

**REGULAR MEETING
OF THE MAYOR AND COUNCIL
APRIL 24, 2017**

THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY, WAS HELD ON APRIL 24, 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 THEODORE PETROCK, III
COUNCILMAN PHILIP E. PETRONE, Present until 7:10 p.m.
COUNCILMAN RON SKIRKANISH
COUNCIL PRESIDENT STEPHEN SZABO

ALSO PRESENT:

THADDEUS R. MACIAG, BOROUGH ATTORNEY
PAMELA BOREK, BOROUGH CLERK
ANDREA BIERWIRTH, BOROUGH ADMINISTRATOR
MARK PELTACK, CHIEF OF POLICE

SALUTE TO THE FLAG AND A MOMENT OF SILENCE

PROCLAMATION

Mayor Onderko requested that Councilman Petrone read a Proclamation for Arbor Day.

Mayor Onderko announced that there will be an Arbor Day Ceremony at noon on Friday at the Manville Public Library.

PUBLIC HEARING AND ADOPTION OF THE 2017 BUDGET

Councilman Petrock, seconded by Councilman Petrone, made a motion to open the public hearing on the Budget.

All present were in favor.

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

Councilman Petrock, seconded by Councilman Petrone, made a motion to close the public portion on the Budget.

All present were in favor.

Mayor Onderko requested a motion to adopt the 2017 Budget.

Councilman Petrock, seconded by Councilwoman Camacho, made a motion to adopt the 2017 Budget.

Resolution #2017-72

BE IT RESOLVED by the Governing Body of the Borough of Manville, County of Somerset, that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes of the sums therein as set forth as appropriations, and authorization of the amount of (see sheet 39 of Budget document).

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

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

Mayor Onderko thanked all the Department Heads, Administrator Andrea Bierwirth, and all the Council members for their assistance in preparing the budget.

ORDINANCES - FINAL READING AND PUBLIC HEARING

Mayor Onderko read the Ordinance by title.

Mayor Onderko requested a motion to open the public portion on Ordinance #2017-1185.

Councilman Petrock, seconded by Councilwoman Camacho, made a motion to open the public hearing on Ordinance #2017-1185.

All present were in favor.

When no one wished to comment, Mayor Onderko requested a motion to close the public portion on Ordinance #2017-1185.

Councilman Petrone, seconded by Councilman Skirkanish, made a motion to close the public portion on Ordinance #2017-1185.

All present were in favor.

Mayor Onderko requested a motion to adopt Ordinance #2017-1185.

Councilman Petrock, seconded by Council President Szabo, made a motion to adopt Ordinance #2017-1185.

Ordinance #2017-1185

**AN ORDINANCE AMENDING ORDINANCES #2008-1073 and #2017-1180,
TO REGULATE THE COLLECTION AND DISPOSAL OF
BULK TRASH ITEMS, GARBAGE, MUNICIPAL WASTE AND SOLID WASTE
WITHIN THE BOROUGH OF MANVILLE**

WHEREAS, the Mayor and Council find that abandonment of bulk trash items, garbage, municipal waste and solid waste is becoming an increasing problem within the Borough, including the dumping or abandonment of same on adjacent or Borough-owned properties, and

WHEREAS, the Mayor and Council by this ordinance intend to clarify Ordinances #2008-1073 and #2017-1180 to affirm that under the conditions and seven (7) days Notice as set forth in Section 13 of those prior Ordinances, the Director of Public Works may cause such dumping or abandonment to be removed and abated, now therefore:

BE IT ORDAINED by the Mayor and Council of the Borough of Manville, in the County of Somerset and State of New Jersey, as follows:

1. Ordinance #2008-1073, as previously amended by Ordinance #2017-1180, shall be further amended by modifying same by amending Section 2, DEFINITIONS, to now add an additional definition as follows:

ITEMS NOT ACCEPTED - Any items listed on "Schedule B" as "Items Not Accepted", which items shall not be accepted for bulk trash pick-up by the Borough of Manville.

