failure, BWI will so advise the MPD and all business entities.

13. Ownership and Limited Use of Information Gathered

The transaction data gathered by BWI will be the sole property of the Municipality and the MPD. BWI shall provide the data to the MPD as requested. BWI has the right to access and utilize the data for the following purposes:

- a. Support and Maintenance of the Service
- b. Training of accredited law enforcement personnel and authorized civilian employees
- c. Demonstrating the system to accredited law enforcement personnel
- d. Integrating or querying by other law enforcement databases strictly accessed by accredited police agencies as approved by the MPD.

14. Confidentiality Clause

Secondhand Dealer, secondhand metal recycler, and pawnbroker transaction records are confidential per State law. BWI agrees to maintain the confidentiality of all information received from the MPD and the business entities. Furthermore, BWI will not give, sell, transfer or communicate the said information to any person or company without express written consent of the MPD. In the event that BWI receives a subpoena, a Court Order, or other legal service to compel the production of said information, then BWI shall give written notice of such demand to MPD at least ten (10) days before producing any information, in order to give MPD an opportunity to review and, if necessary, to consent such

production.

15. Security Considerations

BWI's software uses 256-bit encryption for data transfer. Individuals employed by BWI and all other individuals that are not police officers, but who have a legitimate need to access the service for technical purposes, will meet with the standards of existing security protocols. BWI will advise the MPD of any breach of such security protocols.

At the request of the MPD, BWI will track the use of the service and supply such reports regarding such use.

16. Liabilities and Indemnities

- a. BWI warrants and represents that provision of the service, and any software or hardware supplied by BWI as part of such provision, will not infringe or otherwise constitute wrongful use of any copyright, patent, registered industrial design, trade mark or any other right of any third party.
- b. BWI shall indemnify and save harmless, the Municipality and the MPD and all their respective officers, employees, agents and representatives from and against all loss, damages, costs, expenses and liability, including reasonable legal fees and costs arising from the negligence or willful misconduct of BWI or any of its agents, suppliers or subcontractors arising from the service.
- c. Without limiting the generality of subsection (b), BWI will indemnify the Municipality and the MPD from and against all claims, liability and expenses, including reasonable legal fees and costs, arising out of any third party claim for infringement or violation of that third party's intellectual property or proprietary rights as a result of the use of the service in accordance with this agreement.
- d. BWI will maintain on force, at its own expense insurance as provided on the Schedule of Insurance annexed hereto as Schedule "B".
- e. BWI hereby releases the Municipality and the MPD from all claims respecting any loss, damage or injury any or all of them may suffer with respect to any matter arising from this Agreement, except when due to the negligence or willful misconduct of the Municipality, the MPD, or their employees.

17. Notices

Any notice required or permitted to be given under this Agreement shall be in writing and may be given by personal service or by registered mail, postage prepaid, to the parties as follows:

If to the Municipality and/or the MPD:

Chief Jody Farabella
12 S. High Street
P. O. Box 609
Millville, New Jersey 08332

If to BWI:

Mr. Jack Gee
Business Watch International (USA) Inc.
7351 Wiles Rd.
Suite 102
Coral Springs, Florida 33067

18. Miscellaneous

- a. Except as otherwise provided in this Agreement, no party may amend this Agreement, other than by an instrument in writing. The instrument must be executed by the authorized representatives of both parties.
- b. The Parties recognize that a substantial inducement to the Municipality for entering into this Agreement is the professional reputation, experience and competence of BWI. Neither the whole nor any interest in, nor any of the rights or privileges granted under this Agreement shall be assigned, transferred or encumbered in any way without the prior written consent of the Municipality. Any such purported assignment, transfer, encumbrance, pledge, subuse or permission given without such consent shall be void as to Municipality. If the Municipality approves an assignment or transfer, this Agreement and the covenants and conditions contained herein shall be binding upon and inure to the benefit of and shall apply to the permitted successors and assigns of BWI.
- c. The laws of the State of New Jersey shall govern this Agreement and all matters relating to it and any action brought relating to this Agreement shall be adjudicated in a court of competent jurisdiction in the County of

Cumberland, State of New Jersey.

- d. Each individual executing this Agreement on behalf of a corporation, nonprofit corporation, partnership or other entity or organization, represents and warrants that he or she is duly authorized to execute and deliver this Agreement on behalf of such entity or organization and that this Agreement is binding upon the same in accordance with its terms. BWI shall, at Municipality's request, deliver a certified copy of its governing board's resolution or certificate authorization or evidencing such execution.

City of Millville

Date_____

Business Watch International (USA) Inc.

Date_____

RESOLUTION NO._____

WHEREAS, Chapter 11, Article VI of the Municipal Code of the City of Millville requires that property owners maintain their property in accordance with the standards contained in the Property Maintenance Code of the City of Millville; and

WHEREAS, a Notice of Violation was served on the property owners of the properties listed below, and they failed to correct the condition set forth in the Notice of Violation within the time specified; and

WHEREAS, the Code Official authorized services to be performed to correct the condition at a cost to the City of Millville as hereinafter provided.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE:

1. The governing body of the City of Millville hereby authorizes the assessment of a lien against the following properties and the monies owed shall be collected in the same manner as property taxes are assessed and collected pursuant to section 11-6 of the municipal code.

CUT & CLEAN:

Block 298 Lot 25 101 W McNeal Street0 (Clean Up date 8/8/16)	120.00
Administrative Fee	250.00
Block 42 Lot 23 118 Rieck Ave (Clean Up date 8/9/16)	150.00
Administrative Fee	250.00
Block 370 Lot 32 532 N 4 th Street (Clean Up date 8/9/16 & 8/10/16)	210.00
Administrative Fee	500.00
Block 213 Lot 434 116 Dell Place (Clean Up date 8/10/16)	90.00
Administrative Fee	500.00
Block 120 Lot 4 9 Cedar Street (Clean Up date 8/11/16)	120.00
Administrative Fee	500.00
Block 287 Lot 20 12 E McNeal Street (Clean Up date 8/11/16)	120.00
Administrative Fee	250.00
Block 297 Lot 8 5 W McNeal Street (Clean Up date 8/12/16)	120.00
Administrative Fee	250.00
Block 273 Lot 14 1011 Church Street (Clean Up date 8/15/16)	150.00
Administrative Fee	500.00
Block 297 Lot 9 3 W McNeal Street (Clean Up date 8/15/16)	90.00
Administrative Fee	250.00

Block 478 Lot 5 213 S 2 nd Street (Clean Up date 8/16/16)	240.00
Administrative Fee	250.00
Block 87 Lot 42 535 Carlton Ave (Clean Up date 8/17/16)	240.00
Administrative Fee	250.00
Block 317 Lot 4 909 N 5 th Street (Clean Up date 8/18/16)	60.00
Administrative Fee	250.00
Block 426 Lot 18 105 N 5 th Street (Clean Up date 8/18/16)	90.00
Administrative Fee	250.00
Block 285 Lot 5 125 W Foundry Street (Clean Up date 8/18/16)	90.00
Administrative Fee	500.00
Block 303 Lot 12 315 W Green Street (Clean Up date 8/19/16)	240.00
Administrative Fee	250.00
Block 353 Lot 40 101 W Broad Street (Clean Up date 8/22/16)	90.00
Administrative Fee	250.00
Block 563 Lot 10 517 Richard Drive (Clean Up date 8/22/16)	120.00
Administrative Fee	500.00
Block 99 Lot 6 328 W Main Street (Clean Up date 8/23/16)	150.00
Administrative Fee	250.00
Block 424 Lot 26 219 N 4 th Street (Clean Up date 8/25/16)	60.00
Administrative Fee	500.00
Block 375 Lot 14 417 E Oak Street (Clean Up date 8/25/16)	90.00
Administrative Fee	500.00
Block 478 Lot 6 209 S 2 nd Street (Clean Up date 8/25/16)	45.00
Administrative Fee	250.00
Block 478 Lot 7 207 S 2 nd Street (Clean Up date 8/25/16)	45.00
Administrative Fee	250.00
Block 562 Lot 28 514 Menantico Ave (Clean Up date 8/26/16)	90.00
Administrative Fee	250.00

Block 375 Lot 10
419 N 4th Street
(Clean Up date 8/29/16)
Administrative Fee

105.00
250.00

Moved By:
Seconded By:

VOTING

Michael Santiago

Lynne Porreca Compari

David W. Ennis

Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting there of held September 6, 2016.

Susan G. Robostello, City Clerk

RESOLUTION _____

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE:

That the following be refunded from the Tax records due To Over Payment

Block	Lot	Acct	Property Location	Yr	Prd	Amount	Int	Description
55	1		2214 E. Oak St.	16	4	\$ 912.42		TAX
284	12		208 W. Mcneal St.	16	4	\$ 190.58		TAX
298	24		103 W. McNeal St.	16	3	\$ 780.16		TAX
430	1		324 E. Main St.	16	3	\$ 1,299.98		TAX
442	8		1310 E. Main St.	16	3	\$ 423.94		TAX
				16	4	\$ <u>793.83</u>		TAX
					TOTAL	\$ 1,217.67		
495.03	7		41 Ettie Dr.	16	3	\$ 1,784.42		TAX

That the following be refunded from the Utility records due to Homestead Rebate

Block	Lot	Acct	Property Location	Yr	Prd	Amount	Int	Description
344	27		913 Hill Lane	16	3	\$ 1,373.28		TAX

That the following transfers were made to the Tax & Utility records

Block	Lot	Acct	Property Location	Yr	Prd	Amount	Int	Description
52	74.01	12551-0	4 Du Mont Dr.	Ovr	Pay	\$ 20.00		WATER
				16	3	\$ (20.00)		SEWER
108	3.01		500 Fulton St.	16	3	\$ 130.00		TAX
		12626-0		16	3	\$ (130.00)		SEWER
125.03	6		1802 Buckshutem Rd.	16	4	\$ 425.67		TAX
				17	1	\$ 532.25		TAX
				16	3	\$ (957.92)		TAX
234.01	29		2004 Wheaton Ave.	16	3	\$ 467.56		TAX
				17	1	\$ (467.56)		TAX
324	11		705 F St.	16	4	\$ 160.00		TAX
				16	3	\$ (30.00)		WATER
				16	3	\$ (130.00)		SEWER
364	7	6636-1	412 N High St.	Ovr	Pay	\$ 33.12		SEWER
				16	3	\$ 130.00		SEWER
		6636-2		16	2	\$ (30.00)	\$ (0.19)	WATER
				16	1	\$ (1.00)	\$ (0.02)	WATER
				16	2	\$ (130.00)	\$ (0.84)	SEWER
				16	3	\$ (1.07)		SEWER
386	9	7023-0	204 N 7th St.	Ovr	Pay	\$ 19.33		SEWER
				16	3	\$ (19.33)		WATER

402	4.04	11794-0	501 Kimberly Dr.	Ovr	Pay	\$	48.25	WATER
				16	3	\$	(48.25)	SEWER
408	37	10959-1	210 Buck St.	16	3	\$	30.00	WATER
				16	3	\$	(29.06)	TAX
				16	4	\$	(0.94)	TAX
424	6	7650-0	423 Mulberry St.	16	2	\$	130.00	WATER
				16	3	\$	(130.00)	SEWER
436	5	7857-0	815 Pine St.	Ovr	Pay	\$	70.00	WATER
				16	3	\$	(70.00)	SEWER
465	20	8210-0	301 S. 5th St.	Ovr	Pay	\$	45.00	SEWER
				16	3	\$	(45.00)	WATER
472	1	8286-0	302 S 5th St.	Ovr	Pay	\$	30.00	WATER
				16	3	\$	(30.00)	SEWER
477	10	8408-0	214 SmithSt.	Ovr	Pay	\$	5.00	WATER
				16	3	\$	(5.00)	SEWER
505	14.01	8757-0	2214 E. Main St.	16	3	\$	30.00	WATER
				16	4	\$	130.00	SEWER
103	15	2481-0	335 W. Main	16	3	\$	(130.00)	SEWER
				16	3	\$	(30.00)	WATER
535	9	9368-0	624 S 3rd St.	Ovr	Pay	\$	4.84	WATER
				16	3	\$	(4.84)	SEWER
535	30	9386-0	609 S 2nd St.	Ovr	Pay	\$	28.00	WATER
				16	3	\$	(28.00)	SEWER
536	6	9397-0	707 Shar Lane Blvd	Ovr	Pay	\$	70.00	WATER
				16	3	\$	(70.00)	SEWER
547	27	9609-0	404 Menantico Ave.	Ovr	Pay	\$	19.67	SEWER
				16	3	\$	(19.67)	WATER
562.01	4		803 Menantico Ave	16	3	\$	279.73	TAX
		12382-0		16	3	\$	(224.00)	WATER
				16	3	\$	(55.73)	SEWER
				Ovr	Pay	\$	204.50	SEWER
				16	3	\$	130.00	SEWER
				16	3	\$	(334.50)	WATER
562.01	8	11950-0	1116 Yellowwood	Ovr	Pay	\$	6.50	WATER
				16	3	\$	(6.50)	SEWER

That the following be added to the Tax & Utility records due to returned check

Block	Lot	Acct	Property Location	Yr	Prd	Amount	Int	Description
119	9		426 Cedar St.	16	3	\$ 126.38		TAX
119	10		428 Cedar St.	16	3	\$ 126.38		TAX
128.03	25		53 Tomasello Dr.	16	3	\$ 2,187.97		TAX
236	133		1400 Canal St.	16	3	\$ 773.42		TAX
376	11		418 N 4th St.	16	3	\$ 609.13		TAX
405	9	11433-0	447 Manor Ave.	16	3	\$ 30.00		WATER
408	12		435 Crest Ave.	16	3	\$ 1,250.27		TAX

That the following be canceled from the Utility records due to read error

Block	Lot	Acct	Property Location	Yr	Prd	Amount	Int	Description
245	7	4756-0	80 N Sharp St.	16	1	\$ (227.50)		WATER
				15	4	\$ (238.00)		WATER
270	4	5119-0	1813 Wheaton Ave.	16	3	\$ (252.00)		WATER
				16	3	\$ (130.00)		SEWER
374	17	6827-0	407 N 5th St.	16	3	\$ (17.50)		WATER
533	57	9345-0	912 S 2nd St.	16	3	\$ (70.00)		WATER
546	34	9576-0	2120 S 2nd St.	16	3	\$ (35.00)		WATER

That the following be canceled from the Utility records due to turn off

Block	Lot	Acct	Property Location	Yr	Prd	Amount	Int	Description
539	1	9473-0	501 Whitall Ave.	16	3	\$ (130.00)		WATER

That the following be corrections were made by reversal to the Tax records

227	2.01	X	2100 N 2nd St.	16	3	\$ 57,758.77		TAX
				16	3	\$ (57,758.77)		ABATEMENT

Moved By: _____

Seconded By: _____

VOTING:

Michael Santiago

Lynne Porreca Compari
David W. Ennis
Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held _____.

Susan G. Robostello, City Clerk

WATER/SEWER TERMINATION NOTICE

WHEREAS, Section 56-18 of the Municipal code of the City of Millville authorizes the termination of water/sewer service to a customer where water/sewer user charges are in default and compliance with Ordinance is in default; and

WHEREAS, Section 56-52 outlines the procedural requirements which must be satisfied by the City before water service may be terminated for failure to comply with the Utility Ordinance; and

WHEREAS, a Notice of Violation, and an Order to Show Cause were served on the following customers of the Water/Sewer Utility as required by the aforesaid Ordinance; and

WHEREAS, a hearing is to be held before the Public Works Committee on Tuesday, August 30, 2016, regarding the termination of water/sewer service as a result of the failure to comply with the Utility Ordinance for the following customers of the Water/Sewer Utility, and the Board of Commissioners finds that all procedural due process requirements required by the Ordinance were satisfied, and that the following customers of the Water/Sewer Utility are not in compliance with said Ordinance.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS OF THE CITY OF MILLVILLE:**

1) That the Water/Sewer Utility shall **TERMINATE** the water/sewer service to the following customers at the property locations listed effective **September 26, 2016**:

Acct Id	Property Location	Total Balance
716-0	322 OAK ST E	218.09
4446-0	2052 WHEATON AVE	218.93
4450-0	2120 WHEATON AVE	218.76
4468-0	30 CALORIS AVE	53.75
4566-0	1208 ROBIN RD	226.84
4605-0	616 QUAIL DR	250.05
4628-0	1225 STARLING ST	309.19
4662-0	728 MALLARD ST	218.81
4664-0	719 GLENSIDE RD	214.79
4673-0	1226 ROBIN RD	218.72
4759-0	86 SHARP ST N	246.15
4791-0	2 HOMESTEAD DR	479.69
4813-0	304 UNION LAKE RD	77.32
4821-0	15 OAKDALE DR	270.64
4834-0	304 SHARP ST N	218.72
4891-0	1211 FOREST DR	217.00
5131-0	9 KEMBLE AVE	216.44
5136-0	18 KEMBLE AVE	219.19
5192-0	1014 ARCHER ST	280.24
5213-0	1037 NORTH ST	280.91
5223-0	107 SHARP ST N	251.94
5236-0	1100 DOCK ST	90.82
5241-0	106 ARNOLD DR	216.25
5242-0	108 ARNOLD DR	152.48
5249-0	122 ARNOLD DR	78.75
5267-0	1009 DOCK ST	139.65
5350-0	207 FOUNDRY ST W	241.59
5372-0	113 FOUNDRY ST W	299.18
5454-0	800 3RD ST N	426.04
5457-0	801 2ND ST N	218.72
5459-0	807 2ND ST N	219.74
5460-0	809 2ND ST N	464.10
5465-0	209 E ST	190.61
5528-0	816 HIGH ST N	791.12
5536-0	6 GREEN ST E	227.22
5547-0	5 MCNEAL ST W	161.95
5558-0	24 GREEN ST W	238.51

5578-0	111 MCNEAL ST W	52.77
5579-0	109 MCNEAL ST W	437.51
5592-0	230 GREEN ST W	218.72
5595-0	236 GREEN ST W	53.31
5604-0	209 MCNEAL ST W	474.86
5610-0	300 GREEN ST W	81.76
5629-0	418 GREEN ST W	218.72
5630-0	803 COLUMBIA AVE	252.86
5632-0	825 COLUMBIA AVE	222.42
5637-0	401-403 MCNEAL ST W	547.53
5655-0	300 POWELL ST W	218.72
5666-0	315 GREEN ST W	252.24
5703-0	716 HIGH ST N	385.83
5712-0	701 BUCK ST	242.80
5734-0	645 BUCK ST	223.80
5737-0	17 POWELL ST E	248.70
5750-0	108 BROAD ST W	164.66
5755-0	124 BROAD ST W	926.44
5815-0	321 G ST	166.50
5817-0	325 G ST	218.72
5822-0	324-326 F ST	578.16
5849-0	900 5TH ST N	350.73
5851-0	402-404 F ST	245.06
5877-0	901 6TH ST N	53.10
5887-0	908 8TH ST N	118.19
5919-0	901 F ST	229.90
5921-0	905 F ST	217.56
5961-0	607 F ST	213.57
5963-0	611 F ST	241.81
5969-0	604 E ST	307.30
5974-0	803 5TH ST N	327.56
5980-0	815 5TH ST N	219.06
5987-0	510 E ST	174.22
6001-0	816 5TH ST N	216.12
6003-0	812 5TH ST N	217.64
6037-0	315 E ST	229.02
6038-1	317-319 E ST	274.85
6065-0	711 4TH ST N	454.65
6095-0	704 10TH ST N	227.31
6099-0	709 9TH ST N	216.60
6118-0	814 BROAD ST E	202.78
6135-0	705 D ST	230.99
6153-0	413 D ST	251.51
6156-0	621 4TH ST N	249.24
6178-0	333 D ST	214.89
6191-0	613 3RD ST N	212.42
6198-0	805 10TH ST N	218.72
6232-0	920 HILL LN	237.21
6267-0	1017 PINEVIEW TERR	57.14
6272-0	919 HILL LN	79.02
6274-0	926 PINEVIEW TERR	234.21
6296-0	1209 HANCE BRIDGE RD	57.14
6297-0	1215 HANCE BRIDGE RD	68.19
6365-0	502 SHARP ST N	224.01
6373-0	524 SHARP ST N	216.77
6374-0	526 SHARP ST N	278.40
6375-0	528 SHARP ST N	220.35
6384-0	519 SHARP ST N	209.92
6403-0	576 COLUMBIA AVE	229.05
6415-0	546 COLUMBIA AVE	221.12
6498-0	515 DOCK ST	266.88
6548-0	530 2ND ST N	216.35
6551-0	516 2ND ST N	640.50
6620-0	126 VINE ST E	173.83
6667-0	411 DOCK ST	307.77
6675-0	25 VINE ST E	240.21
6679-0	124 MULBERRY ST	140.01
6692-0	129 VINE ST E	235.01
6704-0	301 2ND ST N	293.69
6708-0	223 VINE ST E	291.92

6729-0	533 3RD ST N	388.07
6767-0	503 4TH ST N	481.58
6773-0	519 4TH ST N	216.95
6778-0	501 BROAD ST E	552.95
6812-0	509 OAK ST E	114.39
6841-0	427 4TH ST N	218.72
6866-0	320 VINE ST E	216.02
7099-0	515 10TH ST N	259.83
7105-0	501 10TH ST N	223.74
7137-0	402 10TH ST N	216.44
7138-0	908 VINE ST E	178.99
7145-0	809 OAK ST E	228.91
7147-0	410 9TH ST N	162.11
7156-0	701 OAK ST E	53.28
7160-0	722 VINE ST E	305.73
7162-0	712 VINE ST E	131.43
7168-0	603 OAK ST E	440.84
7198-0	523 6TH ST N	201.85
7211-0	703 BROAD ST E	216.25
7215-0	715 BROAD ST E	205.86
7228-0	515 7TH ST N	172.68
7231-0	523 7TH ST N	223.78
7245-0	500 9TH ST N	243.24
7280-0	1203 BROAD ST E	104.65
10247-0	13 VINE ST E	349.89
10265-1	905-907 3RD ST N	157.06
10265-2	905-907 3RD ST N	216.40
10347-1	529-531 5TH ST N	381.23
10347-2	529-531 5TH ST N	381.23
10375-1	308-310 D ST	240.19
10375-2	308-310 D ST	270.29
10377-2	208-210 D ST	160.37
10640-2	502 HIGH ST N	140.01
10776-1	1-3 BROAD ST E	552.95
11371-0	512 SHARP ST N	211.33
11455-0	16 BROAD ST W	258.76
11871-0	2052 EASY ST	573.53
11879-0	2049 EASY ST	140.01
11890-0	2032 MILLER AVE	224.01
11943-0	2048 MILLER AVE	555.50
11962-0	2037 EASY ST	64.29
12016-0	913 EASY ST	213.93
12167-0	904 DOCK ST	248.49
12179-0	2036 EASY ST	225.19
12460-0	600 DOVE DR	234.75
4910-0	1306 HIGH ST N	216.67
5031-0	1901 WHEATON AVE	60.96
5289-0	1022-1024 HIGH ST N	370.91
5514-0	801 HIGH ST N	211.75
5738-1	19 POWELL ST E	244.01
6148-0	424 BROAD ST E	81.49
6383-0	521 SHARP ST N	375.02
6538-1	531-533 HIGH ST N	216.30
6538-2	531-533 HIGH ST N	378.43
6539-0	545 HIGH ST N	756.51
10528-1	2 BROAD ST E	309.46
10528-2	2 BROAD ST E	177.87
10622-1	1600 HIGH ST N	216.67
10622-2	1600 HIGH ST N	149.72
10676-1	221 BROAD ST E	682.52
10726-1	1500 10TH ST N	52.22
10726-2	1500 10TH ST N	218.72
10776-2	1-3 BROAD ST E	218.72
12110-7	1601 HIGH ST N	164.81
4910-0	1306 HIGH ST N	216.67
5031-0	1901 WHEATON AVE	60.96
5289-0	1022-1024 HIGH ST N	370.91
5514-0	801 HIGH ST N	211.75
5738-1	19 POWELL ST E	244.01
6148-0	424 BROAD ST E	81.49

6383-0	521 SHARP ST N	375.02
6538-1	531-533 HIGH ST N	216.30
6538-2	531-533 HIGH ST N	378.43
6539-0	545 HIGH ST N	756.51
10528-1	2 BROAD ST E	309.46
10528-2	2 BROAD ST E	177.87
10622-1	1600 HIGH ST N	216.67
10622-2	1600 HIGH ST N	149.72
10726-1	1500 10TH ST N	52.22
10726-2	1500 10TH ST N	218.72
10776-2	1-3 BROAD ST E	218.72
12110-7	1601 HIGH ST N	164.81

2) That the termination shall remain in effect until the Properties listed above are in full compliance with the utility ordinance and **all water/sewer user charges including interest** due the City of Millville have been paid in full together with any turn on and turn off charges authorized by the Municipal Code; in CASH, MONEY ORDER or CERTIFIED FUNDS.

3) That a copy of this Resolution shall be mailed to the property owners last known address and a copy posted on the property where the water/sewer service is to be terminated.

Moved By: _____

Seconded By: _____

VOTING	In Favor	Against	Abstain	Absent
Michael Santiago				
Lynne Porreca Compari				
David W Ennis				
Joseph Sooy				

CERTIFICATION

I certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners, of the City of Millville, in the County of Cumberland, at a meeting thereof held on September 6, 2016.

