

**REGULAR MEETING  
OF THE MAYOR AND COUNCIL  
JANUARY 23, 2017**

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THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY, WAS HELD ON JANUARY 23, 2017 IN THE MANVILLE MUNICIPAL COURTROOM, 325 NORTH MAIN STREET, MANVILLE, NEW JERSEY AT 7:00 P.M.

**MAYOR RICHARD ONDERKO PRESIDED**

The Clerk announced that proper notice had been given by the posting of the Regular Meeting Notice and by providing adequate notice of the Regular Meeting to the Courier News and the Star Ledger.

**ROLL CALL:**

MAYOR RICHARD ONDERKO  
COUNCILWOMAN DAYNA CAMACHO  
COUNCILWOMAN MICHELE MAGNANI  
COUNCILMAN PHILIP E. PETRONE  
COUNCILMAN THEODORE PETROCK, III  
COUNCILMAN RON SKIRKANISH  
COUNCIL PRESIDENT STEPHEN SZABO

**ALSO PRESENT:**

THADDEUS R. MACIAG, BOROUGH ATTORNEY  
PATRICIA A. ZAMORSKI, BOROUGH CLERK  
ANDREA BIERWIRTH, BOROUGH ADMINISTRATOR  
CHIEF MARK PELTACK, POLICE DEPARTMENT

**SALUTE TO THE FLAG AND A MOMENT OF SILENCE**

**APPROVAL OF MINUTES**

Mayor Onderko requested a motion to approve the following minutes:

A/ Regular Meeting of December 12, 2016

Council President Szabo, seconded by Councilman Petrock, made a motion to approve the minutes of the Regular Meeting of December 12, 2016.

ROLL CALL: AYES: SZABO, CAMACHO, MAGNANI, PETROCK,  
ABSTAIN: PETRONE, SKIRKANISH  
B/ Special Meeting of January 3, 2017

Council President Szabo, seconded by Councilman Petrock, made a motion to approve the minutes of the Special Meeting of January 3, 2017.

ROLL CALL: AYES: SZABO, CAMACHO, MAGNANI, PETROCK, PETRONE, SKIRKANISH

C/ Reorganization Meeting of January 7, 2017

Council President Szabo, seconded by Councilman Petrock, made a motion to approve the minutes of the Reorganization Meeting of January 7, 2017.

Councilman Skirkanish noted that the names of the professional appointments were not included on their Agenda for Reorganization.

ROLL CALL: AYES: SZABO, CAMACHO, MAGNANI, PETROCK, PETRONE, SKIRKANISH

### **PUBLIC PORTION ON RESOLUTIONS**

Mayor Onderko requested a motion to open the public portion on Resolutions #2017-9 through #2017-23.

Councilman Petrone noted that there were no names for Professional Appointments on the Reorganization Agenda and asked Attorney Maciag if that is correct on a consent Agenda.

Attorney Maciag stated that the Clerk read the names.

Councilman Petrone stated that the Council should have had the names prior to the consent approval.

Attorney Maciag stated that the objection should have been made at the Reorganization Meeting.

Councilman Petrock, seconded by Council President Szabo, made a motion to open the public portion on Resolutions.

All present were in favor.

Maria Janucik, 720 East Frech Avenue - had questions and comments regarding Resolution #2017-9, Approval of Vouchers, and the current account amount paid.

Administrator Bierwirth explained that School taxes were paid under the current account in the amount of \$1.3 million, which is a large part of that number.

Mrs. Janucik requested a copy of the whole list, which was provided to her.

Mrs. Janucik also asked about the Resolution for an Assistant to the Tax Assessor.

Mayor Onderko explained that they are replacing a part-time person who left.

Rudy Nowak, 100 Driscoll Street - had a question regarding Resolution #2017-10 and why Patricia Zamorski is being named to a position if she is retiring.

Administrator Bierwirth and Councilwoman Camacho stated that whoever takes over her position after her retirement will also take over that position.

Mr. Nowak also asked about Resolution #2017-14 for a part-time Assistant to the Tax Assessor.

Councilwoman Camacho stated that the Resolution was just discussed.

Mayor Onderko stated that we are replacing a part-time employee who left the position.

Mr. Nowak also questioned Resolution #2017-16, stating that \$40 per game for a basketball referee is too high.