2. Ordinance #2008-1073, as previously amended by Ordinance #2017-1180, shall be further amended by modifying same by amending SCHEDULE B, by revising and replacing the section labeled ITEMS NOT ACCEPTED to now read as follows

SCHEDULE B:

Bulk items NOT ACCEPTED

The following items shall not be accepted for bulk trash pick-up by the Borough of Manville, notwithstanding whether or not a sticker is affixed to same:

- **Automobiles or other Vehicles**
- **Abandoned automobiles or vehicles, car parts, tires, or batteries.**
- **Hazardous Waste - motor oil, anti-freeze, propane tanks, fluorescent tubes, oil-based paint or chemicals , or other hazardous waste .**
- **Masonry Items - concrete, cement, brick, block, stone, marble, granite, dirt or other masonry items.**
- **Medical Waste - contact a local hospital for information on the "Safe Syringe Program ".**

○ **Recyclable Items - as outlined in the Annual County Recycling Schedule.**

○ **Renovation/Remodeling Debris - lumber, tile, siding, masonry items, or roofing materials.**

○ **Any household appliances containing Freon.**

2. Ordinance #2008-1073, as previously amended by Ordinance #2017-1180, shall be further amended by modifying same by amending SECTION 5. RESPONSIBILITIES FOR COLLECTION AND DISPOSAL to add a new Section 5.E, to read as follows:

E. **DUMPING OR ABANDONMENT OF BULK TRASH ITEMS, GARBAGE, MUNICIPAL WASTE AND SOLID WASTE ITEMS:**

(1) Any user who places on the street, or who places, dumps, or abandons on the user's own property, on adjacent property or properties, or on Borough-owned property, any bulk trash items, garbage, municipal waste, or solid waste, including but not limited to any item listed in Schedule B as ITEMS NOT ACCEPTED, shall at the user's own expense remove or cause same to be removed by a duly licensed and approved disposal service within thirty (30) days. Failure to do so shall subject said user to the provisions of Section 13 of #Ordinance 2008-1073 as amended by Ordinance #2017-1180, whereby the Borough of Manville may after notice, abate and remove same, upon which the property owner of the premises from which the items originated shall be subject to penalties and fines, or a charge for said abatement which charge shall be a lien against that property on the tax records, under the conditions of Section 13 as set forth in Ordinance #2017-1180.

(2) Where the items in question constitute dangerous or hazardous waste, or create a dangerous or hazardous condition, the Director of Public Works may with the concurrence of the Borough Engineer, certify to the Borough Administrator or Mayor that an emergent situation has arisen and may commence the abatement process described in the foregoing subparagraph on any date sooner than thirty (30) days, on such emergent schedule as the Director of Public Works at his or discretion may deem to be in the best interest of public safety.

3. Except as amended or modified herein, Ordinances No. 2008-1073 and 2017-1180 shall remain full force and effect.

4. Severability: In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

5. Inconsistency with other Ordinances: Should any provision of this ordinance be inconsistent with the provisions of any other prior ordinances, the inconsistent provisions of such other prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

6. Effective Date: This ordinance shall be effective ten (10) days after final approval and publication in accordance with law.

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

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

Mayor Onderko read the Ordinance by title.

Mayor Onderko requested a motion to open the public portion on Ordinance #2017-1186.

Council President Szabo, seconded by Councilman Petrock, made a motion to open the public hearing on Ordinance #2017-1186.

All present were in favor.

Councilwoman Magnani commented that she doesn't like the wording "massage parlor". She would prefer that it read "Massage Therapy" which is a more professional term.

Attorney Maciag commented on the technicality of the word. He stated that since this Ordinance is amending Ordinance #2017-1182. He explained that we would not be able to change the word in this Ordinance, but we would have to go back and change the original Ordinance. He reminded everyone that this Ordinance is requiring fingerprinting by the Police Department. He stated that it could be changed at another time, however, he stated that he will check the State statute for their wording.

Mayor Onderko stated that at 7:10 p.m., Councilman Petrone left the meeting for another meeting.

When no one wished to comment, Mayor Onderko requested a motion to close the public portion on Ordinance #2017-1186.

Council President Szabo, seconded by Councilman Petrock, made a motion to close the public portion on Ordinance #2017-1186.

All present were in favor.

Mayor Onderko requested a motion to adopt Ordinance #2017-1186.