Susan G. Robostello, City Clerk

WATER/SEWER TERMINATION NOTICE

WHEREAS, Section 56-18 of the Municipal code of the City of Millville authorizes the termination of service to a customer where compliance with the Utility Ordinance is in default; and

WHEREAS, Section 56-52 outlines the procedural requirements which must be satisfied by the City before water service may be terminated for failure to comply with the Utility Ordinance; and

WHEREAS, a Notice of Violation was served on the following customers of the Water/Sewer Utility as required by the aforesaid Ordinance; and

WHEREAS, an Order to Show Cause for termination of services was served on the following customers of the Water/Sewer Utility in accordance with the requirements of the Ordinance; and

WHEREAS, a hearing is to be held before the Public Works Committee on Tuesday, August 30, 2016 regarding the termination of water/sewer service as a result of the failure to comply with the Utility Ordinance for the following customers of the Water/Sewer Utility, and the Board of Commissioners finds that all procedural due process requirements required by the Ordinance were satisfied, and that the following customers of the Water/Sewer Utility are not in compliance with said Ordinance.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE:

1) That the Water/Sewer Utility shall **TERMINATE** the water/sewer service to the property location listed effective **September 26, 2016**:

Acct Id	Property Location	Description
6488-0	14 W OAK ST	ESTIMATED READS
553-0	17 WESTWOOD TERR	ESTIMATED READS
2196-0	617 W MAIN ST	ESTIMATED READS
2599-0	409 HOWARD ST	ESTIMATED READS
8357-0	216 S 4 TH ST	ESTIMATED READS
7678-0	527 MULBERRY ST	ESTIMATED READS
9372-0	638 S 3 RD ST	ESTIMATED READS
10380-1	124-126 S 4 TH ST	ESTIMATED READS

2) That the termination shall remain in effect until the properties listed above are in compliance with the utility ordinance; the water meter must be repaired or replaced and any turn on and turn off charges authorized by the Municipal Code has been paid in full.

3) That a copy of this Resolution shall be mailed to the property owners last known address and a copy posted on the property where the water/sewer service is to be terminated.

Moved By: _____

Seconded By: _____

VOTING	In Favor	Against	Abstain	Absent
Michael Santiago				
Lynne Porreca Compari				
David W Ennis				
Joseph Sooy				

CERTIFICATION

I certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners, of the City of Millville, in the County of Cumberland, at a meeting thereof held on _____.

RESOLUTION NO. _____

WHEREAS, Chapter 11, Article III of the Municipal Code of the City of Millville requires that property owners maintain their property in accordance with the standards contained in the Property Maintenance Code of the City of Millville; and

WHEREAS, the Code Official authorized emergency services to be performed to correct the condition at a cost to the City of Millville as hereinafter provided.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE:

1. The governing body of the City of Millville hereby authorizes the special assessment against the following properties and the monies owed shall be collected in the same manner as property taxes are assessed and collected pursuant to section 11-6 of the municipal code.

BOARD AND SECURE:

Block 99 Lot 6 328 W Main St (Board and Secure Date 8-15-16)	43.00
Administrative Fee	250.00
Block 99 Lot 6 328 W Main St (Board and Secure Date 8-23-16)	21.50
Administrative Fee	500.00
Block 103 Lot 19 327 W Main St (Board and Secure Date 8-19-16)	86.00
Administrative Fee	500.00
Block 322 Lot 4 905 F St (Board and Secure Date 8-22-16)	129.00
Administrative Fee	250.00
Block 360 Lot 5 422 N 3rd St (Board and Secure Date 8-16-16)	172.50
Administrative fee	500.00
Block 370 Lot 32 532 N 4 th St (Board and Secure Date 8-16-16)	537.50
Administrative Fee	250.00
Block 370 Lot 32 532 4 th St (Board and Secure Date 8-19-16)	215.00
Administrative Fee	500.00
Block 377 Lot 1 328 Mulberry St (Board and Secure Date 8-16-16)	43.50
Administrative Fee	500.00
Block 377 Lot 1 328 Mulberry St (Board and Secure Date 8-18-16)	21.50
Administrative fee	500.00

Block 445 Lot 5
 1000 E Main St
 (Board and Secure Date 8-18-16) 43.00
 Administrative Fee 500.00

Block 478 Lot 5
 213 S 2nd St
 (Board and Secure Date 8-11-16) 64.50
 Administrative Fee 500.00

Block 478 Lot 21
 119 S 2nd St
 (Board and Secure Date 8-16-16) 559.00
 Administrative fee 500.00

Block 478 Lot 35
 124 S 3rd St
 (Board and Secure Date 8-16-16) 559.00
 Administrative Fee 500.00

Moved By:

Seconded By:

VOTING

Michael Santiago

Lynne Porreca Compari

David W. Ennis

Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held September 6, 2016.

 Susan G. Robostello, City Clerk

Resolution No: _____

Mitigation Plan for Four New Jersey Counties

A Resolution of the City of Millville Board of Commissioners adopting the Mitigation Plan for Four New Jersey Counties

WHEREAS, the City of Millville Board of Commissioners recognizes the threat that natural hazards pose to people and property within the City of Millville; and

WHEREAS, The City of Millville has participated in the preparation of the Mitigation Plan for Four New Jersey Counties, a multi-jurisdictional, multi-hazard mitigation plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Mitigation Plan for Four New Jersey Counties includes:

* The Regional Hazard Mitigation Plan and Annexes that include summary information common to all participating jurisdictions in the four county region, and

* The City of Millville Appendix that identifies mitigation goals, strategies, and measures specifically for Millville to reduce or eliminate long-term risk to people and property from the impacts of future hazard events and disasters; and

WHEREAS, adoption by the City of Millville Board of Commissioners demonstrates commitment to hazard mitigation and achieving the goals outlined in the Mitigation Plan for Four New Jersey Counties.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE AS FOLLOWS:

1. The Board of Commissioners adopts the Mitigation Plan for Four New Jersey Counties and the City of Millville Appendix including authorizing the formation and duties of the City of Millville Hazard Mitigation Working Group (Working Group):

2. The Working Group shall be convened by the City of Millville Emergency Management Coordinator and will include representatives of the following departments, agencies, and organizations and other interested parties:

OEM Coordinator
OEM Deputy Coordinators
City Commissioners
City Administrator
Fire, EMS, and Police Chiefs

City Water and Sewer utilities supervisor
Municipal Engineer
City department of Planning and Zoning
Municipal Construction Official

3. The Working Group shall convene to conduct plan implementation and maintenance activities as identified in the Regional Hazard Mitigation Plan and City of Millville Appendix including monitoring, evaluation, and updating the City of Millville Appendix and providing annual reports to the City of Millville Board of Commissioners and the Cumberland County Office of Emergency Management.

Moved By:
Seconded By:

VOTING

Michael Santiago

Lynne Porreca Compari

David W. Ennis

Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting there of held September 6, 2016.

Susan G. Robostello, City Clerk



Mitigation Plan for Four New Jersey Counties
Cumberland County Appendices

Appendix CuC.11
Millville City, New Jersey

April 15, 2016

Table of Contents

Table of Contents	CuC.11-i
Part 1 Overview	CuC.11-1
1.1: Mitigation Plan for Four New Jersey Counties	CuC.11-1
1.2: Millville City (Cumberland County) Municipal Appendix	CuC.11-1
Part 2 Participation	CuC.11-2
2.1: Municipal Working Group Participation	CuC.11-2
2.2: Public Participation	CuC.11-4
Part 3 Hazard Identification and Risk Assessment	CuC.11-5
3.1: Municipal Profile	CuC.11-5
3.2: Hazard Priorities	CuC.11-9
3.3: Hazard Mapping	CuC.11-10
3.4: Critical Facilities Inventory and Hazard Exposure Assessment	CuC.11-11
Part 4 Mitigation Measures	CuC.11-22
4.1: Mitigation Goals and Strategy	CuC.11-22
4.2: SDVR HMP Mitigation Measures	CuC.11-23
4.3: Municipal Mitigation Measures – Identification	CuC.11-24
4.4: Municipal Mitigation Measures – Implementation	CuC.11-26
4.5: Multi-Jurisdictional Mitigation Measures	CuC.11-28
4.6: Authorities, Policies, Programs, Resources, and Plan Integration	CuC.11-30

Table of Contents

List of Figures

Figure CuC.11-1: Millville City (Cumberland County) Location Map	CuC.11-5
Figure CuC.11-2: Millville City Base Map	CuC.11-6
Figure CuC.11-3: Millville City Housing Units by Year Built	CuC.11-8
Figure CuC.11-4: Millville City Mitigation Project Locations	CuC.11-29

List of Tables

Table CuC.11-1: Millville City (Cumberland County) Working Group	CuC.11-2
Table CuC.11-2: Public Participation	CuC.11-4
Table CuC.11-3: Millville City Demographics	CuC.11-7
Table CuC.11-4: Millville City Demographic Rankings	CuC.11-7
Table CuC.11-5: Millville City Economics and Housing	CuC.11-7
Table CuC.11-6: Millville City Ranking (Economics and Housing)	CuC.11-8
Table CuC.11-7: Supporting Mapping and Exhibits	CuC.11-10
Table CuC.11-8: Millville City Critical Facilities Inventory	CuC.11-12
Table CuC.11-9: Millville City Critical Facilities Hazard Exposure	CuC.11-18
Table CuC.11-10: Status of Millville City SDVR HMP Mitigation Measures	CuC.11-23
Table CuC.11-11: Millville City Municipal Mitigation Measures Identification	CuC.11-25
Table CuC.11-12: Millville City Municipal Mitigation Measures Implementation	CuC.11-26
Table CuC.11-13: Millville City Multi-Jurisdictional Mitigation Measures	CuC.11-28

Attachments

Attachment CuC.11.A: Public Review Comments	CuC.11.A-1
Attachment CuC.11.B: Adoption Resolution	CuC.11.B-1
Attachment CuC.11.C: Approval Letter	CuC.11.C-1

Part 1: Overview

Part 1.1: Mitigation Plan for Four New Jersey Counties

The Mitigation Plan for Four New Jersey Counties (NJ4 HMP) incorporates input from approximately ninety (90) participating municipalities in Camden, Cumberland, Gloucester, and Salem Counties. The NJ4 HMP is an update and expansion of the South Delaware Valley Region Multi-jurisdictional Hazard Mitigation Plans that were adopted by all four counties and approved by the Federal Emergency Management Agency in 2010 and 2011.

The NJ4 HMP has two main parts:

- Regional Hazard Mitigation Plan
- County and Municipal Appendices

The Regional Hazard Mitigation Plan includes descriptions and information that is common to all participating NJ4 HMP jurisdictions organized according to the following three main focus areas:

- Planning Process
- Hazard Identification and Risk Assessment
- Mitigation Measures

The Regional Hazard Mitigation Plan also includes Annexes that contain detailed background information for these three focus areas and additional reference materials for the implementation of the NJ4 HMP.

The County and Municipal Appendices include specific information for these same three main focus areas for each of the participating municipalities. Detailed tabulations are included in these Appendices for critical facilities, status of past mitigation activities, and proposed mitigation measures for each municipality.

Part 1.2: Millville City (Cumberland County) Municipal Appendix

This Municipal Appendix is focused on Millville City in Cumberland County, New Jersey.

The Millville City Municipal Working Group recommended the Millville City (Cumberland County) Municipal Appendix for adoption to the Millville City Commission.

The Millville City Commission adopted the Municipal Appendix by resolution (see Attachment B: Adoption Resolution).

Region II of the Federal Emergency Management Agency subsequently approved the Municipal Appendix (see Attachment C: Approval Letter).

Part 2: Participation

Part 2.1: Municipal Working Group Participation

Part 2.1 includes:

- *Municipal Working Group members including positions in the community, meetings and work sessions attended, and specific contributions to the Municipal Appendix*
- *Municipal positions and organizations that were invited but were not able to participate in the plan update process*
- *Municipal positions and organizations that have been recommended by the Federal Emergency Management Agency (FEMA) as candidates for participation on Municipal Working Groups but do not exist in the municipality*

Table CuC.11-1 identifies the Municipal Working Group members. As explained in *Section 2: Planning Process* of the Mitigation Plan for Four New Jersey Counties (NJ4 HMP) Regional Hazard Mitigation Plan, the Municipal Working Groups are comprised of community representatives who worked to make sure mitigation measures included in the Municipal Appendix addressed the risks faced by residents, businesses, and property owners and reflected the priorities of the community. The Working Group will also continue to stay involved during the implementation and maintenance of the NJ4 HMP.

Table CuC.11-1: Millville City (Cumberland County) Working Group

First Name	Last Name	Department	Position	Round 1 Work Session ¹	Round 2 Work Session ²	Contribution ³
Sherman	Taylor	City of Millville Office of Emergency Management	OEM Coordinator	☑	☑	Organized Working Group and Work Sessions.
William	Stadnick III	City of Millville Office of Emergency Management	Deputy OEM Coordinator	☑		
Michael	Santiago	Millville City Commission	Mayor / Director of Public Safety		☑	
Lynn	Porreca Compari	Millville City Commission	Commissioner / Director of Public Affairs		☑	
David	Ennis	Millville City Commission	Commissioner / Director of Public Works	☑		
Susan	Robostello	City of Millville Administration	City Clerk / City Administrator	☑	☑	
Kurt	Hess	City of Millville Fire Department	Chief	☑	☑	
John	Redden	City of Millville Reserve Squad	Chief		☑	
Jared	Keefer	City of Millville Rescue Squad	Field Supervisor		☑	

¹ Round 1 Work Session was held on August 14, 2014.

² Round 2 Work Session was held on October 31, 2014.

³ Municipal Working Group members reviewed briefing materials in advance of Work Sessions, contributed during Work Sessions, and reviewed the preliminary Mitigation Plan for Four New Jersey Counties. Additional or unusual contributions are noted in the far right hand column of Table CuC.11-1.

Part 2: Participation

First Name	Last Name	Department	Position	Round 1 Work Session ¹	Round 2 Work Session ²	Contribution ³
Craig	Dombrosky	City of Millville Department of Water and Sewer	Superintendent		<input checked="" type="checkbox"/>	
Richard	Jones	City of Millville Engineering Department	Municipal Engineer		<input checked="" type="checkbox"/>	
Nicholas	Taney	City of Millville Engineering Department	Professional Engineer	<input checked="" type="checkbox"/>		
Samantha	Silvers	City of Millville Department of Planning and Zoning	Assistant Planner		<input checked="" type="checkbox"/>	
Kevin	Cain	City of Millville Construction Department	Construction Official / Floodplain Administrator			Reviewed Preliminary Municipal Appendix

The following lists candidate positions and organizations within the community that were extended invitations but could not participate during the development of the Municipal Appendix. These positions and organizations will continue to be extended invitations to participate during subsequent plan implementation and maintenance activities.⁴

- Business Associations
- Community / Faith-Based Organization(s)
- Environmental Organizations
- Major Employers
- Healthcare Institutions
- Millville Housing Authority
- School Board

⁴ See *Section 4: Mitigation Measures* of the NJ4 HMP Regional Hazard Mitigation Plan.

Part 2: Participation

Part 2.2: Public Participation

Part 2.2 includes opportunities provided to the public and interested parties in the municipality to participate during the plan update process.

Table CuC.11-2 identifies the date, type, and location (where applicable) for opportunities provided to the public and interested parties to participate in the development of the plan update.

Table CuC.11-2: Public Participation

Date	Type of Involvement	Location
August 18, 2014	Link to Project Website (http://nj4hmp.com) established	City of Millville website, Emergency Management page ⁵
November 24, 2014	Preliminary Municipal Appendix posted to website for public comment	City of Millville website, Emergency Management page ⁶
January 6, 2015	Public hearing included on Millville City Commission agenda providing for open discussion, and public comment regarding the Preliminary Municipal Appendix	Millville City Hall, 12 South High Street, Millville
January 12, 2015	Public hearing included on Millville City Commission agenda providing for open discussion, and public comment regarding the Preliminary Municipal Appendix	Millville City Hall, 12 South High Street, Millville

Public comments and input received for the Preliminary Municipal Appendix were considered by the Municipal Working Group and incorporated into the Draft Municipal Appendix where appropriate. Public comments received during the review of the Preliminary Municipal Appendix were included in Attachment A to the Municipal Appendix along with a brief explanation of how the comments were addressed in the Draft Municipal Appendix.

In addition, the Municipal Appendix was adopted as part of a regularly scheduled public meeting (see Attachment B: Adoption Resolution).

Public education and outreach is an on-going mitigation measure included in the Municipal Appendix.⁷ In addition, public participation will continue to be encouraged during subsequent plan implementation and maintenance activities.⁸

⁵ <http://www.millvillenj.gov/DocumentCenter/View/1087>

⁶ <http://www.millvillenj.gov/DocumentCenter/View/1229>

⁷ See Mitigation Measure M-1 in Part 4 of the Municipal Appendix.

⁸ See Section 4: Mitigation Measures of the NJ4 HMP Regional Hazard Mitigation Plan.

Part 3: Hazard Identification and Risk Assessment

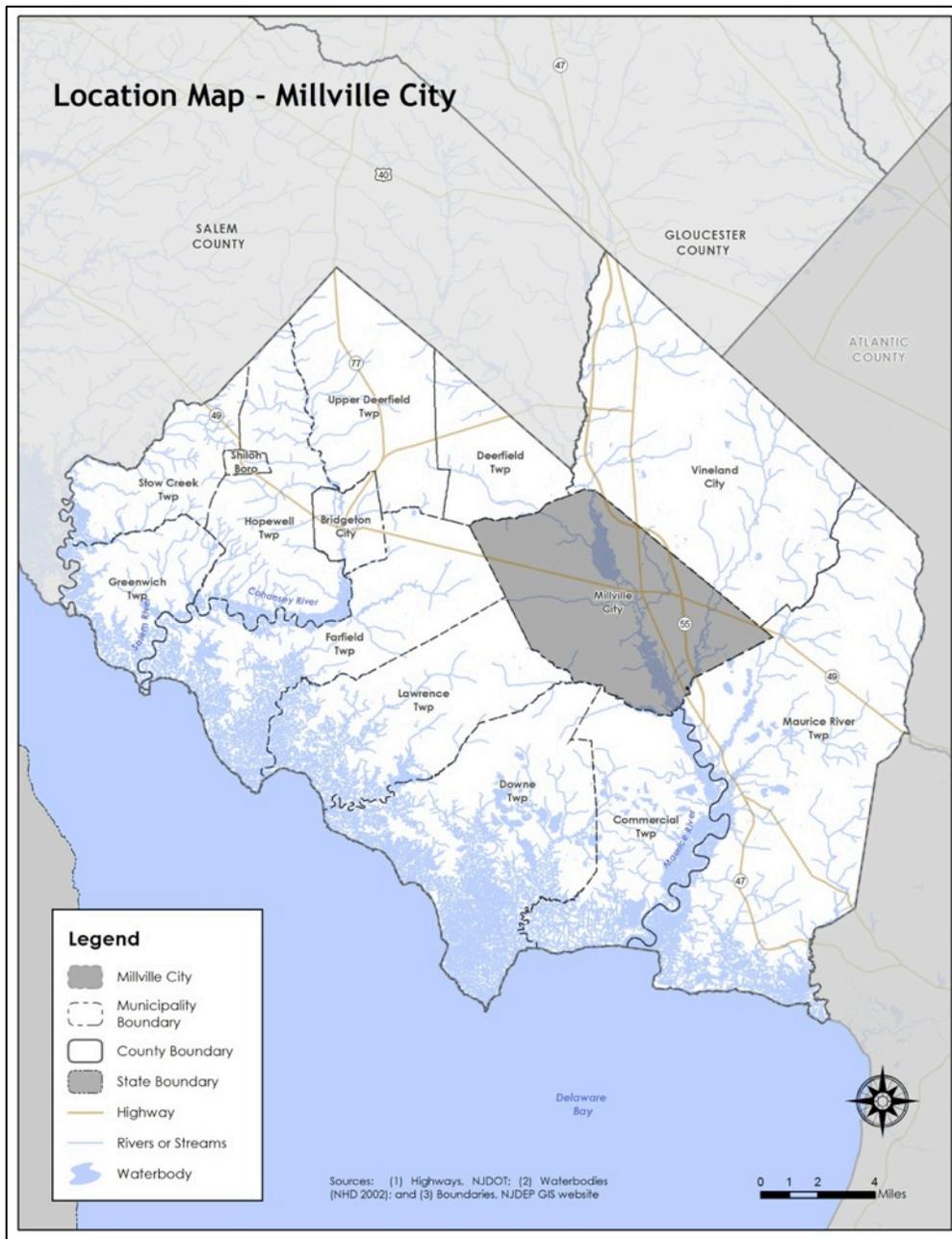
Part 3.1: Municipal Profile

Part 3.1 includes:

- Selected data and information about the municipality that is generally relevant for emergency management planning and specifically for hazard mitigation
- A brief character sketch for the municipality that is only intended to portray a few of the most basic elements

Millville City is located in the central part of Cumberland County (See Figure CuC.11-1).

Figure CuC.11-1: Millville City (Cumberland County) Location Map

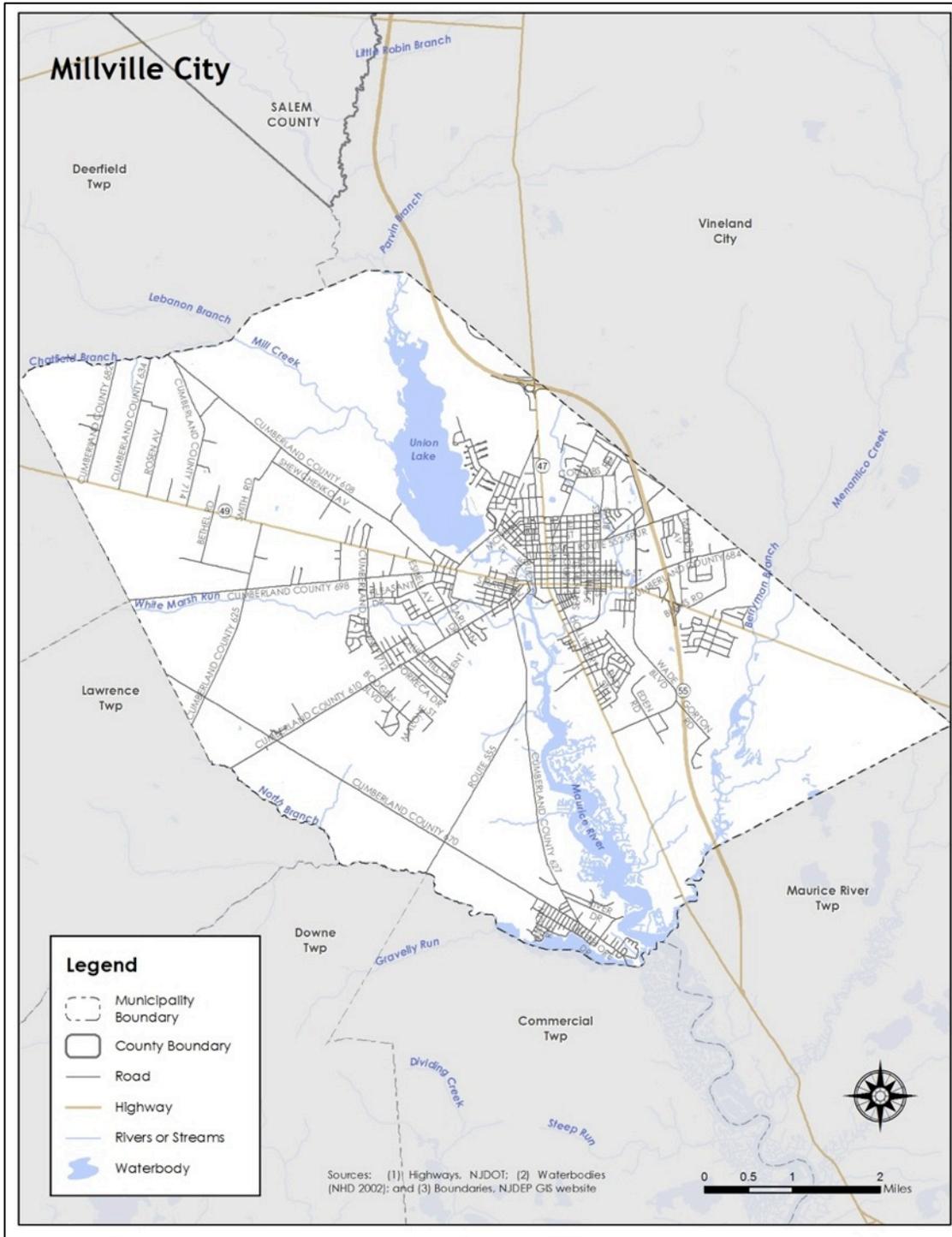


Part 3: Hazard Identification and Risk Assessment

Millville City is an inland municipality with mixed urban and suburban development and the second highest population of the fourteen municipalities in Cumberland County.

Per Figure CuC.11-2, major water bodies include Union Lake and Maurice River. Major transportation routes include State Highway Routes 49 and 55. The land is predominately flat.

Figure CuC.11-2: Millville City Base Map



Part 3: Hazard Identification and Risk Assessment

In addition, Table CuC.11-3 is a compilation of demographic information for the municipality and comparison with the county, the four county region, and State of New Jersey.

Table CuC.11-3: Millville City Demographics
(Source: Census DP-1, 2010 ACS 5 Year Estimates, DP 3, 4)

	Millville City	Cumberland County	Region	New Jersey
2000 Population	26,847	146,438	974,328	8,414,350
2010 Population	28,400	156,898	1,024,926	8,791,894
Percent Change	5.78%	7.14%	5.19%	4.49%
Population Density	676.2 / sq. mile	324.4 / sq. mile	754.25 / sq. mile	1,195.5 / sq. mile
Land Area	42.00 sq. miles	483.70 sq. miles	1,358.86 sq. miles	7,354.22 sq. miles
% of Population under 18 years	25.9	24	24.1	23.5
% of Population 18 – 64	61.0	63.4	62.7	63
% of Population 65 and older	13.1	12.6	13.2	13.5

Table CuC.11-4 illustrates how Millville City ranks in the county, the four county region, and New Jersey.

Table CuC.11-4: Millville City Demographic Rankings

	Cumberland County (total of 14)	Region (total of 90)	State (total of 565)
Population Rank	2	11	78
Land Area Rank	4	9	42
Population Density Rank	3	57	415
Population Change Rank	6	27	-

Table CuC.11-5 includes information related to economic and housing statistics for Millville City, Cumberland County, the four county region, and New Jersey.