Administrator Bierwirth stated that most of the other surrounding towns are paying \$50 and \$55 per game.

Dean Shepard, P.O. Box 222 - had questions regarding the Clerk's position.

Administrator Bierwirth explained that they have discussed hiring a part-time Clerk, and a full-time employee to cover the other duties, such as payroll, benefits, and finance, also handled by Ms. Zamorski.

When no one else from the public wished to comment on the Resolutions, Mayor Onderko requested a motion to close the public portion on Resolutions.

Councilman Petrock, seconded by Councilman Skirkanish, made a motion to close the public portion on Resolutions.

All present were in favor.

**RESOLUTION (TO BE TAKEN SEPARATELY)**

Mayor Onderko requested a motion to adopt Resolution #2017-9.

Councilman Petrone, seconded by Council President Szabo, made a motion to adopt Resolution #2017-9.

Resolution #2017-9

BE IT RESOLVED by the Mayor and Council of The Borough of Manville that the following accounts:

1. Current	\$ 3,123.50
2. Water/Sewer Utility	\$

	04.98
3. General Capital	\$
4. Recreation Trust	\$ 00
5. Other Trust	\$ 7.15
6. Dedicated Dog	\$ 0
7. Housing Trust	\$
<b>Total</b>	<b>\$ 9,582.63</b>

After being examined by each respective committee, are hereby ordered to be paid.  
Borough of Manville,  
/s/ Richard M. Onderko, Mayor

ROLL CALL: AYES: SZABO, CAMACHO, MAGNANI, PETROCK, PETRONE, SKIRKANISH

**RESOLUTIONS BY CONSENT**

Mayor Onderko asked if any Councilmember wished to take any of the Resolutions separately.

Councilman Petrone asked to take Resolutions #2017-13, #2017-19, and #2017-20 separately.

Mayor Onderko requested a motion to adopt Resolutions #2017-10 through #2017-12; #2017-14 and #2017-18; and #2017-21 through #2017-23 by consent.

Council President Szabo, seconded by Councilman Petrock, made a motion to adopt Resolutions #2017-10 through #2017-12; #2017-14 and #2017-18; and #2017-21 through #2017-23 by consent.

ROLL CALL: AYES: SZABO, CAMACHO, MAGNANI, PETROCK, PETRONE, SKIRKANISH

Resolution #2017-10

**STATEWIDE INSURANCE FUND  
RESOLUTION APPOINTING FUND COMMISSIONER**

**WHEREAS**, the Borough of Manville (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

**WHEREAS**, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor & Council of the Borough of Manville, County of Somerset, and State of New Jersey, that **Andrea Bierwirth, Borough Administrator**, is hereby appointed as the Fund Commissioner for the Local Unit for the year 2017; and

**BE IT FURTHER RESOLVED** that **Patricia Zamorski** is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2017; and

**BE IT FURTHER RESOLVED** that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Borough of Manville,  
/s/ Richard M. Onderko, Mayor

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-11

WHEREAS, the Borough of Manville (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk Management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey, as follows:

1. The Borough of Manville hereby appoints **Boynton Genova Insurance Agency** its local Risk Management Consultant.
2. The Borough Administrator and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2017 in the form attached hereto.

Borough of Manville,  
/s/ Richard M. Onderko, Mayor

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-12

WHEREAS, the State of New Jersey, Division of Purchase and Property, Contract Compliance Audit Unit, EEO Monitoring Program, requires that municipalities name a Public Agency Compliance Officer (P.A.C.O.).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey, that Patricia A. Zamorski, Borough Clerk, is named as the Public Agency Compliance Officer for the Borough of Manville.

Borough of Manville,  
/s/ Richard M. Onderko, Mayor

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-14

WHEREAS, the Tax Assessor has expressed a need for clerical assistance due to a large increase in tax appeals and records maintenance as well as increases in customer service requests; and

WHEREAS, the County Tax Board strongly encourages the Borough to seek assistance for the Tax Assessor for the annual reassessment initiative; and

WHEREAS, the Policy, Planning and Personnel Committee was advised of this need by the Borough Administrator at their meeting on January 17, 2017, and the Committee agreed that there is a need for additional clerical assistance in the Tax Assessor's office and that need can be fulfilled by a part-time employee for five (5) days per week / five (5) hours per day at an hourly rate of up to \$15.00 per hour, with no benefits, subject to future increases consistent with the Clerical Workers Association Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey that the Borough Administrator is hereby authorized to advertise, interview and hire a part-time administrative assistant at the rate of up to \$15.00 per hour for 25 hours per week, with no benefits other than those required by law; and

BE IT FURTHER RESOLVED that this Resolution is contingent upon approval from the State of New Jersey.