Councilman Skirkanish, seconded by Councilman Petrock, made a motion to adopt Ordinance #2017-1186.

Ordinance #2017-1186

**AN ORDINANCE AMENDING ORDINANCE 2017-1182 RELATING TO THE
REGULATION OF MASSAGE PARLORS IN THE BOROUGH OF MANVILLE,
COUNTY OF SOMERSET, STATE OF NEW JERSEY TO INCLUDE ADDITIONAL
PROVISIONS THERETO**

WHEREAS, the Borough Council of the Borough of Manville adopted Ordinance No. 2017-1182 on March 27, 2017 concerning the operation of massage parlors in the Borough of Manville; and

WHEREAS , the Borough Council now desires to amend the aforementioned ordinance to include additional provisions;

THEREFORE, BE IT ORDAINED , by the Borough Council of the Borough of Manville in the County of Somerset and State of New Jersey that Ordinance No. 2017-1182 be and is hereby amended as follows:

Section I

Section 3, Subsection F shall be inserted therein as follows:

In addition to the requirements of Section 3, Subsection C, no permit shall be issued without the applicant, or any other individual required to submit personal information pursuant to Section 3, Subsection C, Subsubsection 5, submitting themselves to a background check and fingerprinting by the Police Department. For any subsequent renewal of a license issued hereunder, the applicant or other individuals as described above shall likewise submit, at the discretion of the Chief of Police or his designee, to a background check and fingerprinting by the Police Department. In no event shall any massage establishment in the Borough of Manville conduct operations without any individual pursuant to Section 3, Subsection C, Subsubsection 5 submitting themselves to an initial background check and fingerprinting at the discretion the Chief of Police of his designee. Failure to comply with this subsection shall be considered a reason for denial, suspension or revocation of any permit issued hereunder pursuant to Section 10 of this ordinance.

Section II

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section III

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

Section IV

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law but, in no event, less than 20 days after its final passage by the Borough Council.

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

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

APPROVAL OF MINUTES

Mayor Onderko requested a motion to approve the following minutes:

A/ Regular Meeting of April 10, 2017

Council President Szabo, seconded by Councilman Petrock, made a motion to approve the minutes of the Regular Meeting of April 10, 2017.

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

PUBLIC PORTION ON RESOLUTIONS

Mayor Onderko requested a motion to open the public portion on Resolutions #2017-73 through #2017-80.

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

All present were in favor.

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

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

All present were in favor.

RESOLUTION S (TO BE TAKEN SEPARATELY)

Mayor Onderko requested a motion to adopt Resolution #2017-73.

Council President Szabo, seconded by Councilman Petrock, made a motion to adopt Resolution #2017-73.

Resolution #2017-73

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

1. Current	\$297,521.14
2. Water/Sewer Utility	\$4,662.23
3. General Capital	\$0.00
4. Recreation Trust	\$5,519.95
5. Other Trust	\$481.50
6. Dedicated Dog	\$0.00
7. Housing Trust	\$0.00

Total	\$308 ,184.82
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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, SKIRKANISH
ABSENT: PETRONE

RESOLUTIONS BY CONSENT

Mayor Onderko asked if any Council Member wished to take any Resolution individually.

When no one wanted to take any Resolution individually, Mayor Onderko requested a motion to adopt Resolutions #2017-74 through #2017-80.

Council President Szabo, seconded by Councilman Petrock, made a motion to adopt Resolutions #2017-74 through #2017-80.

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

Resolution #2017-74

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:

Name	Title	Length of Service	Pay Rate
Mike Schlenker	Softball Umpire	4-25-17 to 8-25-17	\$50.00 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 #2017-75

WHEREAS, the Borough must hire a Certified Pool Manager (Deputy Recreation Director) to perform the duties necessary to open the pools for the 2017 season; and **WHEREAS**, Robert Snyder shall be appointed as the Certified Pool Manager, as he has performed these duties since 2015.