Table CuC.11-5: Millville City Economics and Housing
(Source: USDA ERS, Census DP-1, 2010 ACS 5 Year Estimates, DP 3, 4; NJ LWD 2010)

	Millville City	Cumberland County	Region	New Jersey
Date Incorporated	March 1, 1866	1748	-	-
Rural / Urban Status	Urban	Urban	Urban	Urban
Median Household Income	\$44,925	\$50,651	\$60,933	\$69,811
Total Number of Housing Units	11,026	55,834	397,990	3,529,033
Occupied Housing Units	10,164	51,931	372,472	3,176,069
Vacant Housing Units	862	3,903	25,518	352,964
Owner Occupied Housing Units	6,195	34,622	266,593	2,126,279
Renter occupied Housing Units	3,969	17,309	105,879	1,049,790
Building Permits	65	246	1,554	13,535
Largest Industry	Educational services, and health care and social assistance	Educational services, and health care and social assistance	Educational services, and health care and social assistance	Educational services, and health care and social assistance

Table CuC.11-6 illustrates how Millville City ranks in the county and the four county region.

Part 3: Hazard Identification and Risk Assessment

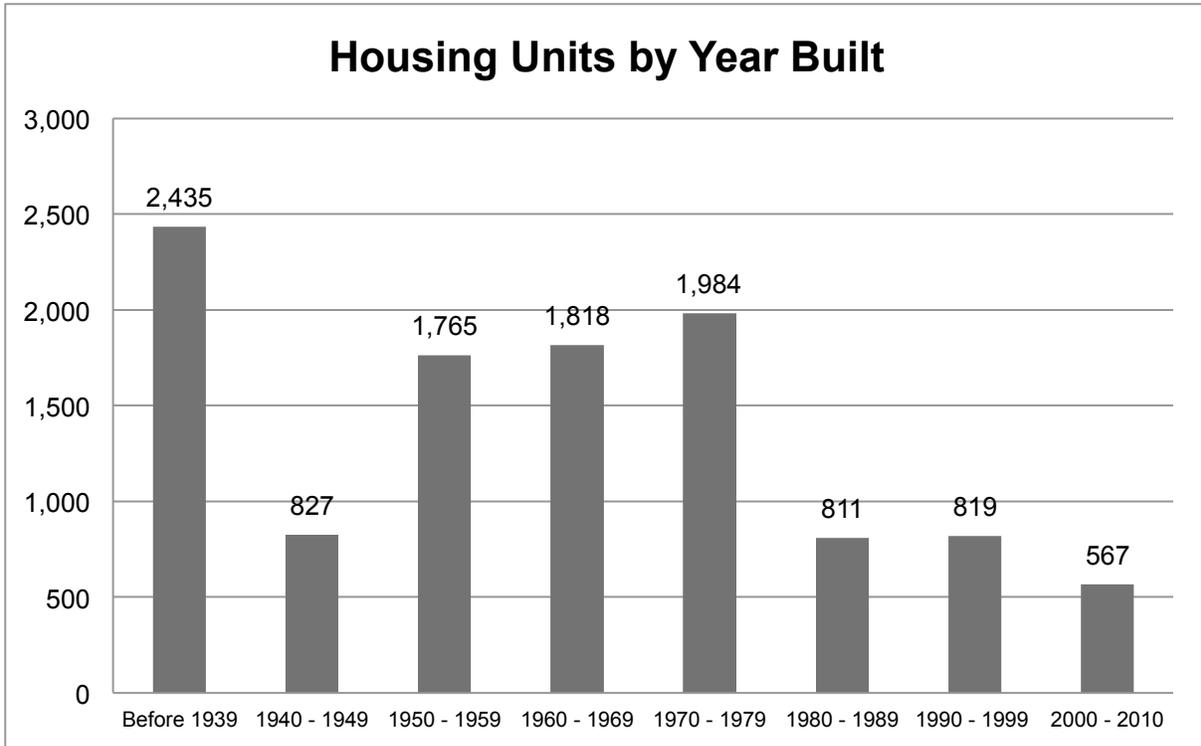
Table CuC.11-6: Millville City Ranking (Economics and Housing)

	Cumberland County (total of 14)	Region (Total of 90)
Median Household Income Rank	13	81
Vacant Housing Rank	2	5
Renter Occupied Housing Rank	2	6
Building Permits Rank	2	6

Figure CuC.11-3 illustrates development patterns in Millville City by examining housing units by year built.

Figure CuC.11-3: Millville City Housing Units by Year Built

(Source: 2010 ACS 5 Year Estimates, DP 4)



Part 3: Hazard Identification and Risk Assessment

Part 3.2: Hazard Priorities

Part 3.2 includes hazard priority determinations per the Municipal Working Group.

As a key step in the Hazard Identification and Risk Assessment (HIRA) process, the twelve (12) natural hazards identified in the NJ4 HMP¹ were discussed during the Municipal Working Group Work Sessions and the relative priority of these hazards was identified. The Municipal Working Group rated the hazards as follows:

High Priority

- Dam Failure
- Flood
- High Wind

Moderate Priority

- Coastal Erosion & Sea Level Rise
- Extreme Temperature: Hot & Cold
- Severe Weather – Summer
- Severe Weather – Winter

Low Priority

- Drought
- Earthquake
- Wildfire

Two additional hazards were considered but were not considered applicable to the municipality:

- Geologic Hazards
- Levee Failure

¹ See Section 3: Hazard Identification and Risk Assessment.

Part 3: Hazard Identification and Risk Assessment

Part 3.3: Hazard Mapping

Part 3.3 includes cross references to hazard inventory and risk assessment mapping included in the NJ4 HMP Regional Hazard Mitigation Plan.

Table CuC.11-7 provides information regarding hazard inventory mapping included in *Annex D: Hazard Profiles and Risk Assessments* of the NJ4 HMP that support the Hazard Identification and Risk Assessment (HIRA) for the Municipal Appendix. The indicated maps and exhibits correspond to the hazards identified by the Municipal Working Group in Part 3.2. The information represented by these maps will be used in the Critical Facilities Hazard Exposure Assessment described in Part 3.4.

Table CuC.11-7: Supporting Mapping and Exhibits

Figure #	Hazard	Map	HIRA Contribution
Figure RP.D-3	Coastal Erosion and Sea Level Rise	Increased Inundation Areas (Coastal Scenarios) Coastal Water Level Increases of 1, 2, and 3 Feet	Identify areas where increased inundation due to sea level rise may occur
Figure RP.D-11	Dam Failure	Dam Locations and Hazard Classification	Identify areas in proximity to rated dams
Figure RP.D-52	Flood	FEMA Flood Hazard Zones Preliminary FIRM (PFIRM)	Identify areas subject to periodic flooding (work-in-progress for revisions to effective FIRM)
Figure RP.D-54	Flood (Storm Surge)	Coastal Flood Loss Atlas – SLOSH Model Maximum of Maximum	Identify areas where inundation due to storm surge may occur
Figure RP.D-99	Wildfire	Wildland Fuel Hazard Risk	Identify areas subject to wildfire
Figure RP.D-106	Wildfire	Wildland Urban Interface (WUI)	Identify areas subject to wildfire

The following hazards are not referenced as these hazards occur uniformly across the municipality and have the same potential impact on all properties and assets:

- Drought
- Earthquake
- Extreme Temperatures – Cold and Hot
- High Wind
- Severe Weather – Summer
- Severe Weather – Winter

Part 3: Hazard Identification and Risk Assessment

Part 3.4: Critical Facilities Inventory and Hazard Exposure Assessment

Part 3.4 includes:

- *Inventory information for municipal critical facilities*
- *Hazard exposure analysis results for municipal critical facilities*

Consistent with the process described in Section 3 of the NJ4 HMP Regional Hazard Mitigation Plan, Table CuC.11-8 contains updated inventory information for municipal critical facilities including cross-references to related mitigation measures identified in Part 4 of the Municipal Appendix.

Note: Shaded cells (if any) will be completed as part of follow-up efforts to be conducted as part of Mitigation Measure M-2 (see Part 4 of the Municipal Appendix).

Table CuC.11-9 provides the means to record results of overlaying critical facility locations with hazard mapping identified in Part 3.3. The results will indicate critical facilities that are potentially exposed to specific hazards.

Note: This information will be used in critical site and facility assessments to be conducted as part of Mitigation Measure M-2 (see Part 4 of the Municipal Appendix).

Hazards that apply to all critical facilities in the NJ4 region and will automatically be included in the proposed critical site and facility assessment process include:

- Earthquake
- High Wind
- Severe Weather – Summer
- Severe Weather – Winter

Hazards that do not relate to the proposed critical site and facility assessment process include:

- Drought
- Extreme Temperatures – Cold and Hot

As a result, these six (6) hazards are not included in the critical facility exposure assessment in Section 3 of the NJ4 HMP Regional Hazard Mitigation Plan.

Part 3: Hazard Identification and Risk Assessment

Table CuC.11-8: Millville City (Cumberland County) Critical Facilities Inventory

CF #	Name	Type	Sub-Type	Address	Co-located CF #	Shelter (Y/N)	Generator (Y/N)	Comments	Mitigation Measure #
CF-1	City Hall	Municipal	Administrative Offices	12 South High Street, Millville		N	Y ²		M-5
CF-2	Emergency Operations Center	EOC	Co-located Facilities	420 Buck Street, Millville		N	Y		
CF-3	Fire Station	FireStations	Stations	420 Buck Street, Millville	CF-2	Y ³	Y		
CF-4	EMS Station	EMS	Stations	600 Cedar Street, Millville		Y ³	Y	Includes independent EMS fleet management	
CF-5	Police Station	Law Enforcement Facilities	Stations	18 South High Street, Millville		N	Y		
CF-6	Riggins Oil	Public Works	Fueling Stations	129 East Main Street, Millville		N/A	N ⁴	Private Vendor	
CF-7	Public Works Yard	Public Works	Combined Administrative Office, Maintenance / Work Area, Equipment / Materials Storage	416 South 15 th Street, Millville		N	N ⁵		M-6
CF-8	Ware Avenue Water Treatment Plant	Utilities – Water	Water Treatment Plants	101 Ware Avenue, Millville		N/A			
CF-9	Bridgeton Pike Water Treatment Plant	Utilities – Water	Water Treatment Plants	1944 West Main Street, Millville		N/A	Y		
CF-10	Airport Plant Water Treatment Plant	Utilities – Water	Water Treatment Plants	50 Bogden Boulevard, Millville		N/A	Y		
CF-11	“E” Street Water Treatment Plant and Well #17	Utilities – Water	Combined Water Treatment Plant / Wellhead	709 “E” Street, Millville		N/A	Y		

² Limited to emergency lighting. Upgrade to cover Data Center housed as part of Administrative Offices is funded but not implemented as of October 31, 2014.

³ Temporary Shelter.

⁴ As of October 31, 2014, Riggins Oil does not have a back-up emergency power generator. However, the station at East 2nd Street and Main Street is approved for NJ Quick Connect program. In the event of a power disruption, Riggins will contact NJOEM and a generator will be provided. Other contingency plans have been identified including pumping gas from Riggins Oil facility in Vineland and sending a tanker with fuel.

⁵ New Public Works facility will have hook-ups for portable generator but no portable generator is currently owned by the City of Millville that is adequate to run this facility.

Part 3: Hazard Identification and Risk Assessment

CF #	Name	Type	Sub-Type	Address	Co-located CF #	Shelter (Y/N)	Generator (Y/N)	Comments	Mitigation Measure #
CF-12	Geissinger Avenue Water Treatment Plant, Well #18, and Tank	Utilities – Water	Combined Water Treatment Plant / Wellhead / Water Tower	18 Geissinger Avenue, Millville		N/A	Y		
CF-13	Orange Street Tank	Utilities – Water	Water Towers	416 Orange Street, Millville		N/A	N ⁶		
CF-14	Bluebird Lane Tank	Utilities – Water	Water Towers	113 Bluebird Lane, Millville		N/A	N ⁶		
CF-15	Tower Road Tank	Utilities – Water	Water Towers	1500 Tower Road, Millville		N/A	N ⁶		
CF-16	Coombs Road Tank	Utilities – Water	Water Towers	2000 Miller Avenue, Millville		N/A	N ⁶		
CF-17	Buckshutem Road Tank	Utilities – Water	Water Towers	1801 West Buckshutem Road, Millville		N/A	N ⁶		
CF-18	Airport Well #1	Utilities – Water	Wellheads	Block 125, Lot 5, Millville		N/A		Off Leddon Street	
CF-19	Airport Well #2A	Utilities – Water	Wellheads	Block 125, Lot 5, Millville		N/A	N	On Peterson, next to Building #20	M-7
CF-20	Airport Well #4	Utilities – Water	Wellheads	Block 125, Lot 5, Millville		N/A	N	Behind big DRBA hangers	M-8
CF-21	Well #13A ⁷	Utilities – Water	Wellheads	Ware Avenue, Block 461, Lot 1, Millville	CF-8	N/A		Along plant driveway	
CF-22	Well #14 ⁷	Utilities – Water	Wellheads	Ware Avenue, Block 461, Lot 1, Millville	CF-8	N/A		West of plant garage	
CF-23	Well #15 ⁷	Utilities – Water	Wellheads	Block 462, Lot 7, Millville	CF-8	N/A		North of Babe Ruth Ball field	
CF-24	Well #16 ⁷	Utilities – Water	Wellheads	Block 462, Lot 7, Millville	CF-8	N/A		At Municipal Building parking lot	
CF-25	Airport Taxiway Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	Leddon Street, Millville		N/A	N	Portable generator required	
CF-26	Bogden Boulevard Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	700 Bogden Boulevard, Millville		N/A	Y	Standby generator available	
CF-27	Buck Street Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	98 Buck Street, Millville		N/A	N	Portable generator required	

⁶ Water tanks are equipment with hook-ups for portable back-up generators capable of providing adequate power to operate monitoring controls

⁷ Well #s 13A, 14, 15, and 16 are considered obsolete and will be replaced in operation eventually by Well #18.

Part 3: Hazard Identification and Risk Assessment

CF #	Name	Type	Sub-Type	Address	Co-located CF #	Shelter (Y/N)	Generator (Y/N)	Comments	Mitigation Measure #
CF-28	Cumberland Crossing Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	2201 North 2 nd Street, Millville		N/A	Y	Standby generator available	
CF-29	Dividing Creek Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	2997 Dividing Creek Road, Millville		N/A	Y	Standby generator available	
CF-30	Gorton Road Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	40 Gorton Road, Millville		N/A	N	Bypass connection available, portable generator required	
CF-31	High School Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	1411 East Pine Street, Millville		N/A	Y	Standby generator available	
CF-32	Ireland Avenue Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	618 Ireland Avenue, Millville		N/A	Y	Bypass connection available, standby generator available	
CF-33	JFK Boulevard Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	JFK Boulevard, Millville		N/A	N	Low volume station, no generator required	
CF-34	Lowes Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	Route 47 / North 2 nd Street, Millville		N/A	Y	Standby generator available	
CF-35	Manor Estates Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	East Broad Street, Millville		N/A	Y	Standby generator available	
CF-36	Mistletoe Lane Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	2508 Mistletoe Lane, Millville		N/A	Y	Bypass connection available, standby generator available	
CF-37	Reese Road Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	South Industrial Park, Millville		N/A	N	Portable generator required	
CF-38	Soccer Field Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	Sharp Street, Millville		N/A	N	Low volume station, no generator required	
CF-39	South Second Street Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	1609 South 2 nd Street, Millville		N/A	Y	Bypass connection available, standby generator available	
CF-40	Starling Drive Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	1220 Starling Drive, Millville		N/A	N	Portable generator required	
CF-41	Sunset Drive Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	30 Sunset Drive, Millville		N/A	N	Portable generator required	
CF-42	Ware Avenue Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	101 Ware Avenue, Millville	CF-8	N/A	N	Low volume station, no generator required	

Part 3: Hazard Identification and Risk Assessment

CF #	Name	Type	Sub-Type	Address	Co-located CF #	Shelter (Y/N)	Generator (Y/N)	Comments	Mitigation Measure #
CF-43	West Side Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	201 Riverside Drive, Millville		N/A	Y	Bypass connection available, standby generator available	
CF-44	The Hollow Pump Station	Utilities – Wastewater	Pump Stations / Lift Stations	453 South 2 nd Street, Millville		N/A	N	Low volume station, no generator required	
CF-45	Mount Pleasant Elementary School	Schools	Public Schools	100 Carmel Road, Millville		N	N		
CF-46	Child Family Center	Schools	Public Schools	1100 Coombs Road, Millville		N	Y ⁸		
CF-47	Lakeside Middle School	Schools	Public Schools	2 North Sharp Street, Millville		Y ⁹	Y ⁸		
CF-48	Millville Senior High School	Schools	Public Schools	200 Wade Blvd, Millville		Y ⁹	Y ⁸		M-10
CF-49	Holly Heights Elementary School	Schools	Public Schools	2509 East Main Street, Millville		Y ⁹	Y ⁸		
CF-50	Silver Run Elementary School	Schools	Public Schools	301 Silver Run Road, Millville		Y ⁹	Y ⁸		M-11
CF-51	Rieck Avenue Elementary School	Schools	Public Schools	339 Rieck Avenue, Millville		Y ⁹	Y ⁸		
CF-52	Bacon Elementary School	Schools	Public Schools	501 South Third Street, Millville		Y ⁹	N		
CF-53	Memorial High School	Schools	Public Schools	504 East Broad Street, Millville		Y ⁹	Y ⁸		
CF-54	R.D. Wood Elementary School	Schools	Public Schools	700 Archer Street, Millville		N	N		
CF-55	Millville Public Charter	Schools	Private Schools	1101 Wheaton Avenue, Suite 220, Millville					
CF-56	Open Bible Baptist Academy	Schools	Private Schools	2625 East Main Street, Millville					
CF-57	Maurice House	Vulnerable Populations Facilities	Private Assisted Living	1719 West Main Street, Millville		Y ¹⁰	Y ¹¹		

⁸ Millville City school generators typically only operate a percentage of lights to allow egress and walk-in freezers and refrigerators

⁹ Certified by the American Red Cross.

¹⁰ Shelter-in-place.

¹¹ Limited to emergency lighting.

Part 3: Hazard Identification and Risk Assessment

CF #	Name	Type	Sub-Type	Address	Co-located CF #	Shelter (Y/N)	Generator (Y/N)	Comments	Mitigation Measure #
CF-58	Genesis Elder Care	Vulnerable Populations Facilities	Private Nursing Home	54 North Sharp Street, Millville		Y ¹⁰	Y		
CF-59	Hillcrest Manor Estates	Vulnerable Populations Facilities	Private Age-Restricted Housing	1200 North High Street, Millville					
CF-60	Millville Day Care Center	Vulnerable Populations Facilities	Private Child Day Care	911 Columbia Avenue, Millville					
CF-61	Millville Day Care West	Vulnerable Populations Facilities	Private Child Day Care	1001 Columbia Avenue, Millville					
CF-62	Corson Park Day Care and Nursery	Vulnerable Populations Facilities	Private Child Day Care	4 North 12 th Street, Millville					
CF-63	First Methodist Church	Vulnerable Populations Facilities	Private Child Day Care	201 North 2 nd Street, Millville					
CF-64	Rieck Avenue Country Day Care	Vulnerable Populations Facilities	Private Child Day Care	250 Rieck Avenue, Millville					
CF-65	Precious Hearts Daycare	Vulnerable Populations Facilities	Private Child Day Care	100 South 15 th Street, Millville					
CF-66	Mary's Little Lambs – Childcare Center	Vulnerable Populations Facilities	Private Child Day Care	1101 Wheaton Avenue, Suite 47, Millville					
CF-67	Jaycee Plaza	Vulnerable Populations Facilities	Public Housing	122 East Main Street, Millville		Y ¹⁰	Y ¹²	High-rise, managed by Millville Housing Authority, 90 units	
CF-68	Riverview West	Vulnerable Populations Facilities	Public Housing	100 Riverside Drive, Millville		Y ¹⁰	Y ¹¹	High-rise, managed by Millville Housing Authority, 98 units	
CF-69	Riverside East	Vulnerable Populations Facilities	Public Housing	130 South 2 nd Street, Millville		Y ⁹	Y ¹²	High-rise, managed by Millville Housing Authority, 110 units	

¹² Generator provides back-up emergency power for elevators and 1st floor common areas.

Part 3: Hazard Identification and Risk Assessment

CF #	Name	Type	Sub-Type	Address	Co-located CF #	Shelter (Y/N)	Generator (Y/N)	Comments	Mitigation Measure #
CF-70	Maurice View Plaza	Vulnerable Populations Facilities	Public Housing	1 East Vine Street, Millville		Y ¹⁰	Y ¹²	Mid-rise, managed by Millville Housing Authority, 29 units	
CF-71	Glasstown Residence at River Park	Vulnerable Populations Facilities	Private Age-Restricted Housing	224 South 2 nd Street, Millville				Mid-rise, previously managed by Millville Housing Authority	

Part 3: Hazard Identification and Risk Assessment

Table CuC.11-9: Millville City (Cumberland County) Critical Facilities Hazard Exposure

CF #	Name	Increased Inundation +1 Foot	Increased Inundation +2 Foot	Increased Inundation +3 Foot	Dam Failure	Flood – FIRM Zone V	Flood – FIRM Zone A	Flood – FIRM Zone 0.2%	Storm Surge – Category 1	Storm Surge – Category 2	Storm Surge – Category 3	Storm Surge – Category 4	Levee Failure	Wildfire Wildland High Density Urban Interface	Wildfire Extreme / High Fuel Level Risk
CF-1	City Hall												N/A		
CF-2	Emergency Operations Center												N/A		
CF-3	Fire Station												N/A		
CF-4	EMS Station												N/A		
CF-5	Police Station												N/A		
CF-6	Riggins Oil												N/A		
CF-7	Public Works Yard												N/A		
CF-8	Ware Avenue Water Treatment Plant												N/A		
CF-9	Bridgeton Pike Water Treatment Plant												N/A		
CF-10	Airport Plant Water Treatment Plant												N/A		
CF-11	“E” Street Water Treatment Plant and Well #17												N/A		
CF-12	Geissinger Avenue Water Treatment Plant, Well #18, and Tank												N/A		
CF-13	Orange Street Tank												N/A		
CF-14	Bluebird Lane Tank												N/A		
CF-15	Tower Road Tank												N/A		
CF-16	Coombs Road Tank												N/A		
CF-17	Buckshutem Road Tank												N/A		
CF-18	Airport Well #1												N/A		
CF-19	Airport Well #2A												N/A		
CF-20	Airport Well #4												N/A		
CF-21	Well #13A												N/A		
CF-22	Well #14												N/A		
CF-23	Well #15												N/A		

Part 3: Hazard Identification and Risk Assessment

CF #	Name	Increased Inundation +1 Foot	Increased Inundation +2 Foot	Increased Inundation +3 Foot	Dam Failure	Flood – FIRM Zone V	Flood – FIRM Zone A	Flood – FIRM Zone 0.2%	Storm Surge – Category 1	Storm Surge – Category 2	Storm Surge – Category 3	Storm Surge – Category 4	Levee Failure	Wildfire Wildland High Density Urban Interface	Wildfire Extreme / High Fuel Level Risk
CF-24	Well #16												N/A		
CF-25	Airport Taxiway Pump Station												N/A		
CF-26	Bogden Boulevard Pump Station												N/A		
CF-27	Buck Street Pump Station												N/A		
CF-28	Cumberland Crossing Pump Station												N/A		
CF-29	Dividing Creek Pump Station												N/A		
CF-30	Gorton Road Pump Station												N/A		
CF-31	High School Pump Station												N/A		
CF-32	Ireland Avenue Pump Station												N/A		
CF-33	JFK Boulevard Pump Station												N/A		
CF-34	Lowes Pump Station												N/A		
CF-35	Manor Estates Pump Station												N/A		
CF-36	Mistletoe Lane Pump Station												N/A		
CF-37	Reese Road Pump Station												N/A		
CF-38	Soccer Field Pump Station												N/A		
CF-39	South Second Street Pump Station												N/A		
CF-40	Starling Drive Pump Station												N/A		
CF-41	Sunset Drive Pump Station												N/A		

Part 3: Hazard Identification and Risk Assessment

CF #	Name	Increased Inundation +1 Foot	Increased Inundation +2 Foot	Increased Inundation +3 Foot	Dam Failure	Flood – FIRM Zone V	Flood – FIRM Zone A	Flood – FIRM Zone 0.2%	Storm Surge – Category 1	Storm Surge – Category 2	Storm Surge – Category 3	Storm Surge – Category 4	Levee Failure	Wildfire Wildland High Density Urban Interface	Wildfire Extreme / High Fuel Level Risk
CF-42	Ware Avenue Pump Station												N/A		
CF-43	West Side Pump Station												N/A		
CF-44	The Hollow Pump Station												N/A		
CF-45	Mount Pleasant Elementary School												N/A		
CF-46	Child Family Center												N/A		
CF-47	Lakeside Middle School												N/A		
CF-48	Millville Senior High School												N/A		
CF-49	Holly Heights Elementary School												N/A		
CF-50	Silver Run Elementary School												N/A		
CF-51	Rieck Avenue Elementary School												N/A		
CF-52	Bacon Elementary School												N/A		
CF-53	Memorial High School												N/A		
CF-54	R.D. Wood Elementary School												N/A		
CF-55	Millville Public Charter												N/A		
CF-56	Open Bible Baptist Academy												N/A		
CF-57	Maurice House												N/A		
CF-58	Genesis Elder Care												N/A		
CF-59	Hillcrest Manor Estates												N/A		
CF-60	Millville Day Care Center												N/A		
CF-61	Millville Day Care West												N/A		

Part 3: Hazard Identification and Risk Assessment

CF #	Name	Increased Inundation +1 Foot	Increased Inundation +2 Foot	Increased Inundation +3 Foot	Dam Failure	Flood – FIRM Zone V	Flood – FIRM Zone A	Flood – FIRM Zone 0.2%	Storm Surge – Category 1	Storm Surge – Category 2	Storm Surge – Category 3	Storm Surge – Category 4	Levee Failure	Wildfire Wildland High Density Urban Interface	Wildfire Extreme / High Fuel Level Risk
CF-62	Corson Park Day Care and Nursery												N/A		
CF-63	First Methodist Church												N/A		
CF-64	Rieck Avenue Country Day Care												N/A		
CF-65	Precious Hearts Daycare												N/A		
CF-66	Mary’s Little Lambs – Childcare Center												N/A		
CF-67	Jaycee Plaza												N/A		
CF-68	Riverview West												N/A		
CF-69	Riverside East												N/A		
CF-70	Maurice View Plaza												N/A		
CF-71	Glasstown Residence at River Park												N/A		

Part 4: Mitigation Measures

Part 4.1: Mitigation Goals and Strategy

Part 4.1 includes:

- *Goal statements reviewed and approved by the Municipal Working Group based on goals included in the Southern Delaware Valley Region (New Jersey) Multi-Jurisdictional Hazard Mitigation Plans (SDVR HMPs) approved by FEMA in 2010 and 2011 for Camden, Cumberland, Gloucester, and Salem Counties*
- *Overarching strategy for the municipality's mitigation program*

Goals were originally established by the Southern Delaware Valley Region Hazard Mitigation Steering Committee and validated by the four County Hazard Mitigation Working Groups in response to risk and capability assessment results.

