

**BOROUGH OF BERGENFIELD
PUBLIC NOTICE**

ORDINANCE NO. 16-2485 – AN ORDINANCE CREATING THE POSITION OF TREE CLIMBER IN THE DEPARTMENT OF PUBLIC WORKS AND ESTABLISHING A SALARY RANGE FOR THE NEWLY CREATED POSITION

was introduced at a regular meeting of the Mayor and Council of the Borough of Bergenfield, in the County of Bergen, New Jersey, held on Tuesday, February 2, 2016, and will be further considered for final passage after public hearing at a regular meeting of the Mayor and Council to be held in the Council Chambers, Borough of Bergenfield, 198 N. Washington Avenue, Bergenfield, New Jersey on Tuesday, February 16, 2016 at 8:00 P.M. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement of this ordinance is to create the position of Tree Climber in the Department of Public Works, delineating the duties and responsibilities of the position, and establishing a salary wage range for the position as set forth in the ordinance.

A copy of this ordinance may be obtained without cost between the hours of 8:30 a.m. and 4:30 p.m. at the office of the Borough Clerk, 198 N. Washington Avenue, Bergenfield, New Jersey.

Marie Quinones, MPA
Acting Borough Clerk

**AN ORDINANCE OF
THE BOROUGH OF BERGENFIELD, NEW JERSEY**

ORDINANCE NO. 16-2485

**AN ORDINANCE CREATING THE POSITION OF TREE CLIMBER IN THE
DEPARTMENT OF PUBLIC WORKS AND ESTABLISHING A SALARY RANGE FOR
THE NEWLY CREATED POSITION**

WHEREAS, the Borough of Bergenfield ("Borough") has determined that the creation of the new position of "Tree Climber," is required in order to ensure efficient, orderly, and effective operation of the Borough's Department of Public Works;

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Bergenfield, County of Bergen, State of New Jersey, as follows:

1. Section 17-30B shall be added to the Borough Code, creating the position of Tree Climber and delineating the duties and responsibilities of this position. This section shall read as follows:

§ 17-30B Tree Climber.

- A. Within the Department of Public Works-Sanitation there shall be a Tree Climber.
- B. The terms and conditions of employment for the Tree Climber, including removal, shall be set via the Agreement between the Borough and the Bergenfield Employees Association (hereinafter "Agreement").
- C. The duties and responsibilities of the position of Tree Climber shall be set by the Superintendent of the Department of Public Works.
- D. The wage scale for the position of Tree Climber shall be as follows:

1/1/2016	1/1/2017	1/1/2018	1/1/2019
\$69,363	\$70,113	\$70,863	\$71,613

- E. The Tree Climber's work hours, including overtime eligibility, shall be in accordance with the Agreement

F. The duties and responsibilities of the position of Tree Climber shall be as follows:

- a. Under direction of the Superintendent, climbs, trims, sprays, tops, and cuts down dead and deceased trees and limbs using ropes, knots, rigging and hitches; operates equipment such as chain saws, motorized winches, stump grinders, chippers and various hand tools; does other related duties as required.
- b. The Tree Climber shall have one (1) year of experience climbing, trimming, topping, and cutting down trees using climbing gear such as rigging, ropes, and hoists and the operation of various equipment and hand tools such as chain saws, winches, stump grinders, chippers, hand saws, pole saws, and axes.

G. The Borough and/or Superintendent may require that the Tree Climber possess the following licenses and/or certifications:

- a. A valid license as a Commercial Pesticide Applicator, issued by the New Jersey Department of Environmental Protection;
- b. Valid New Jersey driver's license only if the operation of a vehicle, rather than employee mobility, is necessary to perform essential duties of the position; and,
- c. A valid Commercial Driver's License (CDL) and applicable endorsements for the class and type of vehicle being operated.

H. The Tree Climber is a civil service position, however, the Borough retains the right to hire an individual for the position of Tree Climber, to determine the qualifications and conditions for continued employment or assignments and to promote and transfer said individual.

I. The Borough retains the right to suspend, promote, demote, transfer, assign, reassign, discharge, or take any other disciplinary action for just cause according to law in connection of the position of Tree Climber.

J. The Tree Climber shall meet any and all requirements of the Borough set forth in Chapter 50-37 of the Borough Code related to pre-employment requirements:

2. Section 17-30 of the Borough Code be and is hereby amended to read as

follows:

§ 17-30. Duties of the Superintendent of Public Works- Sanitation.

The Superintendent of Public Works-Sanitation shall:

- A. Set up and maintain adequate inventory and control thereof of all materials and supplies needed for the maintenance and repair of all public works and sanitation under his supervision.
- B. Submit to the Municipal Administrator and the Chairman of the Department of Public Works-Sanitation a monthly report of all work performed and services furnished as well as inspections made during the previous month.
- C. Submit to the Municipal Administrator his recommendations for budget appropriations for the ensuing year.
- D. Recommend for approval the expenditure of all funds by voucher chargeable against the public works budget.
- E. Inspect or be responsible for the inspection of all sewer lines in the Borough individually or in conjunction with other designated officials.
- F. Receive all complaints from residents and taxpayers of the Borough relating to the operations under his jurisdiction, investigate same, take appropriate action, and report all complaints and results to the Municipal Administrator and the Chairman of the Department.
- G. Supervise the operation, maintenance and repair of any Borough-owned equipment used in the performance of the work assigned to him.
- H. Set up, keep and maintain all the necessary books, records, field notes, maps, surveys and similar records necessary to perform the duties of his office and turn over all of such records to his successor or the Chairman of the Department of Public Works-Sanitation on the termination of his employment by the Borough.
- I. Recommend to the appropriate Department Chairman the need for any repairs and replacements to Borough-owned equipment, structures, buildings or grounds with the exception of Borough Hall.
- J. Supervise the performance of the work of any personnel assigned to his jurisdiction.
- K. Have the authority to suspend any employee subject to his supervision for a period not to exceed five days.

§ 17-30B-Tree Climber.

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- B. The terms and conditions of employment for the Tree Climber, including removal, shall be set via the Agreement between the Borough and the Bergenfield Employees Association (hereinafter "Agreement").
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- a. A valid license as a Commercial Pesticide Applicator, issued by the New Jersey Department of Environmental Protection;
 - b. Valid New Jersey driver's license only if the operation of a vehicle, rather than employee mobility, is necessary to perform essential duties of the position; and,
 - c. A valid Commercial Driver's License (CDL) and applicable endorsements for the class and type of vehicle being operated.
- H. The Tree Climber is a civil service position, however, the Borough retains the right to hire an individual for the position of Tree Climber, to determine the qualifications and conditions for continued employment or assignments and to promote and transfer said individual.
- I. The Borough retains the right to suspend, promote, demote, transfer, assign, reassign, discharge, or take any other disciplinary action for just cause according to law in connection of the position of Tree Climber.
- J. The Tree Climber shall meet any and all requirements of the Borough set forth in Chapter 50-37 of the Borough Code related to pre-employment requirements:

3. There are no other changes to this Chapter of the Borough Code of the Borough of Bergenfield.

4. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

5. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed to be valid and effective.

6. This ordinance shall take effect immediately upon passage and publication in accordance with law.

IT IS FURTHER ORDAINED that the remainder of Section 17 of the Code of the Borough of Bergenfield shall remain in full force and effect.

Introduced:

Adopted:

Approved: _____
Norman Schmelz, Mayor

Attest: _____
Corey Gallo
Borough Administrator