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 be authorized to interview and hire for the position of Certified Pool Manager in charge of Pools; and

BE IT FURTHER RESOLVED that the compensation and criteria for the Certified Pool Manager are as follows:

- 1.) The Certified Pool Manager shall commence work on May 1, 2017 through September 30, 2017, and shall be compensated a total seasonal salary of \$10,000, paid at \$2,000 per month for the months of May through September, 2017; and
- 2.) The Certified Pool Manager must reasonably keep in good standing a Certified Pool Operator’s License prior to the opening of the pools and maintain the license while the pools are in operation. This position is not eligible for health benefits; and
- 3.) The Certified Pool Manager shall report to the Recreation Director and shall submit a log of time incurred to the Recreation Director on a weekly basis.

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

ALL PRESENT IN FAVOR PER CALL

Resolution #2017-76

**STATEWIDE INSURANCE FUND
RESOLUTION APPOINTING FUND COMMISSIONER**

WHEREAS, Resolution #2017-10 is hereby amended to change the name of the Alternate Fund Commissioner from Patricia Zamorski to Pamela Borek, as follows:

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 **Pamela Borek** is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the remainder of 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 #2017-77

WHEREAS, the following real property tax payers have redeemed liens held against their property taxes and the Tax Collector has received proof of such payments after correspondence with said property owners.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council, of the Borough of Manville, County of Somerset, State of New Jersey, hereby authorizes the Tax Collector to release the amount specified to the lienholders listed below.

Block	Lot	Name of Owner	Amount	Lienholder
95	56	Harter, Michael	\$ 1,386.69	PC6 Sterling
11	29.02	Millman, K & J	\$ 1,428.01	Natu Patel
79	11	Murray & Rigolizzo \$	459.77	Natu Patel
137	1	Zakarzewski, V & M \$	1,510.24	Natu Patel
235.01	10	Cartoccio, E & S	\$ 1,302.48	FWDSL
63	66	Horner, G & M	\$ 1,105.02	ActLien
100	23	Willis, Joanne	\$ 18,799.75	Christiana Trust
305	26	Sawicki, Karen	\$ 3,032.17	Natu Patel
80	18	Lucas, Thomas	\$ 505.36	PC6 Sterling
75	39	Wyszatycki, J & L	\$ 1,356.70	Natu Patel

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-78

Borough of Manville
Resolution Supporting Participation
In the Sustainable Jersey[®] Municipal Certification Program

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Manville strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, Manville hereby acknowledges that the residents of Manville desire a stable, sustainable future for themselves and future generations; and

WHEREAS, Manville wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path Manville is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of Manville, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey that to focus attention and effort within Manville on matters of sustainability, the Borough of Manville's Governing Body wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification; and

BE IT FURTHER RESOLVED, by the Borough of Manville's Governing Body of that they do hereby authorize Borough Administrator, Andrea L. Bierwirth, to serve as Manville's agent for the Sustainable Jersey Municipal Certification process and authorize her to complete the Municipal Registration on behalf Manville.

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-79

Borough of Manville
Establishing a Green Team Advisory Committee

WHEREAS, the Mayor and Council of the Borough of Manville strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Mayor and Council of the Borough of Manville wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on “Green” issues, the Mayor and Council of the Borough of Manville wishes to establish a Green Team Advisory Committee (GTA).

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset and State of New Jersey that we do hereby establish a Green Team Advisory Committee, consisting of up to twenty members, who shall be residents, business owners, field experts or employees of the Borough of Manville who will work together to create a Mission, Goals and Objectives for the GTA and will carry out the Mission, Goals and Objectives in a professional and effective manner such that the Borough of Manville and its residents will benefit from the green initiatives of the Team; and

BE IT FURTHER RESOLVED that the following persons are hereby appointed to the GTA for the remainder of 2017 and are eligible to serve until replaced through an updated resolution:

Nanette Peterson, Manville Public Library Director
Steven Rodzinak, Resident/Land Use Board Member
Kurt Kagan, Resident/Land Use Board Member
Eve Kontos, Resident/Business Owner
Tim Kenyon, Resident
Ray Walsh, Resident
Richard Onderko, Mayor/Resident
Joe Barilla, Resident/Land Use Board Member/Deputy Fire Chief
Linda Kellner, Resident
Vince LoMedico, Resident/Director of Public Works
Jack Kuhlman, Resident/Shade Tree Commission Chairman
Guy Lazzari, Resident/Arborist
Andrea Bierwirth, Borough Administrator, Advisory Member
Stan Schreck, P.E., Borough Engineer, Advisory Member
Amanda Knowles, Van Cleef Engineering, Advisory Member
Dr. Emilie Stander, Raritan Valley Community College, Advisory Member
Dr. Jay Kelly, Raritan Valley Community College, Advisory Member