As part of the plan update process, these goals were reviewed and edited by the Municipal Working Group for use in the Municipal Appendix. All mitigation measures in the Municipal Appendix are related to at least one of these four goal statements.

- **Goal 1: Improve education and outreach efforts** regarding potential risk of natural hazards and appropriate mitigation measures that can be used to reduce risk (including programs, activities, and projects)
- **Goal 2: Improve data collection, use, and sharing** to reduce the risk of natural hazards
- **Goal 3: Improve capabilities and coordination** at municipal, county, and state levels to plan and implement hazard mitigation measures
- **Goal 4: Plan and implement projects** to mitigate identified natural hazards, known problems, and areas of concern

Based on these goals, the results of the NJ4 HMP Regional Hazard Mitigation Plan HIRA, and experience of participants in the plan update process, the Municipal Working Group identified an overarching strategy for mitigation:

- Focus on projects to address known problems or areas of concern for critical facilities and vulnerable populations as additional initial risk reduction efforts
- Provide opportunities for residents and property owners to access available information about risk reduction and mitigation measures
- Identify additional areas of concern for critical facilities and vulnerable populations for future plan updates
- Institutionalize hazard mitigation into municipal activities and programs through regular interactions of the Municipal Working Group and better integration of related regulatory programs and planning initiatives
- Stay informed regarding changing conditions and related improvements in hazard and risk data due to future natural hazard events and increasing understanding of the effects of climate change and use the information as part of periodic evaluations of and refinements or additions to the municipality's mitigation program

The mitigation measures described in Parts 4.3 through 4.5 of the Municipal Appendix reflect this strategy.

Part 4: Mitigation Measures

Part 4.2: SDVR HMP Mitigation Measures

Part 4.2 includes the status of mitigation measures identified for the municipality in the SDVR HMP.

Known problems and areas of concern were the basis for mitigation measures identified in the SDVR HMP. In cases where these problems and concerns still existed at the time of the plan update, the related SDVR HMP mitigation measures were candidates for inclusion in the Municipal Appendix.

Table CuC.11-10 identifies the status of mitigation measures included in the SDVR HMP. These entries were based on information provided by the Municipal Working Group. In some cases, the SDVR HMP mitigation measures were carried over as part of the Municipal Appendix as indicated in the “Comments” column and the far right-hand column of Table CuC.11-10.

Table CuC.11-10: Status of Millville City (Cumberland County) SDVR HMP Mitigation Measures

Mitigation Action, Program, or Project	Status	Comments	Mitigation Measure # (Notes A & B)
Millville 1: Install backup power generator at Rieck Avenue School (west side shelter).	Completed	Installed using School Board funds.	
Millville 2: Install backup power generator at Millville Senior High School (east side shelter).	Completed	Installed using School Board funds.	
Millville 3: Provide hardening against wind and flood damage (i.e., hurricane strapping, storm shutters, water proofing) for Millville Senior High School (east side shelter).	Not completed, not funded.	Revised mitigation measure included in updated Municipal Appendix.	M-10
Millville 4: Provide hardening against wind and flood damage (i.e., hurricane strapping, storm shutters, water proofing) for Rieck Avenue School (west side shelter).	Not completed, not funded.	Revised mitigation measure included in updated Municipal Appendix.	M-11
Millville 5: Create safety zones around critical facilities in wildfire risk areas.	Not completed.	Revised mitigation measure included in updated Municipal Appendix.	M-14
Millville 6: Acquisition / Elevation of one Repetitive Loss property located on Cedar Street.	Not completed.	Millville OEM Coordinator is updating records regarding status of all current Repetitive and Severe Repetitive Loss Properties in the City. Revised mitigation measure included in Municipal Appendix.	M-13
Millville 7: Acquisition / Elevation of one Repetitive Loss property located on Hazel Avenue.	Not completed.	Same comment as “Millville 6”.	M-13
Millville 8: Acquisition / Elevation of one Repetitive Loss property located on Ireland Avenue.	Not completed.	Same comment as “Millville 6”.	M-13
Millville 9: Storm-water management system upgrade and improvement along N. Broad Street and Naylin Street.	Not completed.	Mitigation measure included in updated Municipal Appendix.	MJ-2

Part 4: Mitigation Measures

Mitigation Action, Program, or Project	Status	Comments	Mitigation Measure # (Notes A & B)
Millville 10: Elevate road by Village Apartments.	Not completed.	Cumberland County addressed stream maintenance related to flooding but flooding persists.	MJ-2
Millville 11: Conduct all-hazards public education and outreach program for hazard mitigation and preparedness.	Not completed.	Revised mitigation measure included in updated Municipal Appendix.	M-1

Table CuC.11-10 Notes:

- A. See Tables CuC.11-11 and CuC.11-12 for municipal (M-#) mitigation measures
- B. See Table CuC.11-13 for multi-jurisdictional (MJ-#) mitigation measures

Part 4.3: Municipal Mitigation Measures – Identification

Part 4.3 includes brief descriptions of mitigation measures that are considered the sole responsibility of the municipality.

Table CuC.11-11 includes the list of mitigation measures that are considered the responsibility of the municipality. These mitigation measures:

- Reflect the goals and strategy identified in Part 4.1
- Include projects carried over from SDVR HMPs as detailed in Part 4.2
- Include new projects, programs or activities identified by the Municipal Working Groups including measures to address known problems or areas of concern for critical facilities and vulnerable populations
- Address Repetitive Flood Loss (RL) and Severe Repetitive Flood Loss Properties (SRL)¹ if applicable

Table CuC.11-11 includes:

- Brief description of the mitigation action, program or project
- Hazard(s) addressed by the measure
- Relevant goal(s) addressed by the measure
- Whether the measure pertains to existing or new structures or both

Note: Mitigation measures with discrete locations are shown in Figure CuC.11-4.

¹ See Section 3: Hazard Identification and Risk Assessment and related portions of Annex D of the NJ4 HMP Regional Hazard Mitigation Plan for a description of RL and SRL properties.

Part 4: Mitigation Measures

Table CuC.11-11: Millville City (Cumberland County) Municipal Mitigation Measures Identification

#	Mitigation Action, Program, or Project	Hazard(s)	Goal (s)	Existing or New Structures
M-1	Identify and pursue outreach and education opportunities to inform municipal residents, businesses, and property owners regarding: <ul style="list-style-type: none"> • Current hazards and risks • Changing conditions and actions that may reduce / increase risk • Best practices for hazard mitigation at the individual or property level.² 	All	Goal #1	Both
M-2	Prioritize critical facilities and complete site and facility surveys to identify vulnerabilities and potential mitigation measures.	All	Goal #2	Existing
M-3	Prioritize recurrent drainage problem areas and initiate data collection to track unreimbursed damages and related response and recovery expenses.	Flood	Goal #2	Existing
M-4	Conduct regular Municipal Working Group meetings consistent with the plan maintenance program and the Municipal Adoption Resolution.	All	Goal #3	Both
M-5	Upgrade back-up emergency power generator at City Hall (CF-1).	All	Goal #4	Existing
M-6	Install permanent back-up emergency power generator at Public Works Yard (CF-7).	All	Goal #4	Existing
M-7	Install permanent back-up emergency power generator at Airport Well #2A (CF-19).	All	Goal #4	Existing
M-8	Install permanent back-up emergency power generator at Airport Well #4 (CF-20).	All	Goal #4	Existing
M-9	Address inflow and infiltration into sewer manholes and conveyance systems	Coastal Erosion and Sea Level Rise / Flood	Goal #4	Existing
M-10	Provide building retrofits against flood and high wind damage for Millville Senior High School (east side shelter) (CF-48).	Coastal Erosion and Sea Level Rise / Flood / High Wind	Goal #4	Existing
M-11	Provide building retrofits against flood and high wind damage for Rieck Avenue School (west side shelter) (CF-51).	Coastal Erosion and Sea Level Rise / Flood / High Wind	Goal #4	Existing
M-12	Address repetitive flooding in Maurice River Corridor due to cascading dam releases and potential failure as well as riverine flooding.	Dam Failure / Flood	Goal #4	Both
M-13	Address identified Repetitive Flood Loss Properties.	Coastal Erosion and Sea Level Rise, Flood, Levee Failure.	Goal #4	Existing
M-14	Create safety zones around critical facilities in wildfire risk areas.	Wildfire	Goal #4	Both

² For example, individual property owners can be informed about back-up power alternatives such as initial battery back-up for power disruptions.

Part 4: Mitigation Measures

Part 4.4: Municipal Mitigation Measures – Implementation

Part 4.4 includes a tabulation of relevant aspects related to the implementation of the municipal mitigation measures.

Table CuC.11-12 includes information identified by the Municipal Working Group:

- Part(ies) responsible for following up with implementation of the measure
- Priority for implementation considering a range of criteria³
- Project Type to help determine funding options and implementation mechanisms at the municipal level⁴
- Estimated Cost, including estimates provided by the Municipal Working Group or approximate ranges for projects that are in early stages of development
- Target Date, indicating desired completion dates assuming availability of funding
- Next step(s) anticipated to implement the identified mitigation measures at the municipal level

Table CuC.11-12: Millville City (Cumberland County) Municipal Mitigation Measures Implementation

#	Mitigation Action, Program, or Project	Responsible Part(ies)	Priority	Project Type	Estimated Cost (\$)	Target Date	Next Step(s)
M-1	Identify and pursue outreach and education opportunities.	Municipal OEM	Moderate	Public Outreach and Education	Staff time commitment	On-going	<ul style="list-style-type: none"> ▪ Work with County Working Group to identify resource needs and availability. ▪ Identify target audience(s).
M-2	Prioritize critical facilities and complete site and facility surveys to identify vulnerabilities and potential mitigation measures.	Municipal OEM and Facility Managers	Low	Data Acquisition and Management	Staff time commitment	On-going	Review critical facility list and establish priorities, procedures, and tentative time schedule for conducting site and facility surveys.
M-3	Prioritize recurrent drainage problem areas and initiate data collection to track unreimbursed damages and related response and recovery expenses.	Municipal OEM and Municipal Working Group	Low	Capabilities and Coordination	Staff time commitment	On-going	Identify recurrent drainage problem areas, establish priorities, and identify data collection procedures.
M-4	Conduct regular Municipal Working Group meetings.	Municipal OEM and Municipal Working Group	Moderate	Capabilities and Coordination	Staff time commitment	On-going	Establish regular Municipal Working Group membership, reporting requirements, and meeting / work session schedule.

³ See *Section 4: Mitigation Measures* and related portions of Annex E of the NJ4 HMP Regional Hazard Mitigation Plan for a description of evaluation criteria considered by the Municipal Working Group.

⁴ See *Section 4: Mitigation Measures* and related portions of Annex F of the NJ4 HMP Regional Hazard Mitigation Plan for a description of project types and related information regarding funding options and implementation mechanisms.

Part 4: Mitigation Measures

#	Mitigation Action, Program, or Project	Responsible Part(ies)	Priority	Project Type	Estimated Cost (\$)	Target Date	Next Step(s)
M-5	Upgrade back-up emergency power generator at City Hall (CF-1).	Municipal OEM	Moderate	Back-up Emergency Power Generator	< \$100K	One to three years	Conduct project scoping.
M-6	Install permanent back-up emergency power generator at Public Works Yard (CF-7).	City of Millville Public Works Department	Moderate	Back-up Emergency Power Generator	< \$100K	One to three years	Conduct project scoping.
M-7	Install permanent back-up emergency power generator at Airport Well #2A (CF-19).	City of Millville Water and Sewer Department	Moderate	Back-up Emergency Power Generator	< \$100K	One to three years	Conduct project scoping.
M-8	Install permanent back-up emergency power generator at Airport Well #4 (CF-20).	City of Millville Water and Sewer Department	Moderate	Back-up Emergency Power Generator	< \$100K	One to three years	Conduct project scoping.
M-9	Address inflow and infiltration into sewer manholes and conveyance systems	City of Millville Water and Sewer Department	Low	Public Property Flood Mitigation		On-going	Identify highest areas of inflow or infiltration.
M-10	Provide building retrofits against flood and high wind damage for Millville Senior High School (east side shelter) (CF-48).	Municipal OEM, City of Millville Board of Education	High	Building Retrofits	To be determined	One year	Conduct building surveys.
M-11	Provide building retrofits against flood and high wind damage for Rieck Avenue School (west side shelter) (CF-51).	Municipal OEM, City of Millville Board of Education	Low	Building Retrofits	To be determined	One to three years	Conduct building surveys.
M-12	Address repetitive flooding in Maurice River Corridor (including Holly Village and Country Meadows) due to cascading dam releases and potential failure as well as riverine flooding.	Municipal OEM, City Commission, Floodplain Administrator et al	Moderate	Private Property Flood Mitigation	To be determined	One to three years	Conduct watershed assessment to identify and evaluate mitigation measure options.
M-13	Address identified Repetitive Flood Loss Properties.	Floodplain Administrator	Moderate	Private Property Flood Mitigation	Staff time commitment	Six months	Prior to initiating landowner contacts, identify flood insurance implications and mitigation options including eligible activities per FEMA HMA programs.
M-14	Create safety zones around critical facilities in wildfire risk areas.	Municipal OEM, City of Millville Fire Department.	Low	Public Property Wildfire Mitigation	Staff time commitment	One to three years	Conduct clearing and vegetation management consistent with best practices per the NJ Forest Fire Service.

Part 4: Mitigation Measures

Part 4.5: Multi-Jurisdictional Mitigation Measures

Part 4.5 includes brief descriptions of mitigation measures that require multiple jurisdictions to implement.

During the Municipal Working Group Work Sessions, the Municipal Working Group identified some SDVR HMP mitigation measures as well as new areas of concern as mitigation measures where implementation requires participation or leadership from other levels of government, including county, state, and federal agencies. These multi-jurisdictional mitigation measures are included in Table CuC.11-13.

Section 4: Mitigation Measures of the NJ4 HMP Regional Hazard Mitigation Plan describes multi-jurisdictional implementation strategies in detail. Section 4 identifies multi-jurisdictional mitigation measures that Municipal Working Groups believe are partly or wholly the responsibility of County agencies. These measures have been referred to the County Working Group for consideration. As part of the mitigation measures in the County Appendix to the NJ4 HMP Regional Hazard Mitigation Plan, the County Working Group will be working with the municipalities to identify:

- Specific responsibilities amongst different level(s) of government to address these problem areas
- Mitigation measures or related projects which may address the described problem areas that are already acknowledged as County responsibilities including identifying the appropriate County agency or department taking the lead role and status of implementing these mitigation measures
- Which, if any, additional mitigation measures the member agencies of the County Working Group will assume responsibility to implement

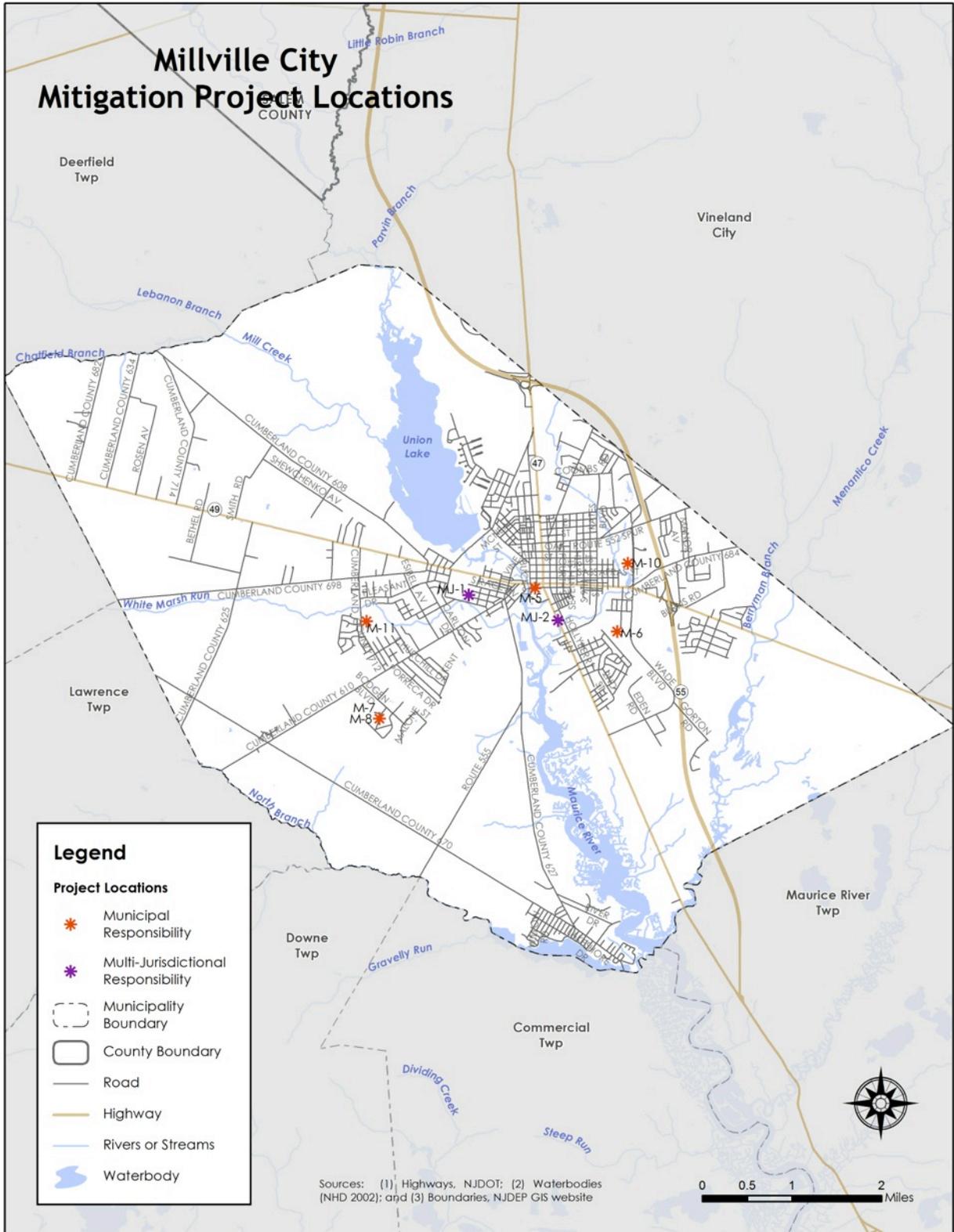
Note: Multi-jurisdictional mitigation measures with discrete locations are shown in Figure CuC.11-4.

Table CuC.11-13: Millville City (Cumberland County) Multi-Jurisdictional Mitigation Measures

#	Problem Description	Hazard(s) Addressed	Goal Addressed	Applies to Existing or New Structures	Potential Partners	Priority
MJ-1	Address repetitive flooding in White Marsh Run Corridor. ⁶	Coastal Erosion and Sea Level Rise / Flood	Goal #4	Both	Municipal OEM, City Commission, Floodplain Administrator, Cumberland County Road Department	High
MJ-2	Address repetitive flooding in Petticoat Stream Corridor including South 2 nd Street / Maylin Street and roadways in Village Apartments vicinity. ⁶	Coastal Erosion and Sea Level Rise / Flood	Goal #4	Both	Municipal OEM, City Commission, Floodplain Administrator, Cumberland County Road Department	Medium
MJ-3	Establish interconnection with Vineland City water system.		Goal #4	Both	City of Millville Water / Sewer Department, City of Vineland Municipal Utilities.	Low

Part 4: Mitigation Measures

Figure CuC.11-4: Millville City Mitigation Project Locations



Part 4: Mitigation Measures

Part 4.6: Authorities, Policies, Programs, Resources, and Plan Integration

Part 4.6 includes three (3) subparts:

- **Authorities, Policies, and Programs** - Cross referencing relevant information and recommendations in the NJ4 HMP Regional Hazard Mitigation Plan regarding existing authorities, policies, and programs in the region and specific information about the jurisdiction's participation and continued compliance in the National Flood Insurance Program (NFIP)
- **Capabilities and Coordination** - Cross referencing relevant information and recommendations in the NJ4 HMP Regional Hazard Mitigation Plan regarding improving capabilities and coordination at the municipal level and specific information about the jurisdiction's available resources
- **Plan Review and Integration** – Identifying plans and programs included in the development of Plan Integration recommendations in the NJ4 HMP Regional Hazard Mitigation Plan

Authorities, Policies, and Programs

Section 1.3: *Existing Authorities, Policies, Programs, and Resources* of the NJ4 HMP Regional Hazard Mitigation Plan summarizes relevant authorities, policies, and programs related to hazard mitigation in the region including the NFIP.

Continuing municipal participation in the NFIP as part of the implementation of the NJ4 HMP by the municipality, includes:

- Involvement of Floodplain Manager / Administrator during the NJ4 HMP implementation process
- Commitment to adopt updated FIRMs and evaluate / update the municipality's Flood Management Plan and/or Ordinance as appropriate per recommendations in Section 4.6 of the NJ4 HMP Regional Hazard Mitigation Plan

Capabilities and Coordination

The update of the SDVR HMP included reexamining municipal hazard mitigation capabilities; potential for improving capabilities and coordination within and between jurisdictions; and, plan integration considerations. Section 1.3: *Existing Authorities, Policies, Programs, and Resources* of the NJ4 HMP Regional Hazard Mitigation Plan includes summary statements regarding regional resources and the impact of resource limitations on the overall approach to the NJ4 HMP mitigation strategies. Section 4: *Mitigation Measures* and related portions of Annex F of the NJ4 HMP Regional Hazard Mitigation Plan include summary observations and recommendations concerning:

- Hazard mitigation planning and mitigation measure implementation capabilities and coordination at the regional, county, and municipal levels
- Coordination within municipal governments, between municipal governments and their communities, and between municipal, county, and state agencies responsible for hazard mitigation

Plan Review and Integration

Specific documents obtained during the plan update process from the Municipal Working Group include:

- City of Millville Emergency Operations Plan (2011)
- City of Millville Zoning and Land Development Ordinances including Floodplain Damage Prevention⁵
- City of Millville Master Plan (2005)⁶ and Reexamination Report (2012)⁷
- City of Millville Zoning Map (2011)⁸
- City of Millville GIS Viewer⁹
- City of Millville 2014 Capital Improvement Budget and Capital Improvement Program
- Draft City of Millville “Getting to Resilience” Recommendations Report, Prepared by the Jacques Cousteau National Estuarine Research Reserve, August 2014

Table RP.4-4 in *Section 4.6: Plan Review and Integration* of the NJ4 HMP Regional Hazard Mitigation Plan identifies the primary plans and documents collected from each of the participating municipalities. In addition, Annex E.2 provides a complete list of all the plans and documents collected from the participating municipalities.

Section 4.6 also includes the results of reviewing the primary plans and documents to determine the extent to which these documents reflect up-to-date hazard risk and mitigation. In addition, Section 4.6 includes recommendations for integrating the results of the NJ4 HMP, including hazard mitigation data, goals, measures, and/or recommendations with existing plans and programs at the municipal level that are relevant to all participating municipalities and incorporated by reference in each of the jurisdiction-specific Appendices including:

- Hazard Assessments
- Emergency Operations Plans
- Floodplain Management Ordinances
- Master Plans and Reexamination Reports
- Other plans and documents

The plan maintenance process includes a commitment to review and follow these recommendations during future scheduled updates of these various documents as considered appropriate by the Working Group and the governing body of the municipality.

⁵ <http://ecode360.com/MI1908?needHash=true>

⁶ <http://www.millvillenj.gov/DocumentCenter/Home/View/559>

⁷ <http://www.millvillenj.gov/DocumentCenter/Home/View/577>

⁸ <http://www.millvillenj.gov/DocumentCenter/View/561>

⁹ <http://viewer.myidv.com/map/71332c32630bfb/Millville-City-Public>

Attachment A: Public Review Comments

The following comments were received during the public review of the Millville City Municipal Appendix:

Table CuC.11.A-1: Public Review Comments

Comment Date and Time	Comment	Response

Note: As of April 17, 2015, no public review comments were received for the Millville City Municipal Appendix.

Attachment B: Adoption Resolution

Following this page is the Adoption Resolution for the Millville City Municipal Appendix as approved by the Millville City Commission.

Attachment C: Approval Letter

Following this page is the Approval Letter for the Millville City Municipal Appendix.

Certification of Availability of Funds

This is to certify to the BOARD OF COMMISSIONERS of the CITY OF MILLVILLE that funds for the following resolutions are available.