Borough of Manville,  
/s/ Richard M. Onderko, Mayor

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-15

WHEREAS, in 1998, the Borough of Manville entered into an Interlocal Shared Services Agreement with the Borough of Raritan for a Shared Municipal Assessor; and  
WHEREAS, the terms of that Agreement stated that the employee would work equal hours in Manville and Raritan every week; and  
WHEREAS, since the demand for Assessor services and resident interaction with the Assessor in the Borough of Manville has increased, it is in the best interests of the Borough to increase the hours of the Shared Municipal Assessor in Manville.  
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey, that the Interlocal Shared Services Agreement with the Borough of Raritan will be amended as follows for Glenn Stives, Tax Assessor:

Mondays: 9:00 a.m. to 5:00 p.m.  
Tuesdays: 9:00 a.m. to 5:00 p.m.  
Thursday: 9:00 a.m. to 5:00 p.m.

BE IT FURTHER RESOLVED, that this Resolution is contingent upon approval by the State of New Jersey, adoption of a parallel Resolution by the Borough of Raritan, and the overall cost shall be prorated sixty (60) percent to the Borough of Manville and forty (40) percent to the Borough of Raritan.

Borough of Manville,  
/s/ Richard M. Onderko, Mayor

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-16

WHEREAS, the Recreation Department is in need of personnel for their seasonal programs; and  
WHEREAS, in accordance with Ordinance #2015-1160, these employees are now referred to as Temporary Seasonal Employees.  
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey, that the following Temporary Seasonal Employees shall be hired by the Recreation Department:

<b>Name</b>	<b>Title</b>	<b>Length of Service</b>	<b>Pay Rate</b>
Neil Tobin	Basketball Referee	1-23-17 to 5-31-17	\$40.00 per game

BE IT FURTHER RESOLVED that the Recreation Director will have the authority to replace any staff member that leaves during the season in order to maintain the health, safety, and welfare of the public, with the approval of the Borough Administrator; and  
BE IT FURTHER RESOLVED that this Resolution is contingent upon approval from the State of New Jersey.

Borough of Manville,  
/s/ Richard M. Onderko, Mayor

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-17

WHEREAS, several real property tax payers have overpaid their sewer charges and the Tax Collector has received proof of such payments after correspondence with said property owners.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council, of the Borough of Manville, County of Somerset, State of New Jersey, that the Tax Collector is hereby authorized to refund said amount to the property owner.

Sewer Acct #	Name of Owner	Amount	Year	Quarter
1467-1	Amin, Franav	\$103.00	2016	3 <sup>rd</sup>

Borough of Manville,  
/s/ Richard M. Onderko, Mayor

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-18

WHEREAS, N.J.S. 40A:4-19 provides for the adoption of a temporary budget for the period between January 1 and the adoption of the annual budget; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Manville that the following appropriations shall be added to the Temporary Budget for the year 2017:

Account Name	Account Type	Amount
Public Buildings & Grounds	O/E	\$20,000.00
Collection of Taxes	O/E	\$3,500.00
Financial Administration	O/E	\$3,300.00
<b>Total</b>		<b>\$26,800.00</b>

Borough of Manville,  
/s/ Richard M. Onderko, Mayor

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-21

WHEREAS, the Policy, Planning and Personnel Committee discussed the pending retirement of the Borough Clerk and have authorized the Borough Administrator to advertise for a part-time Borough Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey that the Borough Administrator is authorized to advertise for a part-time Borough Clerk.