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-80

Professional Recreation Director Services

WHEREAS, due to the pending resignation of the Borough's Recreation Director on April 30, 2017, the Borough is seeking to contract with Stephanie Cornelson, current Recreation Director, until such time that a new Director of Recreation can be hired and trained; and WHEREAS, the Borough Administrator and the Policy, Planning, and Personnel Committee have interviewed applicants for the position and have determined that there exists a need to continue the job search for the right candidate for the Recreation Director position; and WHEREAS, the Recreation Department must continue to run smoothly, and the programs must continue under the leadership of a Recreation Director.

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

- 1.) Stephanie Cornelson is hereby selected to provide interim Recreation Director consulting services to the Borough of Manville;
- 2.) Stephanie Cornelson is to be paid \$25 per hour during for her services; and
- 3.) Stephanie Cornelson agrees that her fees will not exceed \$5,000 for the three month period from May 1, 2017 through July 31, 2017.
- 4.) This contractual agreement for professional services 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

OFFICIAL REPORTS

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

- A/ Clerk's Report, March, 2017
- B/ Fire Department Report, March, 2017

NEW BUSINESS

Mayor Onderko requested a motion to approve items A, B, and C under New Business:

- A/ Letter from Boy Scout Troop & Pack 193 requesting permission to hold a pool party on Thursday August 23, 2017 (rain date August 30th).
- B/ Towing License - Dave's Heavy Towing Renewal
- C/ Towing License - DeLuca's Towing Renewal

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

All present were in favor.

COMMITTEE REPORTS AND COUNCIL COMMENTS

Mayor Onderko reported that he recently met Senate President Steve Sweeney at a special meeting in Parsippany concerning School Aid. He read the following prepared comments that he made that day into the record:

April 17, 2017

Honorable Senate President Sweeney and panel members:

Thank you for the invite and listening to my concerns today as I proudly represent 10,000 residents in the small 2.5 square mile Borough of Manville, my hometown. My testimony today will highlight the facts as to how the Borough of Manville is adversely affected by the current school funding formula by it not accounting for the loss of significant tax revenues in our municipality.

The question is: Can something be done before the start of the 2017-2018 school year to benefit a town suffering from the unfavorable effects of repeated floods, significantly lower property values and a shrinking tax base due to Blue Acres buyouts and a major superfund cleanup?

Our situation: The Borough of Manville in Somerset County is the 8th most underfunded school district in our State. We are often compared to a neighboring town, the Borough of Bound Brook. Bound Brook is the 2nd most underfunded district. Manville is a similar town in size but is not a designated "choice school", whereas Bound Brook is. Bound Brook has over 200 more students enrolled than those enrolled in Manville. Bound Brook receives 33% funding from the State whereas Manville receives 37% per student. The funding gap per Manville student is \$6,223.

Economic challenges: The Borough of Manville is at significant flood risk today whereas Bound Brook is no longer at risk after the completion of an Army Corps of Engineers flood mitigation project. Manville has suffered from devastating floods since 1999, 2007, 2010 and

2011. No flood mitigation efforts have taken place in Manville even though there are 900 structures (i.e., homes and businesses) still in harms' way. Half our Main Street business district goes under water. Yet nobody seems to care.

Higher and higher property taxes along with significant increases in flood insurance premiums are **not** sustainable long term for the residents who live here. Due to the higher taxes and higher flood insurance premiums being experienced, many long term residents in flood-prone areas, who have not been offered a buyout, are reluctantly selling their properties at below market levels in order to leave. Or worse yet, they stop paying their mortgage and taxes resulting in many foreclosures and abandoned homes that spot blight our neighborhoods. Keeping Manville affordable is my top priority as Mayor. Thus I am requesting more school aid given our unique situation to bring property tax relief to our residents later this year.