Contract Amount: 79,650.00
Resolution Date: 09/06/16
Resolution Number: A

Vendor: 02345 ALL VINYL FENCING, LLC
453 MIDDLE ROAD
HAMMONTON, NJ 08037

Contract: 16-00054 15th Street Fencing and Gates

Account Number	Amount	Account Description
C-04-71-113-004-403	79,650.00	ORD 4'13 PUBLIC WORKS FACILITY-S 15TH ST
Total	79,650.00	

Only amounts for the 2016 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.



Chief Financial Officer

WHEREAS, the City is required to advertise and receive bids for any purchase of materials or supplies or for any contract for the performance of work during the fiscal year, that has a cost exceeding the total amount calculated by the Governor pursuant to N.J.S.A. 40a:11-3, except by State Contract; and

WHEREAS, the City has determined a need for the project entitled “15th Street Fencing and Gates”; and

WHEREAS, formal competitive bids were received for this project by the Purchasing Board of the City of Millville on Thursday, August 11, 2016; and

WHEREAS, funds for this project are available through Municipal Bond Ordinance No. 4-2013; and

WHEREAS, the bids received have been reviewed by the Office of the Municipal Engineer, and a report of recommendation has been submitted by the Office of the Municipal Engineer; and

WHEREAS, the Purchasing Agent has reviewed the bids and concurs with the recommendation of the Municipal Engineer.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE, THAT:

The City of Millville hereby awards a Contract for the project entitled “15th Street Fencing and Gates” to All Vinyl Fencing, LLC, 453 Middle Road, Hammonton, NJ 08037 in the total amount of \$79,650.00.

Moved By:

Seconded By:

VOTING

Michael Santiago

Lynne Porreca Compari

David W. Ennis

Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held September 6, 2016.

Susan G. Robostello, City

Clerk

RESOLUTION NO. _____

Whereas, there exists various accounts/contracts payable or encumbrances with balances; and

Whereas, the various purchase orders and contracts creating these accounts/contracts payable or encumbrances have been investigated and it has been determined that these should be canceled;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Millville, that the following accounts/contracts payable or encumbrances indicated below are hereby canceled:

<u>P.O. No.</u>	<u>Date</u>	<u>Vendor</u>	<u>Amount Canceled</u>
Y4-00069	10/07/14	MARSHALL GEOSCIENCE, INC.	53,668.00
Y4-00025	01/08/14	JCI JONES CHEMICALS, INC.	2,050.00
Y4-00026	11/08/14	GREER LIME CO., INC.	467.50
Y4-00028	01/08/14	UNIVAR USA INC.	1,000.00
Y4-00029	01/08/14	GEORGE S COYNE CHEMICAL CO INC	1,000.00
Y4-00043	04/15/14	PERFECT TOUCH LANDSCAPING, INC	14,371.01
Y4-00071	11/03/14	URBAN ENTERPRISE ZONE	4,,305.54
Y4-00074	12/16/14	MCMANIMON,SCOTLAND&BAUMANN LLC	1,550.16
10-00061	04/14/10	XEROX CORPORATION	10,603.87
13-00052	05/06/13	BRUCE D. TURNER, ARCHITECT	67.58
13-00053	05/07/13	BRUCE D. TURNER, ARCHITECT	5,425.00
13-00066	06/18/13	GEI CONSULTANTS, INC.	140.18
14-00025	12/04/13	KLEINFELDER EAST, INC.	11,029.74
15-00004	12/16/14	KAVANAGH & KAVANAGH	937.50
15-00006	12/16/14	EDWARD DUFFY	3,867.00
15-00007	12/16/14	BLANEY & KARAVAN, PC	305.50
15-00011	01/20/15	CHARLES A. FIORE	4,500.00
15-00013	01/20/15	HOLLY CITY DEVELOPMENT CORP.	887.20
15-00039	07/25/15	RICKY SLADE CONSTRUCTION INC.	1,600.00
15-00043	07/07/15	LAW OFF OF NONA L. OSTROVE LLC	10,193.50
15-00057	02/03/15	MICHAEL R. MAZZONI, P.A.	14,714.84
16-00013	12/30/15	LONG MARMERO LLP	64,425.00
16-00017	01/05/16	MICHAEL R. MAZZONI, P.A.	39,062.47
15-00065	01/06/15	ARBRISCO ENTERPRISE, INC.	850.73
15-00002	04/15/14	DAVID J. BATTISTINI	39,000.00
15-00015	02/03/15	ROUX ASSOCIATES INC.	46.80
15-00024	04/07/15	LANDSMAN UNIFORMS INC.	2,824.75
15-00021	11/02/15	OCEAN CONSTRUCTION LLC	9.00
15-00018	02/03/15	CATERINA SUPPLY INC.	47.60
15-00039	07/07/15	RICKY SLADE CONSTRUCTION INC.	1,600.00
Total			\$290,550.47

Moved By:

Seconded By:

VOTING

Michael Santiago

Lynne Porreca Compari

David W. Ennis

Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held _____.

Susan G. Robostello, City Clerk

**CITY OF MILLVILLE
COUNTY OF CUMBERLAND
STATE OF NEW JERSEY**

RESOLUTION NO. R _____ 2016

WHEREAS, the Board of Commissioners has engaged in a full scale re-examination of its personnel policies including Rules and Regulations governing the Police Department and the Fire Department over the past several months; and

WHEREAS, the Board of Commissioners finds that the newly revised Police Department Rules and Regulations to be in the best interest of the City; and

WHEREAS, the Board of Commissioners likewise finds that the newly revised Fire Department Rules and Regulations to be in the best interest of the City;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE, THAT:

1. The Millville Police Department Rules and Regulations ("Updated 2016") are hereby approved.
2. The Millville Fire Department Rules and Regulations ("Updated 2016") are hereby approved.

Moved By: _____

Seconded By: _____

VOTING	In Favor	Against	Abstain	Absent
Michael Santiago				
Lynne Porreca Compari				
David W. Ennis				
Joseph Sooy				

CERTIFICATION

I certify that the foregoing is a true copy of a Resolution adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on _____, 2016.

Susan G. Robostello, City Clerk

MILLVILLE
FIRE
DEPARTMENT
Rules and
Regulations

Adopted: Resolution No. R292-2016
September 6, 2016

TABLE OF CONTENTS

CHAPTER I - RULES AND REGULATIONS

1.1 Authority _____ 4

1.2 General Provisions _____ 4

CHAPTER 2 - DEFINITIONS

2.1 Authority _____ 6

2.2 Chain of Command _____ 6

2.3 Day Off _____ 6

2.4 Directive _____ 6

2.5 Employee _____ 6

2.6 Fire Alarm _____ 6

2.7 May/Should _____ 6

2.8 Members _____ 6

2.9 Order _____ 6

2.10 Policy _____ 6

2.11 Procedure _____ 7

2.12 Routine/Non-Emergency Time _____ 7

2.13 Shall/Will _____ 7

2.14 Supervisor _____ 7

CHAPTER 3 - GENERAL DUTIES AND RESPONSIBILITIES

3.1 Fire Chief _____ 8

3.2 Supervisors _____ 8

3.3 Paid Fire Fighters _____ 8

CHAPTER 4 - RULES OF CONDUCT

4.1 General Conduct _____ 10

4.2 Orders _____ 11

4.3 Fire Reports and Information _____ 12

4.4 Gifts, Rewards, etc. _____ 12

4.5 Alcoholic Beverages and Drugs _____ 12

4.6 Duty Conduct _____ 18

4.7 Uniform, Appearance, and Identification _____ 19

4.8 Department Equipment and Property _____	19
4.9 Communication, Correspondence _____	21
4.10 Conduct Toward Public _____	21
4.11 Conduct Toward Volunteer Fire Fighters _____	22
4.12 Political Activities _____	22
4.13 Judicial Appearance and Testimony _____	23
CHAPTER 5 - PERSONNEL REGULATIONS	
5.1 Hours and Leave _____	25
5.2 Secondary Employment _____	25
5.3 Resignation _____	25
CHAPTER 6 - DISCIPLINE	
6.1 Disciplinary Action _____	26
6.2 Disciplinary Procedure _____	28
CHAPTER 7 - GOVERNMENT OF THE DEPARTMENT	
7.1 Office of the Fire Chief _____	31
7.2 Office of Fire Captains _____	31
7.3 Order of Rank _____	31
7.4 Organization _____	31
CHAPTER 8 - NOTIFICATION OF DIRECTOR OF PUBLIC SAFETY	32

**MILLVILLE FIRE DEPARTMENT
RULES & REGULATIONS**

Chapter 1 RULES AND REGULATIONS

1.1 AUTHORITY

- 1.1.1 These rules and regulations are adopted pursuant to NJSA 40A:14-7 and Chapter 16 of the Municipal Code of the City of Millville.
- 1.1.2 The Board of Commissioners is the appropriate authority to exercise legislative authority to adopt and promulgate rules and regulations for the government of the Fire Department and for the discipline of its paid members. Furthermore, it is the appropriate authority to prescribe the powers, functions and duties of its paid members.
- 1.1.3 The Director of Public Safety is the appropriate authority to exercise administrative authority to establish policies providing to the Fire Chief for the operation of the Fire Department.
- 1.1.4 The Fire Chief is the chief executive officer of the Fire Department and has the power to exercise executive authority to issue directives establishing procedures for the routine day to day operation of the department, and he has the responsibility to issue directives to implement the policies established by the Director of Public Safety.

1.2 GENERAL PROVISIONS

- 1.2.1 APPLICATION. These Rules and Regulations are applicable to all members of the department and supersede any rules or regulations contained in either the Constitution and/or Bylaws of the regular volunteer organization. A current copy of the Constitution and Bylaws shall be kept on file in the Office of the City Clerk.
- 1.2.2 DISTRIBUTION. One copy of these rules and regulations shall be distributed to each member of the department.
- 1.2.3 RESPONSIBILITY FOR MAINTENANCE. Members shall be responsible for maintaining a current copy of the rules and regulations including all additions, revisions and amendments as issued.
- 1.2.4 FAMILIARIZATION. Members shall thoroughly familiarize themselves with the provisions of the rules and regulations. Ignorance of any provision of these rules and regulations will not be a defense to a charge of a violation of these rules and regulations.

- 1.2.5 PRIOR RULES AND REGULATIONS. All prior rules and regulations are hereby revoked.
- 1.2.6 CONFLICTING POLICIES AND DIRECTIVES. All policies established by the Director of Public Safety which are in conflict with these rules and regulations are hereby revoked. All directives issued by the Fire Chief which are in conflict with these rules and regulations are hereby revoked.
- 1.2.7 AMENDMENT. The right is reserved by the governing body to amend, revoke, or make additions to these rules and regulations as the circumstances require.
- 1.2.8 SEVERABILITY. If one or more of these rules and regulations are held invalid, all of the remaining rules and regulations shall continue in full force and effect.

Chapter 2 DEFINITIONS

- 2.1 AUTHORITY. The right to issue orders, give commands, enforce obedience, initiate action and make necessary decisions commensurate with rank or assignment as provided for in the rules and regulations and directives. Authority may be delegated by those so designated. Acts performed without proper authority or authorization shall be considered to be in violation of the rules and regulations.
- 2.2 CHAIN OF COMMAND. Vertical lines of communication; authority, and responsibility within the organization structure of the department.
- 2.3 DAY OFF. Those days determined by the Fire Chief on which a given employee is excused from duty.
- 2.4 DIRECTIVE. A document detailing the performance of a specific activity or method of operation. "Directive" includes:
 - 2.4.1 GENERAL ORDER: A directive establishing standard operating procedures for the day to day operation of the department or to implement policies established by the Director of Public Safety.
 - 2.4.2 PERSONNEL ORDER: A directive initiating and announcing a change in assignment, rank or status of personnel.
 - 2.4.3 SPECIAL ORDER: A directive dealing with a specific circumstance or event that is usually self-canceling.
- 2.5 EMPLOYEE. All full time paid employees of the department, shall include the Fire Chief, Captains, and Fire Fighters.
- 2.6 FIRE ALARM. The time beginning with the notification of a fire or other emergency incident requiring the deployment of the department's resources, and ending when the ranking officer in charge terminates the operation. Fire alarm shall also include any drills or other fire protection assignments requiring the deployment of the department's resources.
- 2.7 MAY/SHOULD. As used herein words "may" and "should" mean that the action indicated is permitted.
- 2.8 MEMBERS: All full time paid employees and volunteers of the department.
- 2.9 ORDER. Any written or oral directive issued by the Fire Chief or his designee to any or group of subordinates in the course of duty.
- 2.10 POLICY. A statement of department principles established by the Director of Public Safety that provides the basis for the development of directives issued by the Fire Chief.

- 2.11 PROCEDURE. A written statement providing specific direction for performing department activities. Procedures are implemented through directives issued by the Fire Chief.
- 2.12 ROUTINE/NON-EMERGENCY TIME. All other time not defined under Fire Alarm. It is the time when the department's resources are not deployed or in service.
- 2.13 SHALL/WILL. The words "shall" and "will" as used herein, shall indicate that the action required is mandatory.
- 2.14 SUPERVISOR. During routine/nonemergency times, the Fire Chief, or in his absence, Fire Captain, shall be the direct supervisor of the members. During a fire alarm, the assigned line officer shall supervise the members. In the absence of an assigned line officer, the Fire Captain shall be in charge.

Chapter 3 GENERAL DUTIES AND RESPONSIBILITIES

3.1 FIRE CHIEF

3.1.1 RESPONSIBILITIES. The Fire Chief is responsible to:

- a. Establish and maintain the efficient operation of the department.
- b. Organize, control and maintain all property and resources of the department.
- c. Develop procedures to govern and direct the routine day to day operations of the fire department, and to implement policies established by the Director of Public Safety.
- d. Provide for proper training of all department members.
- e. Provide for periodic inspection of all fire operations to insure compliance with the rules and regulations and departmental directives.
- f. Maintain the over all discipline of the department.
- g. Maintain a constructive relationship with the public, community organizations, the media and other fire department organizations.
- h. Oversee the preparation of the annual budget and proposed expenditure programs for review by the Director of Public Safety prior to submission to the Governing Body.
- i. Authorize the expenditure of funds within the budget which was approved and appropriated by the Governing Body.
- j. Provide for performance evaluations of paid employees.
- k. Report to the Director of Public Safety as required.

3.2 SUPERVISORS IN THE DEPARTMENT SHALL:

- 3.2.1 Enforce department rules and regulations and insure compliance with department directives.
- 3.2.2 Exercise proper use of their command within the limits of their authority to assure efficient performance by their subordinates.
- 3.2.3 Exercise necessary control over their subordinates to accomplish the objectives of the department.
- 3.2.4 Guide subordinates to gain effectiveness in performing their duties.
- 3.2.5 Use department disciplinary procedures when necessary.
- 3.2.6 When using discipline, comply strictly with the provision of the department disciplinary process.

3.3 FIRE FIGHTERS

3.3.1 Take appropriate action to:

- a. Protect life and property;

- b. Respond expeditiously to all fire alarms while on duty;
 - c. Promote fire fighter safety;
 - d. Promote fire prevention in the community;
 - e. Assist other fire departments in the performance of their duties as required;
 - f. Aid citizens in matters within fire fighting functions;
 - g. Take appropriate action in aiding other fire fighters as needed;
 - h. Promote cooperation within the department to insure an efficient operation; and
 - i. Ensure communications are promptly and properly relayed to members of the department.
- 3.3.2 Exercise authority consistent with the obligations imposed by the oath of office and in conformance with the rules and regulations and departmental directives.
- 3.3.3 Abide by all rules and regulations and departmental directives governing fire fighters.
- 3.3.4 Be accountable and responsible to their supervisors for obeying all lawful orders.
- 3.3.5 Coordinate their efforts with other members of the department to achieve department objectives.
- 3.3.6 Conduct themselves in accordance with high ethical standards, on and off duty.
- 3.3.7 Strive to improve their skills and techniques through drills, study and training.
- 3.3.8 Familiarize themselves with the area of authority and responsibility for the current assignment.
- 3.3.9 Perform assigned duties promptly, faithfully and diligently.
- 3.3.10 Perform related work as required.

Chapter 4 RULES OF CONDUCT

4.1 GENERAL CONDUCT

- 4.1.1 **PERFORMANCE OF DUTY.** All members shall promptly perform their duties as required or directed by law, department rules and regulations, directives or by lawful order of the Fire Chief or his designee.
- 4.1.2 **ACTION OFF DUTY.** While off duty, paid fire fighters shall take appropriate action as needed in any fire emergency that comes to their attention within their jurisdiction as authorized by New Jersey law and department directives.
- 4.1.3 **OBEDIENCE TO LAWS AND RULES.** Members shall obey all laws, ordinances, rules and regulations and directives of the department.
- 4.1.4 **WITHHOLDING** Members shall report any information concerning suspected criminal activity of others.
- 4.1.5 **REPORTING VIOLATIONS OF LAWS OR RULES AND REGULATIONS.** Members knowing of other members violating laws, ordinances, or rules and regulations of the department, shall report same in writing to the Fire Chief through official channels. If the members believes the information is of such gravity that it must be brought to the immediate, personal attention of the Fire Chief, official channels may be bypassed.
- 4.1.6 **INSUBORDINATION. MEMBERS SHALL NOT:**
- a. Fail or refuse to obey a lawful order given by a supervisor.
 - b. Use any disrespectful or abusive language or action toward a supervisor.
- 4.1.7 **CONDUCT TOWARD OTHER DEPARTMENT EMPLOYEES AND VOLUNTEER MEMBERS.** Members shall treat other department employees and volunteer members with respect. They shall be courteous and civil at all times in their relationships with one another. When on duty and in the presence of the public, officers should be referred to by rank.
- 4.1.8 **PAGERS.** Paid fire fighters are provided with department pagers and shall, when off duty and if possible, respond to the fire station upon receiving notification of an announced "off duty recall" as assigned.
- 4.1.9 **PHYSICAL FITNESS. PHYSICAL FITNESS.** Members shall maintain good physical condition so that they can handle the strenuous physical activities often required of a fire fighter.
- 4.1.10 **DRIVER'S LICENSE.** Members operating department motor vehicles shall possess a valid New Jersey driver's license. Whenever a driver's license is revoked, suspended, or lost, member shall immediately notify the appropriate supervisor giving full particulars.

4.1.11 ADDRESS AND TELEPHONE NUMBERS. Members are required to have a telephone number in the place where they reside. Changes in address or telephone number shall be in writing to the appropriate supervisor and the Fire Chief within 24 hours of the change.

4.2 ORDERS

4.2.1 ISSUING ORDERS

- a. MANNER OF ISSUING ORDERS. Orders from a supervisor to a subordinate shall be in clear and understandable language.
- b. UNLAWFUL ORDERS. No supervisor shall knowingly issue any order which is in violation of any laws or ordinance.
- c. IMPROPER ORDERS. No supervisor shall knowingly issue any order which is in violation of any department rule and regulation, or directive.

4.2.2 RECEIVING ORDERS

- a. QUESTIONS REGARDING ORDERS. Members in doubt as to the nature or detail of any order shall seek clarification from their supervisors by going through the chain of command.
- b. OBEDIENCE TO UNLAWFUL ORDERS. Members are not required to obey any order which is contrary to any law or ordinance. Responsibility for refusal to obey rests with the members, who will be required to justify the refusal to obey.
- c. OBEDIENCE TO IMPROPER ORDERS. Members who are given any order which is contrary to department rule and regulation or directive must first obey the order to the best of their ability, and then report the improper order as provided herein.
- d. CONFLICTING ORDERS. Upon receipt of any order conflicting with any previous order, the member affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original order rests with the individual issuing the second order. If so directed, the latter order shall be obeyed first. Orders will be issued only when reasonably necessary for the good of the department.
- e. REPORTS OF UNLAWFUL OR IMPROPER ORDERS. A member receiving an unlawful or improper order shall, at first opportunity, report in writing to the next highest ranking supervisor above the supervisor who issued the unlawful or improper order. Action regarding such a report shall be conducted by the Fire Chief.
- f. CRITICISM OF OFFICIAL ACTS OR ORDERS. Employees shall not criticize the actions or orders of any superior or department

members in a manner which is defamatory, obscene, or which creates disharmony within the department and adversely affects the functioning of the department.

4.3 FIRE REPORTS AND INFORMATION

4.3.1 RELEASE OF INFORMATION. Members shall not release any information nor reveal any confidential business of the department to the public or the press except as provided in department rules and regulations or directives,

4.3.2 DEPARTMENT RECORDS. Contents of any record or report filed within the department shall not be exhibited or divulged to any person other than a duly authorized fire officer, except with the approval of the Fire Chief, or under due process of law, or as permitted under department rules and regulations or directives.

4.3.3 REPORTS. No members shall knowingly falsify any official report or enter or cause to be entered any inaccurate, false, or improper information on records of the department.

4.4 GIFTS, REWARDS, ETC.

4.4.1 SOLICITING OR ACCEPTING BENEFITS. Members shall not directly or indirectly solicit, accept or agree to accept any benefit not allowed by law to influence the performance of their official duties.

4.4.2 REWARDS. Members shall not accept any gift, gratuity, or reward in money or other compensation for services rendered in the line of duty, except that which may be authorized by law or department directive.

4.4.3 DISPOSITION OF UNAUTHORIZED GIFTS, GRATUITIES. Any unauthorized gift, gratuity, loan, fee, reward, or other object coming into the possession of any members shall be forwarded to the Fire Chief together with a written report explaining the circumstances.

4.5 ALCOHOLIC BEVERAGES AND DRUGS.

4.5.1 POLICY. In compliance with the Drug-Free Workplace Act of 1988, the City of Millville and the Millville Fire Department has a longstanding commitment to providing a safe and productive work environment consistent with the standards of the community we serve. Alcohol and drug abuse pose a threat to the health and safety of City employees and to the security of our equipment and facilities. For these reasons, the Department is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy continues to apply to all employees and all applicants for employment of the City.

- 4.5.2 CONSUMING ALCOHOL BEVERAGES ON DUTY. Members shall not consume any alcoholic beverages while on duty.
- 4.5.3 CONSUMING ALCOHOLIC BEVERAGES OFF DUTY IN UNIFORM. Members shall not consume alcoholic beverages while off duty and in uniform or any recognizable component of the uniform.
- 4.5.4 SUPERVISOR'S RESPONSIBILITY. Supervisors shall not assign duty or allow to remain on duty any member whose fitness for duty is questionable due to the use of alcohol or drugs.
- 4.5.5 POSSESSION OF ALCOHOLIC BEVERAGES. Members shall not have alcoholic beverages on their possession while on duty or uniform.
- 4.5.6 ENTERING LICENSE PREMISE. Members in uniform shall not enter any licensed premise where alcohol is stored, except in the performance of duty and in compliance with department directives.
- 4.5.7 EMPLOYEE ASSISTANCE AND DRUG FREE AWARENESS. Illegal drug use and alcohol misuse have a number of adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems is available from the City of Millville.
 - a. EMPLOYEE ASSISTANCE. The City will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other City policies. Such employees will be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety-sensitive or require driving, or have violated this policy previously. Once a drug test has been scheduled, the employee will have forfeited their right to be granted a leave of absence for treatment and possible discipline, up to and including discharge, will be unavoidable.
 - b. BEING UNDER THE INFLUENCE. Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so by their Supervisor.
- 4.5.8 WORK RULES. Whenever members are on duty, are operating any department vehicle they are prohibited from:

- a. using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia);
- b. being under the influence of alcohol or an illegal drug as defined in this policy; and
- c. possessing or consuming alcohol

4.5.9 BEING UNDER INFLUENCE. The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body system, while **on duty** or while in a City facility, is prohibited.

4.5.10 PRESCRIPTION DRUGS. The City will also not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce this if asked. Employees possessing prescription medication in child care centers must secure it behind lock and key.

4.5.11 SURRENDER OF ILLEGAL SUBSTANCES. Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement officer and may result in criminal prosecution.

4.5.12 REQUIRED TESTING

- a. PRE-EMPLOYMENT: All applicants must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.
- b. REASONABLE SUSPICION: Members are subject to testing based upon (but not limited to) observations by supervision or management of apparent workplace use, possession or impairment. The City Personnel Officer shall be consulted before sending an employee for testing. All levels of supervision or management making this decision must utilize the "Reasonable Suspicion Check List" to document specific observations and behaviors that create a reasonable suspicion that the person is under the influence of illegal drugs and/or alcohol. If the results of the "Reasonable Suspicion Check List" indicate further action is justified, the manager/supervisor should confront the members with the documentation and with a union representative present (for all unionized employees) and/or with another member of management (for all non-unionized employees). Under no circumstances will the members be allowed to drive him or herself to the testing facility. A supervisor and a union representative (if

appropriate) must escort the employee; the supervisor will make arrangements for the employee to be transported home.

- c. **POST-ACCIDENT:** Members are subject to testing when they cause or contribute to accidents that seriously damage a City vehicle, machinery, equipment, or property and/or result in an injury to themselves, another member, or a member of the public requiring off-site medical attention. A probable belief circumstance will be presumed to arise in any instance involving a work-related accident or injury in which a member who was operating a motorized vehicle (including, but not limited to, fork lifts, pallet jacks, automobiles, pickups, vans, trucks, or fire apparatus) is found to be responsible for causing the accident. In any of these instances, the investigation and subsequent testing must take place within two (2) hours following the accident, if not sooner. Under no circumstances will the member be allowed to drive himself or herself to the testing facility.
- d. **FOLLOW-UP:** Members who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including discharge. Depending upon the circumstances and the member's work history/record, the City may offer a member who violates this policy or tests positive the opportunity to return to work on a last chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies determined by the City for a minimum of one (1) year but not more than two (2) years as well as a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not complete their rehabilitation program or tests positive after completing the rehabilitation program, they will be subject to immediate discharge from employment.

4.5.13 CONSEQUENCES.

- a. **APPLICANTS.** Applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to re-apply/re-test in the future.
- b. **MEMBERS.** Members who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated. If the Member refuses to be tested yet the City believes they are impaired, under no circumstances will the Member be allowed to drive himself or herself home.
- c. **DISCIPLINE.** The first time a member tests positive for alcohol or illegal drug use under this policy, the result will be discipline up to and including discharge.
- d. Members will be paid for time spent in alcohol/drug testing and then suspended pending the results of the drug/alcohol test.