Borough of Manville,



/s/ Richard M. Onderko, Mayor

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-22

**Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Improvements to Kennedy Boulevard, Phase 1 project.**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Borough of Manville, County of Somerset, and State of New Jersey that they formally approve the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as "LAIF-2017-Improvements to Kennedy Boulevard-00057" to the New Jersey Department of Transportation on behalf of the Borough of Manville; and

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Manville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Borough of Manville,  
/s/ Richard M. Onderko, Mayor

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-23

**Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Improvements to Kennedy Boulevard - Phase 2 project.**

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as "LAIF-2017-Improvements to Kennedy Boulevard-00058" to the New Jersey Department of Transportation on behalf of the Borough of Manville; and

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Manville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Borough of Manville,  
/s/ Richard M. Onderko, Mayor

ALL PRESENT IN FAVOR PER ROLL CALL

Mayor Onderko requested a Roll Call on Resolution #2017-13.

Resolution #2017-13

WHEREAS, the Mayor and Council of the Borough of Manville have named Franklin G. Whittlesey, Esq., of the law firm of Scholl, Whittlesey & Gruenberg, LLC as Labor Attorneys for 2017; and

WHEREAS, Franklin G. Whittlesey, Esq., of the firm has the necessary qualifications to perform the duties of Labor Attorney, and has provided the Borough with a satisfactory proposal.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey, as follows:

- 1) The proposal from Franklin G. Whittlesey, Esq., of the law firm of Scholl, Whittlesey & Gruenberg, LLC, 1 East Main Street, Suite 1, Victorian Plaza, Flemington, New Jersey, be accepted.
- 2) This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A 40:11-5(1)(a) of the Local Public Contracts Law, not to exceed \$145.00 per hour, not to exceed \$7,000.00.
- 3.) The Mayor and Borough Clerk are hereby authorized to execute the Contract in this matter.
- 4) This Resolution shall be advertised once in the Courier News.
- 5) The Chief Financial Officer shall provide a Certification of Funds.

Borough of Manville,  
/s/ Richard M. Onderko, Mayor

ROLL CALL: AYES: SZABO, CAMACHO, MAGNANI, PETROCK  
NAYES: PETRONE, SKIRKANISH

Mayor Onderko requested a motion to adopt Resolution #2017-19.

Councilman Skirkanish, seconded by Councilman Petrock, made a motion to adopt Resolution #2017-19.

Resolution #2017-19

**AUTHORIZING AGREEMENT  
WITH THADDEUS R. MACIAG, ESQ. OF MACIAG LAW, LLC.  
FOR PROFESSIONAL SERVICES AS BOROUGH ATTORNEY  
THROUGH DECEMBER 31, 2017**

WHEREAS, the governing body of the Borough of Manville appointed Thaddeus R. Maciag, Esq. of the law firm Maciag Law LLC, 475 Wall Street, Montgomery Twp. N.J. 08540, as the Manville Borough Attorney for the calendar year 2017, at its January 7, 2017 Meeting; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bids on the contract itself must be available for public inspection; and WHEREAS, Mr. Maciag, Esq. has the necessary qualifications to perform the duties of Borough Attorney and has provided the Borough with a satisfactory proposal; and WHEREAS, Mr. Maciag was previously appointed as Borough Attorney for the period February 1, 2015 through December 31, 2016, and was then held over for an additional thirty days through January 31, 2017 on the same terms as the 2016 Agreement; and WHEREAS, Mr. Maciag was then confirmed by vote of the governing body on January 7, 2017, as Manville Borough Attorney through December 31, 2017; NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey, as follows:

- 1) The proposal from Thaddeus R. Maciag, Esq. is accepted.
- 2) This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A 40:11-5(1)(a) of the Local Public Contracts Law;
  - a) Borough Attorney compensation for the eleven-month period February 1 through December 31, 2017 shall be at a flat fee of \$74,250, paid in eleven monthly installments, to include all Borough Attorney matters other than General Litigation;
  - b) General Litigation matters shall be compensated at the hourly rate of \$175 per hour for Attorney time of Mr. Maciag, \$145 per hour for Attorney time of any Maciag Law LLC associate or backup attorneys, and \$75 per hour for Paralegal work, not to exceed \$10,000 without further resolution of the governing body.
  - c) Mr. Maciag shall not be deemed a full-time employee of the Borough under the provisions of N.J.S.A. 52:14-17.25, et seq., which is known and cited as the “New Jersey State Health Benefits Program Act”, and as a non-full-time employee shall not be entitled to health benefits nor pension benefits, nor to the Borough paying the employer share of any payroll taxes. The parties acknowledge that this Resolution authorizing the Employee Agreement acknowledges that the Borough Attorney shall not appear on a regular payroll, shall not be treated as a full-time employee, and shall not receive an employee salary.
- 3) The Mayor and Borough Clerk are hereby authorized to execute a Professional Services Agreement, as consistent with the terms of this Resolution.
- 4) This Resolution shall be published once, as required.
- 5) The Chief Financial Officer shall provide a Certification of Funds.
- 6) This Resolution is contingent upon approval by the State of New Jersey.