- 4.5.14 CONFIDENTIALITY. Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the MRO shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed where relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of a member or applicant.
- 4.5.15 INSPECTIONS. The City reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband; affected members may retain representation during this process, including union representation for unionized employees. Inspections are to be conducted by authorized personnel; a member of the senior management team and/or a supervisor. All members and visitors may be asked to cooperate in inspections of their persons, work areas, and property that might conceal a drug, alcohol, or other contraband. Members who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including discharge.
- 4.5.16 CRIMES INVOLVING DRUGS. The City prohibits all members from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on the City premises or while conducting City or department business. Members are also prohibited from misusing legally prescribed or OTC drugs. Law enforcement personnel shall be notified, as appropriate, where criminal activity is suspected.
- 4.5.17 OFFSITE USE. The City does not desire to intrude into the private lives of its members, but recognizes that member's off-the-job involvement with drugs and alcohol may have an impact while on duty. Therefore, the City reserves the right to take appropriate disciplinary action for drug usage/sale/distribution or driving while Under the Influence of drugs or alcohol ("DWI") while off duty and away from City property. All members who are convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug or conviction of "DWI" are required to report the conviction, plea or sentence to the Fire Chief within five days. Failure to comply will result in automatic discharge. Cooperation in complying may result in suspension, without pay for paid members, to allow the Fire Chief to review the nature of the charges and the member's past record with the City.
- 4.5.18 DEFINITIONS
- a. "City Premises" includes, but is not limited to, all buildings, offices, facilities, grounds, parking lots, lockers, places and vehicles owned, leased or managed by the City of Millville or on any site on which the City is conducting business.

- b. "Illegal Drug" means a substance whose use or possession is controlled by federal law but that is not being used or possessed under the supervision of a licensed health care professional. (Controlled substances are listed in Schedules I-V of 21 C.F.R. Part 1308.)
- c. "Refuse to Cooperate" means to obstruct the collection or testing process; to submit an altered, adulterated, or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate and will automatically be subject to discharge.
- d. "Under the Influence of Alcohol" means an alcohol concentration equal to or greater than .04, or actions, appearance, speech or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.
- e. "Under the Influence of Drugs" means a confirmed positive test result for illegal drug use per this policy. In addition, it means the misuse of legal drugs (prescription and possibly over-the-counter) where there is not a valid prescription from a physician for the lawful use of a drug in the course of medical treatment (containers must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization).

4.5.19 REASONABLE SUSPICION AND POST-ACCIDENT TESTING PROTOCOL

- a. The member will be advised that the City believes that there is reasonable suspicion to believe that he/she is affected by illegal drugs or alcohol (or due to the nature of the accident the policy mandates this) and that this test is being offered to confirm or deny this suspicion.
- b. The member will be transported to a testing facility. The Fire Chief or his designee will accompany the member. Under no circumstances will the member be allowed to drive himself or herself to the testing facility. In cases where the Fire Chief or his designee and member are of the opposite sex, the member may request the management staff to arrange for a third management staff member to accompany the supervisor and member to the testing site.

- c. Prior to leaving for the testing facility, supervision/management will contact the testing facility to inform them that staff from the City of Millville will be arriving and will need a drug and/or alcohol test completed.
- d. The member to be tested MUST present a PHOTO ID (i.e., a driver's license or state ID card) to the testing facility staff before the specimen can be obtained. Ensure that the member brings this with them when leaving the City premises.
- e. The member to be tested must sign a consent form provided by/at the testing facility. Refusal to sign is addressed under the "Consequences" section of this document.
- f. When leaving the testing facility, the supervisor/manager MUST make arrangements to transport the member home, unless testing results are immediate and negative. Under no other circumstances will the tested member be allowed to drive himself or herself home.

4.6 DUTY CONDUCT

- 4.6.1 REPORTING FOR DUTY. Members shall report for duty at the time and place specified, properly uniformed and equipped.
- 4.6.2 ABSENCE DUTY. Any member who fails to appear for duty at the time and place specified without the consent of competent authority is absent without leave.
- 4.6.3 PROHIBITED ACTIVITY ON DUTY. Members who are on duty are prohibited from engaging in activities which are not directly related to the performance of their duty (e.g. conducting private business or gambling)
- 4.6.4 SMOKING WHILE ON DUTY. Members shall not smoke except in authorized areas. Employees shall not smoke on duty while in direct contact with the public.
- 4.6.5 PERSONAL RADIOS. The use of portable radios and any other form of entertainment other than equipment authorized by the department is prohibited while on duty.
- 4.6.6 RELIEF. Members are to remain at their assignments and on duty until properly relieved by other members or until dismissed by competent authority.
- 4.6.7 TRAINING. Training occurs for members in the following manner:
 - a. MANDATORY TRAINING. Required by department directive or order.
 - b. NON-MANDATORY TRAINING. Training authorized by but not directed by the Fire Chief.

- c. VOLUNTARY TRAINING. Training attended by members on their own accord, at no charge to the department, on a non-duty status, and not requiring specific authorization.
- d. Department authorized training for employees (e.g. "a" and "b" above) shall be in accordance with the Collective Bargaining Agreement.

4.6.8 DRILLS. Members shall be required to attend a minimum of 9 (nine) regular monthly department drills.

4.7 UNIFORMS, APPEARANCE AND IDENTIFICATION

- 4.7.1 REGULATION UNIFORMS REQUIRED. All members shall maintain uniforms prescribed in department directives. Uniforms shall be kept neat and clean at all times.
- 4.7.2 MANNER OF DRESS ON DUTY. Members shall wear the uniform on duty as prescribed by department directives for the member's current assignment.
- 4.7.3 WEARING JEWELRY ON DUTY. Members on duty shall not wear loose fitting jewelry which may be caught during fire fighting operations.
- 4.7.4 PERSONAL APPEARANCE. Members, while on duty, shall be neat and clean in person, with while uniform or clothes clean

4.8 DEPARTMENT EQUIPMENT AND PROPERTY

- 4.8.1 EQUIPMENT ON DUTY. Members shall wear all necessary protective equipment provided as prescribed in department directives based on their assignment.
- 4.8.2 DEPARTMENT PROPERTY AND EQUIPMENT. Members are responsible for the proper care of department property and equipment assigned to them.
- 4.8.3 USE OF DEPARTMENT PROPERTY AND EQUIPMENT. Members shall not use any department property or equipment for personal business or pleasure. Members may use equipment assigned to them in the performance of other fire related duties such as training if it is to the benefit of the department as a whole.
- 4.8.4 DAMAGED OR INOPERATIVE PROPERTY OR EQUIPMENT. Members shall immediately report to their supervisor any loss of or damage to department property assigned to or used by them. The supervisor shall also be notified of any defects or hazardous conditions existing in any department equipment or property not previously reported.
- 4.8.5 CARE OF DEPARTMENT BUILDINGS. Members shall not mark or deface any surface. in any department building. No material shall be affixed to any wall in department buildings without specific authorization from the Fire Chief.

- 4.8.6 NOTICES. Members shall not mark, alter or deface any posted notice of the department. Notices or announcement shall not be posted on bulletin boards without permission of the Fire Chief, except those areas designated for use by the collective bargaining unit.
- 4.8.7 USE OF DEPARTMENT VEHICLES. Employees shall not use any department vehicle without the permission of the Fire Chief or Fire Captain. Department vehicles shall never be used for personal business or pleasure. Vehicles shall be maintained in clean condition outside and inside, Including the disposal of any trash.
- a. AUTHORIZATION. No City vehicle shall leave the jurisdiction of the City without the authorization of the Fire Chief, or in his absence, a Fire Captain. No authorization shall be given unless the vehicle is being used in the furtherance of City business or the official duties of the employee utilizing the vehicle.
 - b. ACTIVELY ENGAGED EXCEPTION. No authorization from the Commissioner shall be required if the City vehicle is actively and directly engaged in the business of the City when it leaves the jurisdiction. The vehicle, however, must be returned forthwith to the City when it is no longer actively and directly engaged in City business.
 - c. MUTUAL AID EXCEPTION. Mutual aid and service agreements with other municipalities and public entities shall constitute an exception to the authorization requirement.
- 4.8.8 OPERATION OF DEPARTMENT VEHICLES. When operating department vehicles, members shall not violate traffic laws except in cases of emergency and then only in conformity with state law and department directives regarding same.
- 4.8.9 TRANSPORTING CITIZENS. Citizens will be transported in department vehicles only in conformance with department directives.
- 4.8.10 REPORTING ACCIDENTS. Accidents and involving department personnel, property, equipment and vehicles must be reported in accordance with department directives.
- 4.8.11 INSPECTION. Departmental property and equipment is and remains the property of the department and is subject to entry and inspection without notice.
- 4.8.12 LIABILITY. If department property is by damaged or lost as a result of misuse or negligence by an employee, that employee will be held liable to reimburse the department for the damage or loss and is subject to disciplinary action.

4.8.13 SURRENDER OF DEPARTMENT PROPERTY

- a. UPON SEPARATION FROM THE DEPARTMENT. Members are required to surrender all department property in their possession upon separation from the service. For failure to return a non-expendable item, the member will be required to reimburse the department for the fair market value of the article.
- b. UNDER SUSPENSION. Any member under suspension shall immediately surrender their identification and all other department property to the Fire Chief pending disposition of the case.

4.9 COMMUNICATION, CORRESPONDENCE

4.9.1 RESTRICTIONS. Members shall:

- a. Not use department letterheads for private correspondences.
- b. only send correspondence out of the department under the direction of the Fire Chief.

4.9.2 FORWARDING COMMUNICATIONS. Any member who receives a written communication for transmission to other member shall forward same without delay.

4.9.3 USE OF DEPARTMENT ADDRESS. Members shall not use the department as a mailing address for private purposes. The department address shall not be used for any private vehicle registration or driver license.

4.9.4 TELEPHONES. Department telephone equipment may not be used for personal use involving toll charges without the express approval of the Director of Public Safety.

4.9.5 RADIO DISCIPLINE. Members operating the radios shall strictly observe the procedures operating and the restrictions for such operations as set forth in department directives and by the Federal Communications Commission.

4.9.6 PUBLIC STATEMENTS. The department recognizes the Constitutionally protected right of free speech, and the right of all public employees to speak on matters of public concern. However, the business of the fire department is unique and the need to preserve confidentiality and public confidence requires that certain limitations on public statements be made. Accordingly, employees of the department shall make no public statement, either directly to the news media or to the public, when the information is (a) confidential; (b) likely to have an adverse effect upon discipline and the effectiveness of the chain of authority within the department or (c) is likely to impede the proper and competent performance of the member's duties

4.10 CONDUCT TOWARD PUBLIC

- 4.10.1 COURTESY. Members shall be courteous and orderly in their dealings with the public. They shall perform their duties politely, avoiding profane language and shall always remain calm regardless of provocation.
- 4.10.2 REQUEST FOR IDENTIFICATION. Upon request, members are required to supply their identification in a courteous manner.
- 4.10.3 IMPARTIALITY. Members shall not exhibit bias or favoritism toward any person because of race, sex, sexual orientation, creed, color, national origin, ancestry, influence, or any other status or characteristic protected by law.
- 4.10.4 USE OF DEROGATORY TERMS. Members shall not use language that is derogatory to anyone because of race, sex, sexual orientation, creed, color, national origin, ancestry, influence, or any other status or characteristic protected by law.
- 4.10.5 AFFILIATION WITH CERTAIN ORGANIZATIONS PROHIBITED. No member shall knowingly become a member of any organization which advocates the violation of law, or which professes hatred, prejudice, or oppression against any racial or religious group or political entity.
- 4.10.6 REPRESENTING THE FIRE DEPARTMENT. Members shall not give public or demonstrations on behalf of the department, nor shall they endorse any product or service as a representative of the department without prior approval from the Fire Chief.

4.11 CONDUCT TOWARD VOLUNTEER MEMBERS

- 4.11.1 Employees shall use a professional manner when working with volunteer members.
- 4.11.2 Employees shall not discriminate, interfere, coerce, or intimidate volunteer members in the performance of their duties or activities within the fire department.
- 4.11.3 Employees shall recognize that the volunteer fire fighting force is an essential component of the City's fire department and shall display impartiality toward volunteer members.
- 4.11.4 Employees shall assist in the training of volunteer members as assigned.
- 4.11.5 Employees shall avoid direct conflict with volunteer members and shall report any improprieties to the Fire Chief, or if during a "fire alarm" to the line officer in charge.
- 4.11.6 Employees shall communicate as required, with all members of the department for the safe and efficient operation of the fire department.

4.12 POLITICAL ACTIVITIES

- 4.12.1 Employees shall not be candidates for or hold office in elective public positions or political organizations within or inclusive of the jurisdiction in

which they are employed unless authorized to do so by the county prosecutor.

- 4.12.2 Members may contribute funds or any other thing of value to candidates for public office subject to the provision of law governing such contributions.
- 4.12.3 Members shall not engage in any political activity while on duty, or while in uniform, or at any other time if to do so would conflict with their duties or impair their ability to perform their duties.
- 4.12.4 Members shall not directly or indirectly use or attempt to use their official position to influence the political activity of another person.
- 4.12.5 Members shall not engage in any polling duties except in the performance of their official duties.
- 4.12.6 Members shall not display any political material on any government property or on their person while on duty or uniform.

4.13 JUDICIAL APPEARANCE AND TESTIMONY

- 4.13.1 DUTY OF EMPLOYEE TO APPEAR AND TESTIFY. Members shall appear and testify on matters directly related to the conduct of their office, position or employment before any court grand jury, or the State Commission of Investigation.
- 4.13.2 SUBPOENA. Members must attend court or quasi-judicial hearings as required by a subpoena. Permission to omit this duty must be obtained from the prosecuting attorney handling the case or other competent court officials.
- 4.13.3 COURT APPEARANCE. When appearing in court on department business. Members shall wear either the department uniform or appropriate business attire.
- 4.13.4 TESTIFYING FOR THE DEFENDANT. Any member subpoenaed to testify for the defense or against the municipality or department in any hearing or trial shall notify the Fire Chief immediately upon receipt of the subpoena.
- 4.13.5 DEPARTMENT INVESTIGATIONS. Members are required to answer questions, file reports or render material and relevant statements, in a department investigation when such questions and statements are directly related to job responsibilities. Members shall be advised of, and permitted to invoke, all applicable constitutional and statutory rights, including consultation with their designated representative.
- 4.13.6 TRUTHFULNESS. Members are required to be truthful at all times whether under oath or not.
- 4.13.7 CIVIL ACTION, SUBPOENAS. Members shall not volunteer to testify in civil actions arising out of department employment or service and shall

not testify unless subpoenaed. If the subpoena arises out of department employment or service or if members are informed that they are a party to a civil action arising out of department employment or service, they shall immediately notify the Fire Chief.

4.13.8 CIVIL DEPOSITIONS AND AFFIDAVITS. Members shall confer with the Fire Chief before giving a deposition or affidavit on a civil case relating to their employment or service.

4.13.9 CIVIL ACTION, EXPERT WITNESS. Members shall not volunteer or agree to testify as expert witnesses in civil actions without the prior written approval of the county prosecutor.

4.13.10 CIVIL PROCESS. Employees shall not serve civil process or assist in civil cases unless such service is approved by the Fire Chief.

Chapter 5 PERSONNEL REGULATIONS

5.1 HOURS AND LEAVE

- 5.1.1 HOURS OF DUTY. Employees shall have regular hours assigned to them for active duty, and when not so employed, they shall be considered off duty. Employees are subject to be recalled to duty as needed.
- 5.1.2 SCHEDULED DAYS OFF. Employees are entitled to days off pursuant to appropriate collective bargaining agreements and are to be taken according to a schedule arranged with the Fire Chief.
- 5.1.3 VACATION LEAVE. Employees are entitled to vacation days off pursuant to the appropriate collective bargaining agreement, and these rules and regulations, subject to approval of the vacation schedule by the Fire Chief.
- 5.1.4 OTHER LEAVE. Employees are entitled to other leave as provided for in the appropriate collective bargaining agreement, and these rules and regulations, subject to approval of the schedule by the Fire Chief.
- 5.1.5 SICK LEAVE. Employees are entitled to sick days off pursuant to the appropriate collective bargaining agreement and these rules and regulations.
- 5.1.6 ABUSE OF SICK LEAVE. Employees who take sick leave in violation of the appropriate collective bargaining agreement and these rules and regulations shall be subject to disciplinary action.
- 5.1.7 SUSPENSION OF LEAVE. Any vacation leave, scheduled day off, or other leave of absence may be suspended when an emergency which reasonably could not have been foreseen is by the appropriate authority, and which unavoidably required utilization of additional employees who are not scheduled to work.

5.2 SECONDARY EMPLOYMENT

- 5.2.1 SECONDARY EMPLOYMENT. Employees may engage in secondary employment consistent with rules and regulations, and departmental directives implementing policies of the appropriate authority.

5.3 RESIGNATION

- 5.3.1 RESIGNATION TO BE IN WRITING. All resignations of employees must be in writing and bear the signature of the person resigning. Employees shall provide the Fire Chief with no less than two (2) weeks written notice.

Chapter 6 DISCIPLINE

6.1 DISCIPLINARY ACTION

- 6.1.1 DISCIPLINARY ACTION. Members regardless of rank, shall be subject to disciplinary action, according to the nature or aggravation of the offense, for:
- a. Committing an offense punishable under the laws or statutes of the United States, the State of New Jersey or any other State, or municipal ordinances;
 - b. Failure, either willfully or through negligence or incompetence, to perform the duties of their rank or assignment;
 - c. Violation of NJAC directive 4A:2-2.3(a), any rule or regulation, or directive of the department, or
 - d. Failure to obey any lawful instruction, order, or command of a supervisor.
- 6.1.2. GENERAL CAUSES: An employee may be subject to discipline for any one or more of the following general causes:
- a. Falsification of public records, including attendance and other personnel records; theft of time.
 - b. Failure to report absence.
 - c. Harassment of co-workers and/or volunteers and/or visitors.
 - d. Theft or attempted theft of property belonging to the City, fellow employees, volunteers or visitors.
 - e. Failure to report to work day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence.
 - f. Fighting on City property at any time.
 - g. Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on City property and at any time during work hours.
 - h. Possession, sale, transfer or use of intoxicants or illegal drugs on City property and at any time during work hours.
 - i. Entering the building without permission during non-scheduled work hours.
 - j. Soliciting on the City's premises during work time. This includes but is not limited to distribution of literature or products or soliciting membership in fraternal, religious, social or political organizations, and/or sales of products, such as those from Avon, Amway, etc.
 - k. Careless waste of materials or abuse of tools, equipment or supplies.
 - l. Deliberate destruction or damage to City property.
 - m. Sleeping on the job during times not permitted to do so.
 - n. Carrying weapons of any kind on the City premises and/or during work hours, unless carrying a weapon is a function of your job duties.
 - o. Violation of established safety and fire regulations.
 - p. Unauthorized absence from work area, and/or roaming or loitering

- on the premises, during scheduled work hours.
- q. Defacing walls, bulletin boards or any other City property.
- r. Failure to perform duties, inefficiency or substandard performance.
- s. Unauthorized disclosure of confidential City information.
- t. Gambling on the City premises.
- u. Horseplay, disorderly conduct and use of abusive and/or obscene language on the City premises, and off premises when engaged in City related business.
- v. Deliberate delay or restriction of your work effort, and/or incitement of others to delay or restrict their work effort.
- w. Conviction of a crime or disorderly person's offense.
- x. Violation of City policies, procedures and regulations.
- y. Unauthorized use of computers, Internet, and email.
- z. Disparagement of the company or any company official whether this occurs on or off company property.
- aa. Incompetency, inefficiency or failure to perform duties.
- bb. Insubordination.
- cc. Inability to perform duties.
- dd. Chronic or excessive absenteeism or lateness.
- ee. Conviction of a crime.
- ff. Conduct unbecoming a public employee.
- gg. Neglect of duty.
- hh. Misuse of public property, including motor vehicles.
- ii. Discrimination that affects equal employment opportunity (as defined in N.J.A.C. 4A:7-1.1), including sexual harassment.
- jj. Violation of federal regulations concerning drug and alcohol use by and testing of employees who perform functions related to the operation of commercial motor vehicles, and state and local policies issued thereunder.
- kk. Other sufficient cause.

6.1.3 Other sufficient cause shall include but not be limited to violations of municipal ordinances, rules and regulations, written policies, department directives or lawful orders of a superior.

6.1.4 Discipline may be in the form of major discipline or minor discipline and may include, but not be limited to, the following:

- a. Oral reprimand;
- b. Formal written reprimand;
- c. Counseling;
- d. Suspension with pay;
- e. Suspension without pay;
- f. Monetary fine;
- g. Disciplinary demotion;
- h. Removal.

6.1.5 **TERMINATION OF EMPLOYMENT.** A member may be terminated depending upon the circumstances for any of the following offenses. All discharges will be in accordance with federal and state laws, including the New Jersey Civil Service Act as well as applicable collective bargaining

agreements.

- a. Incompetence, inefficiency or failure to perform duties;
- b. Chronic or excessive absenteeism or lateness;
- c. Conviction of a crime;
- d. Conduct unbecoming a public employee;
- e. Misuse of public property, including motor vehicles;
- f. Violation of federal, state or City regulations concerning alcohol and drug use and possession.
- g. Repeated violations of City policies and procedures or rules and regulations;
- h. Falsification of public records including personnel records
- i. Other sufficient cause.

6.1.6 REPEATED VIOLATIONS. Repeated violations of the rules of conduct shall be indicative of a member's disregard for their duty and may be cause for dismissal. This shall apply regardless of the type or severity of the offense.

6.2 DISCIPLINARY PROCEDURE

6.2.1 INVESTIGATION. Any infraction of the department's work rules or poor work performance is investigated. Members may have another worker present as a witness during a discussion with management officials who are investigating an incident of misconduct or a possible serious rule violation. If the results of the investigation demonstrate that discipline is appropriate, the appointing authority shall decide on the appropriate penalty, based on the progressive discipline criteria set forth below.

6.2.2. DISCIPLINARY PROCEDURES. The disciplinary procedure shall be in accordance with the laws of the State of New Jersey, City of Millville Ordinances & Personnel Policy and Procedure Manual, case law, collective bargaining agreements, administrative regulations, and departmental personnel rules. Members shall be subject to disciplinary action according to the nature of the offense. A system of progressive discipline shall be utilized for second and subsequent offenses of a similar or greater gravity.

6.2.3. Under normal circumstances, the department endorses a policy of progressive discipline in which it attempts to provide members with notice of deficiencies and an opportunity to improve. It does, however, retain the right to administer discipline in any manner it sees fit. This policy does not modify the status of employees as employees-at-will or in any way restrict the department's right to bypass the disciplinary procedures suggested. The normal application of progressive discipline should be:

- a. **STEP 1: COUNSELING AND VERBAL WARNING.** Step 1 creates an opportunity for the immediate supervisor to schedule a meeting with a member to bring attention to the existing performance, conduct or attendance issue. The Fire Chief should discuss with the member the nature of the problem or the violation of company

policies and procedures. The Fire Chief is expected to clearly describe expectations and steps the member must take to improve performance or resolve the problem. A corrective action plan must be implemented.

This meeting should be documented to ensure that the member is clear on what the expectations are. The Fire Chief shall prepare written documentation of a Step 1 meeting. The written documentation shall be filed with the Personnel Officer as well as with the Commissioner in charge of the Department. The employee will be asked to sign this document to demonstrate his or her understanding of the issues and the corrective action.

- b. **STEP 2: WRITTEN WARNING.** Although the City hopes that the member will promptly correct any performance, conduct or attendance issues that were identified in Step 1, the City recognizes that this may not always occur. The Step 2 written warning involves more detailed documentation of the performance, conduct or attendance issues and consequences.

During Step 2, the Fire Chief and City Commissioner will meet with the member to review any additional incidents or information about the performance, conduct or attendance issues as well as any prior relevant corrective action plans. The Fire Chief will outline the consequences for the member of his or her continued failure to meet performance or conduct expectations.

A formal performance improvement plan (PIP) requiring the member's immediate and sustained corrective action will be issued within five business days of a Step 2 meeting. A warning outlining that the member may be subject to additional discipline up to and including termination if immediate and sustained corrective action is not taken may also be included in the written warning. Supervisors/Managers are to refer to the PIP document.

- c. **STEP 3: SUSPENSION AND FINAL WRITTEN WARNING.** There may be performance, conduct or safety incidents so problematic and harmful that the most effective action may be the temporary removal of the employee from the workplace. When immediate action is necessary to ensure the safety of the member or others, the Fire Chief may suspend the member pending the results of an investigation as per the rules of the New Jersey Civil Service Commission, as applicable.

Suspensions that are recommended as part of the normal progression of this progressive discipline policy and procedure are subject to approval from the appointing authority.

Depending on the seriousness of the infraction, a member who is an employee may be suspended without pay in full-day increments consistent with federal, state and local wage-and-hour

employment laws. Nonexempt/hourly employees may not substitute or use an accrued paid vacation or sick day in lieu of the unpaid suspension. Due to Fair Labor Standards Act (FLSA) compliance issues, unpaid suspension of salaried/exempt employees is reserved for serious workplace safety or conduct issues. The City Attorney will provide guidance so that the discipline is administered without jeopardizing the FLSA exemption status.

Pay may be restored to the employee if an investigation of the incident or infraction absolves the employee.

- d. **STEP 4: RECOMMENDATION FOR TERMINATION OF EMPLOYMENT.** The last and most serious step in the progressive discipline procedure is a recommendation to terminate employment or prohibit volunteers from service. Generally, the department will try to exercise the progressive nature of this policy by first providing warnings, a final written warning or suspension from the workplace before proceeding to a recommendation to terminate employment or service. However, the City reserves the right to combine and skip steps depending on the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or disciplinary action.

The City's recommendation to terminate employment must be approved by the appointing authority.

- e. **PERFORMANCE AND CONDUCT ISSUES NOT SUBJECT TO PROGRESSIVE DISCIPLINE.** Behavior that is illegal is not subject to progressive discipline, and such behavior may be reported to local law enforcement authorities. Typically, the City should suspend the member immediately (with or without pay, if applicable) and an investigation of the incidents leading up to the suspension should be conducted to determine if any further action, such as termination, should be taken.

Similarly, theft, substance abuse, intoxication, fighting, behavior that puts staff, children, parents or the program at risk, and other acts of violence at work may also not be subject to progressive discipline and may be grounds for immediate termination of either employment or services.

- f. **DOCUMENTATION.** The employee will be provided copies of all progressive discipline documentation, including all PIPs. The employee will be asked to sign copies of this documentation attesting to his or her receipt and understanding of the corrective action outlined in these documents.

Employees (not members) can appeal disciplinary actions pursuant to the rules of the New Jersey Civil Service Commission,

with notification to the City Commissioner.

Chapter 7 GOVERNMENT OF THE DEPARTMENT

- 7.1 OFFICE OF THE FIRE CHIEF. The Fire Chief is the chief executive officer of the Fire Department, and shall have the powers, functions and duties provided for by statute, ordinance, and these rules and regulations
- 7.2 OFFICE OF THE FIRE CAPTAINS. Fire Captains will take charge in the absence of the Fire Chief and shall have the authority and responsibility normally exercised by the Fire Chief.
- 7.3 ORDER OF RANK. Routine/non-emergency ties: See Attachment "A"; Fire Alarm/Emergency: See Attachment "B"
- 7.4 ORGANIZATION. The fire department organization is comprised of three components: (a) paid fire fighters; (b) regular volunteer fire fighters, and (c) trainee fire fighters.

Chapter 8 NOTIFICATION OF DIRECTOR OF PUBLIC SAFETY

- 8.1 The Director of Public Safety shall be notified and informed, in a manner prescribed by the Director, of the particulars of any of the following occurrences
- a. Any second alarm fire or- greater alarm fire.
 - b. Any fire fatality.
 - c. Serious injury of any fire fighter.
 - d. apparatus involved in an accident.
 - e. Any incident which might be [potential cause for complaint against the fire department.
 - f. Any other occurrence/incident which might be significant or out of the ordinary.

Millville Police Department Rules and Regulations



Adopted: Resolution No. R292-2016

September 6, 2016

TABLE OF CONTENTS

CHAPTER 1 RULES AND REGULATIONS

Page Number

- | | | |
|-----|--------------------|---|
| 1.1 | Authority | 1 |
| 1.2 | General Provisions | 1 |

CHAPTER 2 DEFINITIONS

- | | | |
|------|------------------|---|
| 2.1 | Authority | 2 |
| 2.2 | Chain of Command | 2 |
| 2.3 | Day Off | 2 |
| 2.4. | Directive | 2 |
| 2.5 | Employee | 2 |
| 2.6 | May/Should | 3 |
| 2.7 | Order | 3 |
| 2.8 | Policy | 3 |
| 2.9 | Procedure | 3 |
| 2.10 | Shall/Will | 3 |
| 2.11 | Supervisor | 3 |

CHAPTER 3- GENERAL DUTIES AND RESPONSIBILITIES

- | | | |
|------|-------------------------------|---|
| 3.1. | Chief of Police | 3 |
| 3.2 | Supervisors in the Department | 4 |
| 3.3 | Police Officers | 4 |
| 3.4 | Civilian Employees | 5 |

CHAPTER 4 – RULES OF CONDUCT

- | | | |
|------|--------------------------------|---|
| 4.1. | General Conduct | 5 |
| 4.2. | Orders | 7 |
| 4.3 | Police Records and Information | 8 |
| 4.4. | Gifts and Rewards, etc | 8 |
| 4.5 | Alcoholic Beverages and Drugs | 8 |

4.6.	Duty Conduct	10
4.7	Uniforms and Appearance and Identification	10
4.8	Department Equipment and Property	11
4.9	Communications, Correspondence	13
4.10	Conduct Towards the Public	14
4.11	Political Activities	14
4.12	Judicial Appearance and Testimony	15

CHAPTER 5 – PERSONNEL REGULATIONS

5.1	Hours and Leave	16
5.2	Secondary Employment	16
5.3	Resignation	17

CHAPTER 6 – DISCIPLINE

6.0	Discipline	17
------------	------------	----

CHAPTER 7 – GOVERNMENT OF DEPARTMENT

7.1.	Office of the Chief	17
7.2	Office of the Captain	17
7.3	Order of Rank	17
7.4	Divisions	17
7.5	Organizations	17
7.6	Functions	17

CHAPTER 8-NOTIFICATION OF DIRECTOR OF PUBLIC SAFETY

8.1	Notification of Director of Public Safety	18
-----	---	----

Chapter 1 **RULES AND REGULATIONS**

1.1 **AUTHORITY**

- 1.1.1** These Rules and Regulations are adopted pursuant to N.J.S.A. 40A:14-118 and Section 2-6 of the Municipal Code of the City of Millville.

- 1.1.2** The Board of Commissioners is the appropriate authority to exercise legislative Authority to adopt and promulgate rules and regulations for the government of the Police Department and for the discipline of its members. Furthermore, it is the appropriate authority to prescribe the powers, functions and duties of its members.

- 1.1.3** The Director of Public Safety is the appropriate authority to exercise administrative authority to establish policies providing guidelines to the Chief of Police for the operation of the Police Department.

- 1.1.4** The Chief of Police is the chief executive officer of the Police Department and has the power to exercise executive authority to issue directives establishing procedures for the routine day to day operation of the department, and he has the responsibility to issue directives to implement the policies established by the Director of Public Safety.

1.2 **GENERAL PROVISIONS**

- 1.2.1** **Application:** These Rules and Regulations are applicable to all police officers of the department and to all civilian employees of the department where appropriate.

- 1.2.2** **Distribution:** One copy of these rules shall be distributed to each employee of the department.

- 1.2.3** **Responsibility for Maintenance:** Employees shall be responsible for maintaining a current copy of the rules and regulations including all additions, revisions and amendments as issued.

- 1.2.4** **Familiarization:** Employees shall thoroughly familiarize themselves with the provisions of the rules and regulations. Ignorance of any provision of these rules and regulations will not be a defense to a charge of a violation of these rules and regulations.

- 1.2.5** **Prior Rules and Regulations:** All prior rules and regulations are hereby revoked.

- 1.2.6 Conflicting Policies and Directives:** All policies established by the Director of Public Safety which are in conflict with these rules and regulations are hereby revoked. All directives issued by the Chief of Police which are in conflict with these rules and regulations are hereby revoked.
- 1.2.7 Amendment:** The right is reserved by the governing body to amend, revoke, or make additions, to these rules and regulations as the circumstances require.
- 1.2.8 Severability:** If one or more of these rules and regulations are held invalid, all of the remaining rules and regulations shall continue in full force and effect.

CHAPTER 2 DEFINITIONS

- 2.1 Authority:** The right to issue orders, give commands, enforce obedience, initiate action and make necessary decisions commensurate with rank or assignment as provided for in the department rules and regulations, and directives. Authority may be delegated by those so assigned. Acts performed without proper authorization shall be considered to be in violation of the rules and regulations.
- 2.2 Chain of Command:** Vertical lines of communication, authority and responsibility within the organizational structure of the department.
- 2.3 Day off:** Those days determined by the appropriate supervisor on which a given employee is excused from duty.
- 2.4 Directive:** A document detailing the performance of a specific activity or method of operation: "Directive" includes:
- 2.4.1 General Order:** A directive establishing standard operating procedures for the day to day operation of the department to implement policies established by the Director of Public Safety.
- 2.4.2 Personnel Order:** A directive initiating and announcing a change in the assignment, rank or status of personnel.
- 2.4.3 Special Order:** A directive dealing with a specific circumstance or even that is usually self-canceling.
- 2.5 Employee:** All employees of the department, whether sworn regular or special police officers or civilian employees.

- 2.6 May/Should:** As used herein words “may” and “should” mean that the action indicated is permitted.
- 2.7 Order:** Any written or oral directive issued by the supervisor to any subordinate or group of subordinates in the course of police duty.
- 2.8 Policy:** A statement of department principles established by the Director of Public Safety that provides the basis for the development of directives by the Chief of Police. .
- 2.9 Procedure:** A written statement providing specific direction for performing department activities. Procedures are implemented through directives issued by the Chief of Police.
- 2.10 Shall/Will:** The words “shall” and “will” as used herein, shall indicate that the action required is mandatory.
- 2.11 Supervisor:** Employee assigned to a position requiring exercise of immediate Supervision over the activities of other employees.

CHAPTER 3

3.1. CHIEF OF POLICE

3.1.1 RESPONSIBILITES: The Chief of Police is responsible to:

- a. Establish and maintain operation the efficient operation of the department.
- b. Organize, control and maintain all property and resources for the department.
- c. Develop procedures to govern and direct the routine day to day operations of the police department, and to implement policies established by the Director of Public Safety.
- d. Provide for proper training of all department employees.
- e. Provide for periodic inspection of all policy operations in insure compliance with the rules and regulations and departmental directives.
- f. Maintain the overall discipline of the department.
- g. Maintain a constructive relationship with the public, community organizations, the media and other law enforcement agencies.
- h. Oversee the preparation of the annual budget and proposed expenditure programs for review by the Director of Public Safety prior to submission to the Governing Body.
- i. Authorize the expenditure of funds within the budget which was approved and appropriated by the Governing Body.
- j. Provide for performance evaluations of all department employees.
- k. Report to the Director of Public Safety as required by Section 2-6.3(e) of the Municipal Court.

3.2 SUPERVISORS IN THE DEPARTMENT SHALL:

- 3.2.1** Enforcement department rules and regulations and insure compliance with Department directives.
- 3.2.2** Exercise proper use of their command within the limits of their authority to assure Efficient performance by their subordinates.
- 3.2.3** Exercise necessary control over their subordinates to accomplish the objective of the department.
- 3.2.4** Guide and train subordinates to gain effectiveness in performing their duties.
- 3.2.5** Use department disciplinary procedures when necessary.
- 3.2.6** When using discipline, comply strictly with the provisions of the department Disciplinary process when using department disciplinary procedures.

3.3 POLICE OFFICERS SHALL:

3.3.1 TAKE APPROPRIATE ACTION TO:

- a. Protect life and property;
 - b. Preserve the peace;
 - c. Prevent crime;
 - d. Detect and arrest violators of the law;
 - e. Enforce all federal state, and local laws and ordinances coming with department jurisdiction;
 - f. Safely and expeditiously regulate traffic;
 - g. Aid citizens in matters with police jurisdiction;
 - h. Take appropriate action in aiding fellow officers as needed; and
 - i. Provide miscellaneous services.
- 3.3.2** Exercise authority consistent with the obligations imposed by the oath of office and in conformance with the rules and regulations and departmental directives.
 - 3.3.3** Be accountable and responsible to their supervisors for obeying all lawful orders.
 - 3.3.4** Coordinate their efforts with other employees of the department to achieve department objectives.
 - 3.3.5** Conduct themselves in accordance with high ethical standards, on and off duty.
 - 3.3.6** Strive to improve their skills and techniques through study and training.

3.3.7 Familiarize themselves with the area of authority and responsibility for the current assignment.

3.3.8 Perform their duties promptly, faithfully and diligently.

3.4 CIVILIAN EMPLOYEES SHALL:

3.4.1 Take appropriate action to perform the duties of their positions promptly, faithfully, and diligently.

3.4.2 Exercise authority consistent with the obligations imposed by their position and in conformance with the policies of the department.

3.4.3 Be accountable and responsible to their supervisors for obeying all lawful orders.

3.4.4 Coordinate their efforts with other employees of the department to achieve department objectives.

3.4.5 Conduct themselves in accordance with high ethical standards, on and off duty.

3.4.6 Strive to improve their skills and techniques through study and training.

3.4.7 Familiarize themselves with the area of authority and responsibility for the current assignment.

3.4.8 Abide by all rules and regulations, and departmental procedures and directives Governing civilian employees.

3.4.9 Perform all work as required.

CHAPTER 4

4.1 GENERAL CONDUCT

4.1.1 **Performance of Duty:** All employees shall promptly perform their duties as required or directed by law, department rules and regulations, directives or by lawful order of a superior officer.

4.1.2 **Action off Duty:** While off duty, police officers shall take appropriate action as needed in any police matter that comes to their attention within their jurisdiction as authorized by New Jersey law and department directives.

- 4.1.3 Obedience to Laws and Rules:** Employees shall obey all laws, ordinances, rules and regulations and directives of the department.
- 4.1.4 Withholding Information:** Employees shall report any information concerning suspected criminal activity of others.
- 4.1.5 Reporting Violations of Laws or Rules:** Employees knowing of other employees violating laws, ordinances, or rules and regulations of the department, shall report same in writing to the Chief of Police through official channels. If the employee believes the information is of such gravity that it must be brought to the immediate, personal attention of the Chief of Police, official channels may be bypassed.
- 4.1.6 Insubordination – Employees Shall Not:**
- a. Fail or refuse to obey a lawful order given by a supervisor;
 - b. Use any disrespectful or abusive language or action towards a supervisor;
- 4.1.7 Conduct Toward Other Department Employees:** Employees shall treat other Department employees with respect. They shall be courteous and civil at all times in their relationships with one another. When on duty and in the presence of the public, officers should be referred to by rank.
- 4.1.8 Compromising Criminal Cases:** Employees shall not interfere with the proper Administration of criminal justice.
- 4.1.9 Recommending Attorney and Bail Bond Brokers Prohibited:** Employees shall not suggest, recommend, or advise the retention of an attorney or bail bond broker to any person as a result of police business.
- 4.1.10 Posting Bail:** Employees shall not post bail for any person in custody, except relatives.
- 4.1.11 Use of Force:** Employees shall follow department directives on the use of force.
- 4.1.12 Physical Fitness:** Police Officers shall maintain good physical condition so they can handle the strenuous physical activities often required of a law enforcement officer.
- 4.1.13 Driver License:** Employees operating department motor vehicles shall possess A valid New Jersey driver’s license. Whenever a driver’s license is revoked, suspended, or lost, the employee shall immediately notify the appropriate supervisor giving full particulars.

4.1.14 Address and Telephone Numbers: Employees are required to have a telephone Number in the place where they reside. Changes in address or telephone number shall be reported in writing to the appropriate supervisor and the office of the Chief of Police within 24 hours of the change.

4.2. ORDERS

4.2.1 Issuing Orders

- a. **Manner of Issuing Orders:** Orders from a supervisor to a subordinate shall be in clear and understandable language.
- b. **Unlawful Orders:** No supervisor shall knowingly issue any order which is in Violation of any law or ordinance.
- c. **Improper Orders:** No supervisor shall knowingly issue any order which is in violation of an department rule, policy or procedure.

4.2.2 Receiving Orders

- a. **Questions Regarding Orders:** Employees in doubt as to the nature or detail of an order shall seek clarification from their supervisors by going through the chain of command.
- b. **Obedience to Unlawful Orders:** Employees are not required to obey any order which is contrary to any law or ordinance. Responsibility for refusal to obey rests with the employee, who will be required to justify the refusal to obey.
- c. **Obedience to Improper Orders:** Employees who are required to obey any order which is contrary to department rules and regulations or directives must first obey the order to the best of their ability, and then report the improper order as provided herein.
- d. **Conflicting Orders:** Upon receipt of an order conflicting with any previous order, the employee affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original order rests with the individual issuing the second order. If so directed, the latter order shall be obeyed first. Orders will be countermanded, or conflicting orders will be issued only when necessary for the good of the department.

- e. **Reports of Unlawful or Improper Orders:** An employee receiving an unlawful or improper order shall, at first opportunity, report in writing to the next highest ranking supervisor above the supervisor who issued the unlawful or improper order. Action regarding such a report shall be conducted by the Chief of Police.
- f. **Criticism of Official Acts or Orders:** Employees shall not criticize the actions or orders of any department employee in a manner which is defamatory, obscene, or which tends to impair the efficient operation of the department.

4.3 POLICE RECORDS AND INFORMATION

- 4.3.1 **Release of Information:** Employees shall not release any information nor reveal any confidential business of the department to the public or the press except as provided in department rules and regulations or directives.
- 4.3.2 **Department Records:** Contents of any record or report filed within the department shall not be exhibited or divulged to any person other than a duly authorized police officer, except with the approval of the appropriate supervisor or under the process of law, or as permitted under rules and regulations or directives.
- 4.3.3 **Reports:** No employee shall knowingly falsify any official report or enter or cause to be entered any inaccurate, false or improper information on records of the department.

4.4 GIFTS, REWARDS, ETC.

- 4.4.1 **Soliciting or Accepting Benefits:** Employees shall not directly or indirectly solicit, accept or agree to accept any benefit not allowed by law to influence the performance of their official duties.
- 4.4.2 **Rewards:** Employees shall not accept any gift, gratuity, or reward in money or other compensation for services rendered in the line of duty, except that which may be authorized by law and department directive.
- 4.4.3 **Disposition of Unauthorized Gifts, Gratuities:** Any unauthorized gift, gratuity, load, fee, reward, or other object coming into the possession of any employee shall be forwarded to the Chief of Police together with a written report explaining the circumstances.

4.5 ALCOHOLIC BEVERAGES AND DRUGS

- 4.5.1 **Consuming Alcoholic Beverages Before Duty:** Employees shall not consume alcoholic beverages within four hours prior to reporting for duty.

- 4.5.2 Being Under the Influence:** Employees shall not report for duty under the influence of any alcoholic beverage.
- 4.5.3 Consuming Alcoholic Beverages on Duty:** Employees of the department shall not consume any alcoholic beverage while on duty.
- 4.5.4 Exception:** Employees while assigned to duty in civilian clothes may consume alcoholic beverages only if such consumption:
- a. Is absolutely necessary in the performance of duty.
 - b. Has been approved by the appropriate supervisor.
 - c. Does not render the employee unfit for proper and efficient performance of duty.
- 4.5.5 Consuming Alcoholic Beverages Off Duty in Uniform:** Employees shall not consume alcoholic beverages while off duty and in uniform or any recognizable component of the uniform.
- 4.5.6 Alcoholic Beverages in Police Building:** Alcoholic beverages shall not, at any time, be consumed in police buildings or facilities.
- 4.5.7 Possession of Alcoholic Beverages:** Employees shall not have alcoholic beverages on their person while on duty or in uniform, nor in any police department building or vehicle, except for evidential or other authorized purpose.
- 4.5.8 Entering Licensed Premises:** Employees in uniform shall not enter any licensed premises where alcoholic beverages are sold or stored, except in the performance of duty and in compliance with department directives.
- 4.5.9 Taking Medication on Duty:** No Employee shall be permitted to perform their duties while taking prescribed medication that adversely affects the employee's ability to safely and effectively perform his or her job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce this if asked.
- 4.5.10 Illegal Drugs:** The possession, use, or distribution of illegal drugs on duty or off duty is expressly prohibited. The Attorney General's Law Enforcement Drug Testing Policy of May 2012, and as hereinafter amended from time to time, is incorporated by reference.

4.6 DUTY CONDUCT

- 4.6.1 **Reporting for Duty:** Employees shall report for duty at the time and place specified, properly uniformed and equipped.
- 4.6.2 **Absence from Duty:** An employee who fails to appear for duty at the date, time and place specified without the consent of competent authority is absent without leave. Supervisors shall immediately report to their supervisor in writing any employee who is absent without leave.
- 4.6.3 **Prohibited Activity on Duty:** Employees who are on duty are prohibited from engaging in activities which are not directly related to the performance of their duty (e.g. sleeping, conducting private business, or gambling).
- 4.6.4 **Smoking While on Duty:** Employees shall not smoke except in authorized areas. Employees shall not smoke on duty while in direct contact with the public.
- 4.6.5 **Social Media:** The use of social media unless for official police business is prohibited during work hours.
- 4.6.6 **Relief:** Employees are to remain at their assignments and on duty until properly relieved by other employees or until dismissed by competent authority.
- 4.6.7 **Meals:** All meals are to be consumed within authorized areas, subject to modification by the supervisor.
- 4.6.8 **Training:** Employees shall attend training at the direction of the appropriate supervisor. Such attendance is considered a duty assignment, unless the prevailing collective bargaining agreement provides otherwise.
- 4.6.9 **Inspections:** Employees directed to attend full dress inspections shall report in the uniform prescribed, carrying the equipment specified. Unauthorized absence from such inspection shall be considered absent without leave.

4.7. UNIFORMS, APPEARANCE AND IDENTIFICATION

- 4.7.1 **Regulation Uniforms Required:** All police officers and uniformed civilians shall maintain uniforms prescribed in department directives. Uniforms shall be kept neat, clean and well-pressed at all times.
- 4.7.2 **Manner of Dress on Duty:** Employees shall wear the uniform or civilian clothing on duty as prescribed by department directives for the employee's current assignment. Civilian employees not required to wear uniforms shall dress in proper business attire.

- 4.7.3 Wearing Jewelry on Duty:** Police Officers on duty shall not wear loose fitting jewelry which may be grasped during a struggle or which can inflict or retard the mobility of the officer. This provision shall not prohibit non-uniform officers on duty from wearing jewelry appropriate for the conditions of their current assignment in accordance with department directives.
- 4.7.4 Personal Appearance:** Employees, while on duty, shall be neat and clean in person, with uniform or clothes clean and pressed. This provision shall not prohibit non uniform officers on duty from dressing appropriately for the conditions of their current assignment in accordance with department directives.
- 4.7.5 Wearing or Carrying Identification:** Employees shall wear or carry their department identification at all times, provided that it is practical under the circumstances.
- 4.7.6 Identification as Police Officer:** Except when impractical or where the identity is obvious, police officers shall identify themselves by displaying the official badge or identification card before taking police action.

4.8. DEPARTMENT EQUIPMENT AND PROPERTY

- 4.8.1 Equipment on Duty:** Employees shall carry all equipment on duty as prescribed in department directives based on their assignment.
- 4.8.2 Equipment off Duty:** Employees shall carry off duty as prescribed in department directives based on their assignment.
- 4.8.3 Firearms:** Employees shall follow directives on the care and handling of firearms.
- 4.8.4 Department Property and Equipment:** Employees are responsible for the proper care of department property and equipment assigned to them.
- 4.8.5 Use of Department Property and Equipment:** Employees shall not use any department property or equipment for personal business or pleasure.
- 4.8.6 Damaged or Inoperative Property or Equipment:** Employees shall immediately report to their supervisors any loss of or damage to department property assigned to or used by them. The supervisor shall also be notified of any defects or hazardous conditions existing in any department equipment or property.
- 4.8.7 Care of Department Building:** Employees shall not mark or deface any surface in any department building. No material shall be affixed to any wall in the department buildings without specific authorization from the appropriate supervisor.
- 4.8.8 Notices:** Employees shall not mark, alter or deface any posted notice of the department. Notices or announcements shall not be posted on bulletin boards without permission of the appropriate supervisor, except those areas designated for the use by the collective bargaining unit.

- 4.8.9 Use of Department Vehicles:** Employees shall not use any department vehicle without the permission of a supervisor. Department vehicles shall never be used for personal business or pleasure. Vehicles shall be maintained in clean condition outside and inside, including disposal of any trash.
- a. Authorization:** No City vehicle shall leave the jurisdiction of the City without the authorization of the Chief of Police. No authorization shall be given unless the vehicle is being used in the furtherance of City business or the official duties of the employee utilizing the vehicle.
 - b. Actively Engaged Exception:** No authorization from the Commissioner shall be required if the City vehicle is actively and directly engaged in the business of the City when it leaves its jurisdiction. The vehicle, however, must be returned forthwith to the City when it is no longer actively engaged in City business.
 - c. Mutual Aid Exception:** Mutual aid service agreements with other municipalities and public entities shall constitute an exception to the authorization requirement.
- 4.8.10 Operation of Department Vehicles:** When operating department vehicles, employees shall not violate traffic laws except in the cases of emergency and then only in conformity with state law and department directives regarding same.
- 4.8.11 Transporting Citizens:** Citizens will be transported in department vehicles only in conformance with department directives.
- 4.8.12 Reporting Accidents:** Accidents involving department personnel, property, equipment and vehicles must be reported in accordance with department directives.
- 4.8.13 Inspection:** Department property and equipment is and remains the property of the department and is subject to entry and inspection without notice.
- 4.8.14 Liability:** If department property is damaged or lost as a result of misuse or negligence by an employee, that employee will be held liable to reimburse the department for the damage or loss and is subject to disciplinary action.
- 4.8.15 Surrender of Department Property:**
- a. Upon Separation from the Department:** Employees are required to surrender all department property in their possession upon separation from service. For failure to return a non-expendable item, the employee will be required to reimburse the department for the fair market value of the article.

- b. **Under Suspension:** Any employee under suspension shall immediately surrender their identification, firearm (if applicable), and all other department property to the appropriate supervisor pending disposition of the case. Furthermore, that employee may only have access to public portions of the building unless they are granted authorization by the Chief of Police through the proper chain of command and shall be escorted by assigned staff.

4.9 COMMUNICATIONS, CORRESPONDENCE

4.9.1 Restrictions – Employees Shall:

- a. Not use department letterheads for private correspondence.
- b. Only send correspondence out of the department under the direction of the appropriate authority.

4.9.2 Forwarding Communications: Any employee who receives a written communication for transmission to another employee shall forward same without delay.

4.9.3 Use of Department Address: Employees shall not use the department as a mailing address for private purposes. The department address shall not be used for any private vehicle registration or driver license.

4.9.4 Telephone: Department Equipment may not be used involving toll charges without the express approval of the Chief of Police.