Borough of Manville,  
/s/ Richard M. Onderko, Mayor

ROLL CALL:           AYES: SZABO, CAMACHO, MAGNANI, PETROCK  
                          NAYES:        PETRONE, SKIRKANISH

Mayor Onderko requested a motion to adopt Resolution #2017-20.

Council President Szabo, seconded by Councilman Petrock, made a motion to adopt Resolution #2017-20.

Resolution #2017-20

**AUTHORIZING AGREEMENT WITH MACIAG LAW, LLC.  
FOR PROFESSIONAL SERVICES AS REDEVELOPMENT ATTORNEY  
THROUGH DECEMBER 31, 2017**

WHEREAS, the governing body of the Borough of Manville appointed Thaddeus R. Maciag, Esq. and the law firm Maciag Law, LLC as the Borough's Redevelopment Attorney at its January 7, 2017 Meeting; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bids on the contract itself must be available for public inspection; and

WHEREAS, Thaddeus R. Maciag, Esq. and the law firm Maciag Law, LLC have the necessary qualifications to perform the duties of Redevelopment Attorney and has provided the Borough with a satisfactory proposal.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey, as follows:

- 1) The proposal from Maciag Law, LLC, 475 Wall Street, Montgomery Twp., New Jersey, be accepted.
- 2) This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A 40:11-5(1)(a) of the Local Public Contracts Law, at the hourly rate of \$175 per hour for Attorney time of Mr. Maciag, \$145 per hour for Attorney time of any Maciag Law LLC associate or backup attorneys, and \$75 per hour for Paralegal work, not to exceed \$10,000 without further resolution of the governing body.
- 3) The Mayor and Borough Clerk are hereby authorized to execute a Professional Services Agreement, as consistent with the terms of this Resolution.
- 4) This Resolution shall be published once, as required.
- 5) The Chief Financial Officer shall provide a Certification of Funds.
- 6) This Resolution is contingent upon approval by the State of New Jersey.

Borough of Manville,  
/s/ Richard M. Onderko, Mayor

ROLL CALL: AYES: SZABO, CAMACHO, MAGNANI, PETROCK, SKIRKANISH  
NAYES: PETRONE

**OFFICIAL REPORTS**

Mayor Onderko announced that the following reports were on file in the Clerk's Office:

- A/ Clerk's Report - December, 2016
- B/ Board of Health Report, General - December, 2016
- C/ Board of Health Report, Registrar - December, 2016
- D/ Police Department Report - December, 2016

- E/ Fire Department Report - November, 2016
- F/ Fire Department Report - December, 2016

## **NEW BUSINESS**

Mayor Onderko requested approval the following items under New Business:

- A/ Application for Towing License - Rich's Offroad Towing LLC
- B/ Letter from the VFW requesting permission to hold their Memorial Day Parade on Sunday, May 28, 2017 at 1:00 p.m.

Council President Szabo, seconded by Councilman Skirkanish, made a motion to approve items A and B under New Business.

All present were in favor.

## COMMITTEE REPORTS AND COUNCIL COMMENTS

Mayor Onderko read a letter he received from the Ossining Police Department giving thanks and recognizing our Police Department for their assistance with information, investigation, and accommodations during a homicide investigation. They especially thanked Lt. John Crater for his professionalism, as well as that of the entire Department. Mayor Onderko thanked Chief Peltack and his Department for their excellent work. He also reported that he surprised a young resident, Julie Pankowski, and requested she autograph and photo for his office for scoring 1,000 points as a Lady Mustang for the Basketball Team. He noted that this was the first time in 27 years that someone scored 1,000 points in Basketball in Manville. He stated he is very proud of her. He also reported that T.J. Caswell had 100 wins in Wrestling, and congratulated him. He further reported that the Borough honored four Eagle Scouts, and the last one was Michael Zangara who will be receiving a Proclamation from the Mayor and Council. He also made everyone aware that he attended a meeting with Somerset County Engineering regarding the bridge replacement on South Main Street over the Royce Brook. He stated it will begin soon, and will continue until August of 2018. He also reported that he is attending a meeting in Trenton tomorrow night concerning FEMA Flood Aid, where they will discuss what a new Federal Administration will mean to the aid process. He stated that there is an outstanding order by President Obama that may be revoked. He stated that he is looking forward to obtaining information on additional aid and mitigation work for Manville. He also announced that the Raritan and Millstone Flood Control Commission will hold their Reorganization meeting here at 7:00 p.m. He also reported that he is attending a school funding meeting in Trenton on Thursday, and he is looking forward to pressing an answer as to why Manville does not receive a fair share of funding.

Councilman Petrone, as Chairperson of the Buildings and Grounds Committee reported that they have not met yet, however, a letter was forwarded from the Library Director to Assemblyman Ciattarelli and Senator Bateman who are sponsors of a \$120 million bill for the updating of the New Jersey Library System. He stated that the funding would be used for ADA compliance, additional square footage, electrical upgrades, and interior improvements. He stated that he will be meeting with his Committee shortly regarding Ordinances, and he will have a full report at the next meeting.

Councilwoman Magnani, as Chairperson of the Public Works Committee reported that they are evaluating Borough streets; curbside Christmas tree pickup is still ongoing; PSE&G gas main project is completed; New Jersey American Water will begin paving areas where pipes were replaced, weather permitting; jetting and sewer inspections on the North side is complete; minor systems for Section 10 are completed. She further reported that stormwater catch basins are cleared and inspected in anticipation of the storm. She also reported that the Borough Christmas decorations have been removed and stored, and the roads have been de-iced. She also reiterated that the County bridge replacement will last about 18 months. She further stated that she has attended Board of Education meetings and has told them that someone from the Governor's Office will teach them how to apply for grants.

Council President Szabo, as Chairperson of the Public Safety Committee reported that he and Councilman Skirkanish attended the Board of Engineer's meeting on January 17<sup>th</sup> and they discussed insurance for travel to the Fire Academy in South Jersey. He stated they also discussed the need for new tires for the fire truck. He commented that he would like to see month reports from the Fire Marshal. He also reported that the Rescue Squad had a meeting on January 8<sup>th</sup> and they had 84 calls for December, and 38 of those calls were mutual aid to Somerville and Hillsborough. He stated that they had a total of 891 calls for the year. He reported that their annual installation dinner will be held of February 4<sup>th</sup>. He further reported that they will be offering a ICS200 course on February 11<sup>th</sup> and 12<sup>th</sup> from 9 a.m. to 5 p.m. and he noted that there were Councilmembers that need to take the course. He further noted that the Friends of the Library met on January 17<sup>th</sup> and the membership drive has begun. He stated that interested residents can join on line. He listed several programs that will be held at the Library in the next few weeks. He also announced that Recreation is taking registrations for Spring Programs - soccer, baseball and softball, beginning Tuesday, January 31<sup>st</sup> at the Library. He requested that someone look into the vacant Dollar Store that left a mess in the space.

Councilman Skirkanish, as Chairperson of the Progress and Development Committee reported that they have not met, but he is hoping to get a meeting set up with Joe Korn regarding the Rustic Mall early next month. He reported that he attended the Policy, Planning and Personnel Committee meeting on January 17<sup>th</sup> and the Board of Health Reorganization meeting. He reported that Suzanne Maeder was named President and Barbara Snyder was named Vice President, and Chris Corsini was named Board Attorney. He reported that they are looking for a veterinarian to give rabies shots on April 30<sup>th</sup>, and they are working on a Massage Ordinance and updating current Ordinances. He further reported that he attended the Board of Engineers meeting.