4.9.5 Radio Discipline: Employees operating police radios shall strictly observe the procedures and restrictions for such operations as set forth in department directives and by the Federal Communications Commissioner.

4.9.6 Public Statements: The department recognizes the constitutionally protected right of free speech, and the right of all public employees to speak on matters of public concern. However, the unique nature of police work and the need to preserve confidentiality and public confidence requires that certain limitations on public statements be made. Accordingly, employees of the department shall make no public statement, either directly to the news media or to the public, when the information is (a) confidential, (b) likely to have an adverse effect upon discipline and the effectiveness of the chain of authority with the department, or (c) is likely to impede the proper and competent performance of the employees duties.

4.10 CONDUCT TOWARDS THE PUBLIC

- 4.10.1 Courtesy:** Employees shall be courteous and orderly in their dealings with the public. They shall perform their duties politely, avoiding profane language and shall always remain calm regardless of provocation.
- 4.10.2 Request for Identification:** Upon request, employees are required to supply their identification in a courteous manner.
- 4.10.3 Impartiality:** Employees shall not exhibit bias or favoritism towards any person because of race, sex, sexual orientation, creed, color, national origin, ancestry or influence or any other legally protected class.
- 4.10.4 Use of Derogatory Terms:** Employees shall not use language that is derogatory to anyone because of race, sex, sexual orientation, creed, color, national origin, ancestry, or influence or any other legally protected class.
- 4.10.5 Affiliation with Certain Organizations Prohibited:** No employee shall knowingly become a member of any organization which advocates the violation of law, or which professes hatred, prejudice, or oppression against any racial or religious group or political entity, except when necessary in the performance of duty and at the direction of the Chief of Police.
- 4.10.6 Representing the Police Department:** Employees shall not give public speeches or demonstrations on behalf of the police department, nor shall they endorse any product of service as a representative of the police department, without prior approval from the Chief of Police.

4.11 POLITICAL ACTIVITIES

- 4.11.1** Employees shall not be candidates for or hold office in elective public positions or political organizations within or inclusive of the jurisdiction in which they are employed unless authorized to do so by the county prosecutor.
- 4.11.2** Employees may contribute funds or any other thing of value to candidates for public office subject to the provision of law governing such contributions.
- 4.11.3** Employees shall not engage in any political activity while on duty, or while in uniform, or at any other time if to do so would conflict with their duties or impair their ability to perform their duties.
- 4.11.4** Employees shall not directly or indirectly use or attempt to use their official position to influence the political activity of another person.
- 4.11.5** Employees shall not engage in any polling duties except in the performance of their official duties.
- 4.11.6** Employees shall not display any political material on any government property or on their person while on duty or in uniform.

4.12 JUDICIAL APPEARANCE AND TESTIMONY

- 4.12.1 Duty of Employee to Appear and Testify:** Employees shall appear and testify on matters directly related to the conduct of their office, position or employment before any court, grand jury, or the State Commission of Investigation.
- 4.12.2 Subpoena:** Employees must attend court or quasi-judicial hearings as required by subpoena. Permission to omit this duty must be obtained from the prosecuting attorney handling the case or other competent court officials.
- 4.12.3 Court Appearance:** When appearing in court on department business, employees shall wear either the department uniform or appropriate business attire.
- 4.12.4 Testifying for the Defendant:** Any employee subpoenaed to testify for the defense or against the municipality or department in any hearing or trial shall notify the appropriate supervisor immediately upon receipt of the subpoena.
- 4.12.5 Department Investigations:** Employees are required to answer questions, file reports, or render material and relevant statements, in departmental investigations which such questions and statements are directly related to job responsibilities. Employees shall be advised of and permitted to invoke, all applicable constitutional and statutory rights, including consultation with their designated representative.
- 4.12.6 Truthfulness:** Employees are required to be truthful at all times whether under oath or not.
- 4.12.7 Civil Action, Subpoenas:** Employees shall not volunteer to testify in civil actions arising out of department employment and shall not testify unless subpoenaed. If the subpoena arises out of department employment or if employees are informed that they are a party to a civil action arising out of department employment, they shall immediately notify the appropriate supervisor.
- 4.12.8 Civil Depositions and Affidavits:** Employees shall confer with the appropriate supervisor before giving a deposition or affidavit on a civil case relating to their police employment.
- 4.12.9 Civil Action, Expert Witness:** Employees shall not volunteer or agree to testify as expert witnesses in civil actions without the prior written approval of the county prosecutor.
- 4.12.10 Civil Process:** Employees shall not serve civil process or assist in civil cases unless such service is approved by the appropriate supervisor.

5.1. HOURS AND LEAVE

- 5.1.1 Hours of Duty:** Employees shall have regular hours assigned to them for active duty, and when not so employed, they shall be considered off duty. Employees are subject to be recalled to duty as needed.
- 5.1.2 Scheduled Days Off:** Employees are entitled to days off pursuant to appropriate collective bargaining agreements and are to be taken according to a schedule arranged by the appropriate supervisor.
- 5.1.3 Vacation Leave:** Employees are entitled to vacation days off pursuant to appropriate collective bargaining agreements, and these rules and regulations, subject to the approval of the vacation schedule by the appropriate supervisor.
- 5.1.4 Other Leave:** Employees are entitled to other leave as provided for in collective bargaining agreements, and these rules and regulations, subject to approval of the schedule by the appropriate supervisor.
- 5.1.5 Sick Leave:** Employees are entitled to sick days off pursuant to appropriate collective bargaining agreement and these rules and regulations.
- 5.1.6 Abuse of Sick Leave:** Employees who take sick leave in violations of the appropriate collective bargaining agreements and these rules and regulations shall be subject to disciplinary action.
- 5.1.7 Suspension of Leave:** Any vacation leave, scheduled day off, or other leave of absence may be suspended when an emergency which reasonably could not have been foreseen is declared by appropriate authority, and which unavoidably requires utilization of additional employees who are not scheduled to work.

5.2. SECONDARY EMPLOYMENT

- 5.2.1 Secondary Employment:** Full time employees of the City may engage in outside employment if:
 - a. The employee maintains the City as his or her primary employer;
 - b. The employment does not conflict with his or her duties or position as an employee of the City, including the employee's availability to work call-in situations when the job responsibilities require that availability.
 - c. The outside employment does not create a conflict of interest with the City employment; and
 - d. The employee does not perform outside work during his regularly scheduled work hours with the City.

5.3 RESIGNATION

- 5.3.1 Resignation to be in Writing:** All resignations of employees must be in writing and bear the signature of the person resigning. Employees shall provide the Chief of Police with no less than two (2) weeks written notice.

CHAPTER 6 DISCIPLINE

Discipline shall be administered in accordance with the City of Millville Personnel Policies and Procedures, the laws of the State of New Jersey, municipal ordinances, case law, collective bargaining agreements, administrative regulations and the New Jersey Civil Service Commission rules and regulations.

CHAPTER 7 GOVERNMENT OF THE DEPARTMENT

- 7.1. Office of the Chief:** The Chief of Police is the Chief Executive Officer of the Police Department, and shall have the powers, functions and duties provided by statute, ordinance, and these rules and regulations.
- 7.2 Office of the Captain:** The Captain of Police will take charge in the absence of the Chief of Police and shall have the authority and responsibility normally exercised by the Chief.
- 7.3 Order of Rank:** The order of rank in the department shall descend in the following order: Chief of Police, Captain of Police, Lieutenant, Sergeant, and Patrolman.
- 7.4 Divisions:** The government of the department shall consist of three divisions: Uniform Division, Investigation Division and Services Division. Except for animal control, internal affairs and public relations, all of the main functions of the department shall be organized under one of these three divisions. Pursuant to state law, special law enforcement officers and civilian school crossing guards are not members of the police department, and are under the supervision of the Chief of Police.
- 7.5 Organization:** The internal organization of the department shall be established by the Director of Public Safety after consultation with the Chief of Police.
- 7.6 Functions:** The following functions shall be performed by the following divisions:
- 7.6.1 Uniform Division:** The Uniform Division is an operations division charged with the responsibility of performing the following basic functions: (a) patrol; (b) preservation of the public peace, and protection of life and property; (c) enforcement of all laws and ordinances, and suppression of crime; (d) investigation of police incidents and minor crimes and preliminary investigation of serious crimes; (e) traffic law enforcement, traffic control and traffic accident investigation; and (f) reception of complaints, reports of crimes and request for police services from the public.

7.6.2 Investigations Division: The Investigation Division is an operations division charged with the responsibility of performing the following basic functions: (a) investigation of serious crimes, vice crimes, illegal drugs, theft, and recovery of stolen property; (b) investigations of pistol permit applicants and police applicants and (c) performance of identification function.

7.6.3 Services Division: The Services Division is a support division charged with the responsibility of performing the following basic functions: (a) education and training of personnel; (b) evidence custody and preservation; (c) maintenance of department property; (d) purchasing; (e) records and (f) traffic safety.

CHAPTER 8 NOTIFICATION OF DIRECTOR OF PUBLIC SAFETY

- 8.1.** The Director of Public Safety shall be notified and informed in a manner prescribed by the Director, of the particulars of any of the following occurrences:
- a. Major crime (i.e. murder, rape, suicide, armed robbery etc.)
 - b. Serious accident or potentially fatal accident/fatal accident.
 - c. Serious injury of an officer.
 - d. Officer involved in an accident.
 - e. Any incident which might be potential cause for complaints against any officer.
 - f. Any other occurrence/incident which might be significant or out of the ordinary.

EXCEPT AS OTHERWISE PROVIDED HEREIN OR THROUGH A SPECIFIC DEPARTMENT DIRECTIVE OR AS PROVIDED FOR IN A COLLECTIVE BARGAINING AGREEMENT, THE CITY OF MILLVILLE PERSONNEL POLICIES AND PROCEDURE MANUAL SHALL APPLY TO THE MILLVILLE POLICE DEPARTMENT, BOTH UNIFORM AND CIVILIAN EMPLOYEES.

Certification Of Availability of Funds

This is to certify to the BOARD OF COMMISSIONERS of the CITY OF MILLVILLE that funds for the following resolutions are available.

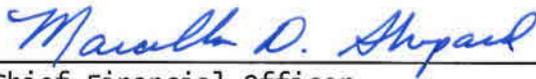
Contract Amount: 20,222.50
Resolution Date: 09/06/16
Resolution Number: R -2016

Vendor: 06925 DAVID J. BATTISTINI
212 GEISSINGER AVENUE
MILLVILLE, NJ 08332

Contract: 16-00015 Planning & Zoning Engineering
Consultant

Account Number	Amount	Account Description
C-08-78-112-039-411	7,500.00	ORD 39'12 SECTION 220 EXP COSTS
Total	7,500.00	

Only amounts for the 2016 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.



Chief Financial Officer

**CITY OF MILLVILLE
COUNTY OF CUMBERLAND
STATE OF NEW JERSEY**

RESOLUTION NO. R _____ 2016

WHEREAS, the Board of Commissioners of the City of Millville entered into a Professional Services Contract with **Battistini Consulting Services** to perform Professional Services as Consultant Engineer for the Municipality as approved by Resolution No. R52-2016 adopted on February 2, 2016; and

WHEREAS, Consultant's services are now required in the City Engineering Office while the City Engineer is engaged in the Waste Water Treatment Program Phase II. The City Engineer anticipates that construction will begin on said project starting in November of this year; and

WHEREAS, the City Engineer estimates that an additional amount of \$7,500.00 needs to be added to the aforesaid Professional Services Contract in order to assist the City Engineering Department while the City Engineer is engaged in the Waste Water Treatment Program Phase II project; and

WHEREAS, said Professional Services Contract was awarded under a fair and open process.

WHEREAS, the Chief Financial Officer has certified the availability of funds; and

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE, as follows:

1. The First Amendment to the Professional Services Contract is hereby approved.
2. The Mayor and City Clerk are hereby authorized to execute the agreement.

Moved By:
Seconded By:

VOTING

Michael Santiago

Lynne Porreca Compari

David W. Ennis

Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held September 6, 2016.

Susan G. Robostello, City Clerk

**FIRST AMENDMENT
TO PROFESSIONAL SERVICES CONTRACT
BATTISTINI CONSULTING SERVICES**

WHEREAS, the Board of Commissioners of the City of Millville entered into a Professional Services Contract with **Battistini Consulting Services** to perform Professional Services as Consultant Engineer for the Municipality as approved by Resolution No. R52-2016 adopted on February 2, 2016; and

WHEREAS, Consultant's services are now required in the City Engineer's Office while the City Engineer is engaged in the Waste Water Treatment Program Phase II. The City Engineer anticipates that construction will begin on said project starting in November of this year; and

WHEREAS, the City Engineer estimates that an additional amount of \$7,500.00 needs to be added to the aforesaid Professional Services Contract in order to assist the City Engineering Office; and

WHEREAS, said Professional Services Contract was awarded under a fair and open process.

It is agreed between the parties, based upon the mutual covenants set forth below, that the aforesaid Professional Services Contract approved by Resolution No. R52-2016 is hereby amended as follows:

ARTICLE IV. CONSIDERATION AND METHOD OF PAYMENT

The total consideration allocated to the original Professional Services Contract in an amount not to exceed \$10,000.00 shall be increased by an additional \$7,500.00.

All other terms and conditions set forth in the original Professional Services Contract not inconsistent with this amendment shall remain in full force and effect.

CITY OF MILLVILLE

By: _____
Michael Santiago, Mayor

ATTEST:

Susan G. Robostello, City Clerk

WITNESS:

Battistini Consulting Services

Certification Of Availability of Funds

This is to certify to the BOARD OF COMMISSIONERS of the CITY OF MILLVILLE that funds for the following resolutions are available.

Contract Amount: 55,000.00
Resolution Date: 09/06/16
Resolution Number: R -2016

Vendor: 08644 BLANEY & KARAVAN, PC
2123 DUNE DRIVE
SUITE 11
AVALON, NJ 08202

Contract: 16-00002 Special Legal Counsel

Account Number	Amount	Department Description
6-01-20-155-000-227	20,000.00	LEGAL SERVICES & COSTS
Total	20,000.00	

Only amounts for the 2016 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.



Chief Financial Officer

**CITY OF MILLVILLE
COUNTY OF CUMBERLAND
STATE OF NEW JERSEY**

RESOLUTION NO.

WHEREAS, the City of Millville hereinafter ("Municipality") previously retained **Blaney & Karavan, P.C.** (hereinafter "Consultant") as Special Labor Counsel under a Professional Services Contract approved by Resolution R100-2016 adopted on March 15, 2016 providing for an award not to exceed \$20,000.00; and

WHEREAS, Consultant is handling all non-police labor law matters on behalf of the Municipality and now has exhausted the amounts previously awarded under the original Professional Services Contract and the Supplemental Contract; and

WHEREAS, the Board of Commissioners finds that it is in the best interest of the Municipality that Consultant continue to handle the same; and

WHEREAS, said Contract was awarded on a non-fair and open basis in compliance with the requirements of Millville City Code Section 2-64.3.

WHEREAS, the Chief Financial Officer has certified the availability of funds.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE, as follows:

1. The First Amendment to the aforesaid Professional Services Contract is hereby approved for an additional amount not to exceed \$20,000.00.
2. The Mayor and City Clerk are hereby authorized to execute the agreement.

Moved By:
Seconded By:

VOTING

Michael Santiago

Lynne Porreca Compari

David W. Ennis

Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting there of held September 6, 2016.

Susan G. Robostello, City Clerk

**FIRST AMENDMENT TO PROFESSIONAL SERVICES CONTRACT
AND SUPPLEMENTAL CONTRACT
BLANEY & KARAVAN, P.C.**

WHEREAS, the City of Millville hereinafter ("Municipality") previously retained **Blaney & Karavan, P.C.** (hereinafter "Consultant") as Special Labor Counsel under Professional Service Contract as approved by Resolution R100-2016 adopted on March 15, 2016 providing for an award not to exceed \$20,000.00; and

WHEREAS, Consultant is handling all non-police labor law matters on behalf of the Municipality and now has exhausted the amounts previously awarded under the aforesaid Professional Services Contract; and

WHEREAS, the Board of Commissioners finds that it is in the best interest of the Municipality that Consultant continue to handle the same; and

It is agreed between the parties, based upon the mutual covenants set forth below, that the aforesaid Professional Services Contract approved by Resolution No. R100-2016 is hereby amended as follows:

ARTICLE IV. CONSIDERATION AND METHOD OF PAYMENT

Article IV of the Professional Services Contract dated March 15, 2016 is hereby amended to provide for an additional award not to exceed \$20,000.00.

All other terms and conditions set forth in the aforesaid Professional Services Contract not inconsistent with this amendment shall remain in full force and effect.

CITY OF MILLVILLE

By: _____
Michael Santiago, Mayor

ATTEST:

Susan G. Robostello, City Clerk

WITNESS:

Blaney & Karavan, P.C.

By: _____

Certification Of Availability of Funds

This is to certify to the BOARD OF COMMISSIONERS of the CITY OF MILLVILLE that funds for the following resolutions are available.

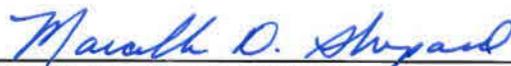
Contract Amount: 25,000.00
Resolution Date: 09/06/16
Resolution Number: R -2016

Vendor: 62156 LAW OFF OF NONA L. OSTROVE LLC
1000 WHITE HORSE PIKE
SUITE 703
VORHEES, NJ 08043

Contract: 16-00007 SPECIAL COUNCEL-BANKRUPTCY

Account Number	Amount	Department Description
6-01-20-155-266-277	10,000.00	LEGAL SERVICES & COSTS
Total	10,000.00	

Only amounts for the 2016 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.



Chief Financial Officer

**CITY OF MILLVILLE
COUNTY OF CUMBERLAND
STATE OF NEW JERSEY**

RESOLUTION NO. R _____ 2016

WHEREAS, the Municipality previously retained the **Law Offices of Nona L. Ostrove, LLC** to perform professional legal services as special bankruptcy counsel for the Municipality under a Professional Services Contract dated January 5, 2016 as approved by Resolution No. R14-2016 adopted by the Board of Commissioners on January 5, 2016; and

WHEREAS, said Professional Services Contract was approved in an amount not to exceed \$15,000.00; and

WHEREAS, Ms. Ostrove has been performing extensive services in connection with bankruptcy litigation regarding the City's acquisition via tax sale of the former Wheaton factory property located in the City and has now exhausted said award; and

WHEREAS, it is necessary for the Municipality to continue to have the benefit of Consultant's services; and

WHEREAS, said Professional Services Contract was awarded to Consultant under a fair and open process; and

WHEREAS, the Chief Financial Officer has certified the availability of an additional amount not to exceed \$10,000.00.

NOW THEREFORE BE IT RESOLVED by the Board of the Commissioners of the City of Millville that:

1. A First Amendment to the Professional Services Contract between the Municipality and the Law Offices of Nona L. Ostrove, LLC is hereby approved in an amount not to exceed an additional \$10,000.00.
2. The Mayor and City Clerk are hereby authorized to execute the agreement.

Moved By:
Seconded By:

VOTING

Michael Santiago

Lynne Porreca Compari

David W. Ennis

Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting there of held September 6, 2016.

Susan G. Robostello, City Clerk

**FIRST AMENDMENT TO SPECIAL SERVICES CONTACT
LAW OFFICES OF NONA L. OSTROVE, LLC**

WHEREAS, the Municipality previously retained the **Law Offices of Nona L. Ostrove, LLC** to perform professional legal services as special bankruptcy counsel for the Municipality under a Professional Services Contract dated January 5, 2016 as approved by Resolution No. R14-2016 adopted by the Board of Commissioners on January 5, 2016; and

WHEREAS, said Professional Services Contract was approved in an amount not to exceed \$15,000.00; and

WHEREAS, Ms. Ostrove has been performing extensive services in connection with bankruptcy litigation regarding the City's acquisition via tax sale of the former Wheaton factory property located in the City and has now exhausted said award; and

WHEREAS, it is necessary for the Municipality to continue to have the benefit of Consultant's services; and

WHEREAS, said Professional Services Contract was awarded to Consultant under a fair and open process.

It is agreed between the parties, based upon the mutual covenants set forth below, that the aforesaid Professional Services Contract approved by Resolution No. R14-2016 is hereby amended as follows:

ARTICLE IV. CONSIDERATION AND METHOD OF PAYMENT

The total consideration allocated to the original Professional Services Contract in an amount not to exceed \$15,000.00 shall be increased by an additional \$10,000.00.

All other terms and conditions set forth in the original Professional Services Contract not inconsistent with this amendment shall remain in full force and effect.

CITY OF MILLVILLE

By: _____
Michael Santiago, Mayor

ATTEST:

Susan G. Robostello, City Clerk

WITNESS:

Nona L. Ostrove, Esquire

Certification of Availability of Funds

This is to certify to the BOARD OF COMMISSIONERS of the CITY OF MILLVILLE that funds for the following resolutions are available.

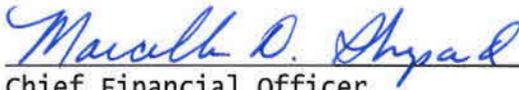
Contract Amount: 799,993.76
Resolution Date: 09/06/16
Resolution Number: R -2016

Vendor: 53987 MOTOROLA SOLUTIONS, INC.
C/O WIRELESS COMM & ELEC

Contract: 16-00055 NJ State Inoperability 700 MHZ
Communication System Upgrade

Account Number	Amount	Account Description
C-04-71-116-029-403	799,993.76	ACQ OF POLICE RADIO & COMP SYSTEM
Total	799,993.76	

Only amounts for the 2016 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.



Chief Financial Officer

RESOLUTION NO. _____

WHEREAS, the City of Millville, as a contracting unit may, without advertising for bids, purchase any materials, supplies, services or equipment under any contract or contracts entered into by the NJ Division of Purchase and Property in the Department of the Treasury, for such materials, supplies, services or equipment pursuant to N.J.S.A. 40A:11-12; and

WHEREAS, the City of Millville has a need to purchase New Jersey State Interoperability 700 MHZ Communication System Equipment Upgrade (NCIS) for Public Safety; and

WHEREAS, it is desirable for the City of Millville to utilize these state contracts as needed and when it is in the best interest of the City to do so; and

WHEREAS, purchases made utilizing state contracts meet the requirements of using a fair and open process; and

WHEREAS, aggregate purchases from this vendor during the next twelve months will exceed \$40,000,

WHEREAS, the City has sufficient funds appropriated for this equipment;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE:

1. Authorize the purchase New Jersey State Inoperability 700 MHZ Communication System Upgrade (NCIS) from Motorola Solutions, in care of Wireless C&E, 153 Cooper Road, West Berlin, NJ 08091 for \$799,993.76

Moved By:

Seconded By:

VOTING

Michael Santiago

Lynne Porreca Compari

David W. Ennis

Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held _____.

Susan G. Robostello, City Clerk

Resolution No. _____

WHEREAS, in accordance with Chapter 33, Article 20 of City of Millville Municipal Code the operator of each taxicab engaged in the taxi business within the City shall obtain an operator’s license; and

WHEREAS, the following individual has submitted a license application which is on file with the City Clerk:

- 1. Javier M. Oteyza**
1106 Yellow Wood Terrace, Millville, NJ 08332
- 2. Arnulfo J. Arteta**
604 North 10th Street, Apt B, Millville, NJ 08332

WHEREAS, the Chief of Police and the Traffic Safety Bureau have completed the required investigations and have determined the applicants meet the qualifications pursuant to the City of Millville Municipal Code §33-162.A License procedure for Taxicab Operator’s License.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE:

- 1. The Taxicab Operator License is approved for the period covering January 1, 2016 through December 31, 2016.
- 2. The Taxicab Operator License shall be prepared by the Office of the City Clerk.

Moved By: Sooy
Seconded By: Ennis

VOTING

Michael Santiago

Lynne Porreca Compari
David W. Ennis
Joseph Sooy

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting there of held September 6, 2016.

Susan G. Robostello, City Clerk

**PUBLIC NOTICE
CITY OF MILLVILLE
CUMBERLAND COUNTY
NOTICE TO BIDDERS**

Sealed bids will be received by the Purchasing Board of the City of Millville, 12 South High St. on September 22, 2016 at 10:00 AM local prevailing time. When publicly opened and read aloud for:

**REBID CY 2016 AUTOMOTIVE AND LIGHT DUTY TRUCK
OEM AND NON OEM PARTS**

for the City of Millville in accordance with specifications on file in the office of the Purchasing Agent, City Hall, 12 South High St., Millville, NJ during regular business hours of 8:30 AM to 4:30 PM Monday through Friday where said specifications may be examined and where copies may be obtained by prospective bidders.

Each bid must be submitted enclosed in an opaque sealed envelope addressed to the "Millville City Commissioners, City of Millville, 12 South High St., Millville, NJ 08332" and plainly marked on the outside "Rebid for CY 2016 Automotive and Light Duty Truck OEM and Non OEM Parts", including the name of the bidder and delivered before or on the day and time of the bid opening and must be accompanied by a non-collusion affidavit and certified check, cashier's check or bid bond in the amount of ten (10) percent of the total bid, not to exceed twenty thousand dollars (\$20,000.00), made payable to the City of Millville. Facsimile bids will NOT be accepted.

No Bid Forms or Specifications will be available after 4:00 p.m., Local Prevailing Time, August 19, 2016.

This proposal is being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.5.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27 et seq. (Affirmative Action).

Bidders are required to submit a statement of ownership with their bid as required by P.L. 1977, c. 33 (Disclosure of Ownership).

Bidders are required to submit a copy of their Business Registration Certificate with their bid as required by N.J.S.A. 52:32-44.

The City reserves the right to reject any and all bids received and to accept any bid which is deemed most favorable to the City of Millville, Cumberland County, NJ, at the time and under the conditions stipulated.

The City is not responsible for the loss or destruction of any bids mailed or delivered to the City Clerk prior to the time set for the bid opening.

By order of the Board of Commissioners.

Susan G. Robostello
City Clerk

Date: September 7, 2016