Councilwoman Camacho, as Chairperson of the Policy, Planning and Personnel Committee reported that they met on January 17<sup>th</sup> and discussed the replacement for the Clerk's position. She stated that she would prefer to see two part-time positions. She further reported that they discussed hiring an Assistant to the Tax Assessor. She further reported that they would like to get Contract negotiations underway, and she would like to see the process starting soon.

Councilman Petrock, as Chairperson of the Finance Committee reported that they have not yet met, however, he discussed the issue of the vouchers, and he said that he was willing to provide his copy if needed by a resident. He also stated that he scrutinizes all vouchers, and we will continue to scrutinize the budget. He stated that the Borough has a \$500,000 surplus, but they will be sure to spend it wisely. He mentioned codification of the ordinances. He also stated that no matter what party, he would like the Council to all work together for the best interests of the town.

## **PUBLIC PORTION**

Mayor Onderko requested a motion to open the Public Portion.

Attorney Maciag set forth the rules for Public Portion.

Council President Szabo, seconded by Councilman Petrock, made a motion to open the Public Portion.

All present were in favor.

Rudy Nowak, 100 Driscoll Street - commented regarding the Fire Marshal's monthly reports.

Councilman Petrone called a point of order stating that the Council cannot discuss an employee without a RICE notice.

Attorney Maciag stated that a department issue can be discussed, however, specific employee performance cannot be discussed.

Councilman Skirkanish stated that the Fire Marshal submits a report at the Board of Engineer's meeting, which can be incorporated into the Council meeting.

Mayor Onderko requested that Councilman Szabo speak to him about the reports so he can speak to the employee.

Mr. Nowak stated commented about Resolutions being taken separately, and stated that reasons should be given for doing so.

Dean Shepard, P.O. Box 222 - agreed with Councilman Petrone that an employee's name should not be brought up. He stated that it could cause a lawsuit. He stated that the Fire Marshal should have more hours, and noted that his job is very important, and in his experience, he does a very good job. He also stated that he put in many hours that he did not get compensated for during floods and other major events.

Administrator Bierwirth noted that they have discussed increasing his days from two to three.

Bob Kaminski, 10 Liberty Street - commented regarding his taxes and that his street does not get swept. He also commented about barking dogs and cars running red lights on Thursdays.

Mayor Onderko and Councilman Skirkanish stated that barking dogs will be referred to the Board of Health.

Maria Janucik, 720 East Frech Avenue - commented that she received a letter from the Tax Assessor in June of 2015 regarding the revaluation. She noted that she had minutes from April of 2015 from the Somerset County Board of Taxation stating that there will be a hybrid reassessment.

Mayor Onderko stated that it may have to do with the Tax Maps, which need to be updated.



Administrator Bierwirth commented that she met with Mrs. Janucik in November and also sent her a letter explaining reassessment and revaluation, as explained by Mr. Vance in Somerset County. She stated that the terms can be used interchangeably.

Mrs. Janucik asked why Manville has a Section 8 Housing Administrator, and why it is a six-month appointment.

Mayor Onderko stated that it was a Federal program, and the administrator is not on the payroll in Manville, and will be retiring.

Administrator Bierwirth explained that Paula Gibki is our Section 8 Housing Coordinator, who is a private contractor that maintains an office in the Borough for the convenience of the residents, but is paid by the Federal Government. She stated that she will be retiring at the end of June.

Councilwoman Camacho stated that there are legal issues that must be dealt with, and therefore, we should not be discussing this subject.

Mrs. Janucik had questions regarding the number of attorneys appointed by the Borough.

Attorney Maciag explained that the Borough Attorney cannot handle certain matters due to conflicts. He also explained that many of the attorneys are specialized in their fields.

Ray Walsh, 26 North 17<sup>th</sup> Avenue - congratulated the new Councilmembers, and wished them good luck. He also spoke about Board of Education grants.

When no one else from the public wished to comment, Mayor Onderko requested a motion to close the Public Portion.

Council President Szabo, seconded by Councilman Skirkanish, made a motion to close the public portion.

All present were in favor.

Mayor Onderko requested a motion to adjourn the meeting.

Council President Szabo, seconded by Councilman Skirkanish, made a motion to adjourn the meeting.

All present were in favor.

The meeting was adjourned at approximately 8:23 p.m.

ATTEST:

*Patricia A. Zamorski*

Patricia A. Zamorski  
Borough Clerk