Concerning the loss of tax revenues: Manville was asked by the Somerset County Board of Taxation to perform a revaluation in 2013. Of the 21 towns in Somerset County, we were dead last with our sales equalization ratio indicating tax assessments were way overvalued. New tax assessments were put into effect in August of 2016. The Borough of Manville lost 20% of its overall value from the height of the real estate market in 2008, a reduction of over \$200 million dollars in town value which increased our tax rate. Manville has lost rateables by participating in a Blues Acres buyout program where over 150 homes have been bought-out to date. The loss of homes has removed over \$1 million dollars of re-occurring tax revenues from being collected this year. We also have a national superfund site that removed a major rateable from our tax rolls. The 12-acre site remains undeveloped today even after a \$300 million dollar federal clean up.

The "unfair" current formula: My major concern is during the last 3 years our State school aid has stayed the same as our tax base has contracted. Today, we receive less state aid this year than we received back in 2010 even with student enrollment up over 100 students. I assume as neighboring towns that have *increased* in value with new development and have *increased* tax revenues, as a result, received the same amount of school funding as in the past. Our aid has remained the same despite the significant *loss* of our tax base.

New factors for consideration: A reduction in a town's value resulting from a town-wide re-evaluation along with losing rateables should have positive impacts to increase school aid to a municipality like the Borough of Manville. The existing school funding formula must account for this. The formula to determine the "local cost share" has a property value component that is simply ignored because if it were functional, Manville would certainly receive more than \$328 dollar increase in aid for the up-in-coming school year. I would like someone to explain to me the exact calculation comparing 2016-2017 to 2017-2018 if nothing is done to increase aid to the Borough of Manville. In my opinion, there is enough school aid to go around, it is simply not being distributed in a fair manner.

We have a very serious property tax crisis in our State. A bankrupt pension system and health insurance costs which increase every year will simply be passed on to our residents to pay even more in property taxes. A positive school aid adjustment would help stabilize property taxes and allow for a quality education to be offered to our students **without** cutting curriculum and teachers. Not every municipality in NJ faces the economic challenges Manville faces given our history of major flooding and revenue loss from flood buyouts now and in the future.

In closing: Manville deserves a bigger piece of the school funding pie based upon the provided facts. Unfortunately, we cannot wait 3-5 years for a new funding school formula. Manville may be the "*forgotten town*" when it comes to flood mitigation. We cannot afford to become the

“forgotten town” in acquiring more State aid for our schools. We need your help and we need it NOW!

Thank you for listening to my concerns today.

Richard M. Onderko

Mayor Borough of Manville

Mayor Onderko also added that property taxes are the number one issue in the State’s current Gubernatorial Race. He also read the following letter from Senate President Steve Sweeney into the record:

“Dear Mayor Onderko. Thank you very much for being a part of our recent roundtable discussion on School Funding Reform. It was important to have your perspective as a Mayor at the table. I look forward to working with you as we push to bring all districts across New Jersey, including those in Morris County (where the meeting was held) to full funding in a fair and equitable way. If I can ever be of assistance to you in the future, please do not hesitate to reach out or to call my office.”

Mayor Onderko stated that the press heard about the meeting, and he made the newspaper. He stated that he also received a phone call from Assemblyman Andrew Zwicker, who is very interested in what I had to say, and he will be helping us in the weeks ahead to determine how Manville became number 8 on a list of over 500 school districts. He stated that he doesn’t understand the calculation either. He stated that he is looking forward to bi-partisan assistance in getting an answer and more aid for the next school year to stabilize taxes.

Mayor Onderko also read a Press Release from the Somerset County Board of Chosen Freeholders concerning their budget and taxes in town.

“The Somerset County Board of Chosen Freeholders has introduced a proposed County Budget for 2017 that preserves needed services to the County’s more than 333,000 citizens with minimal tax impact. We recognize that we have an obligation to the taxpayers to operate efficiently and effectively so we continue to streamline our operations to provide essential services while maintaining Somerset County’s exceptional triple-bond rating in keeping the property tax impact to a minimum, said Freeholder Mark Caliguire, Finance Liaison. We kept the increase in our costs to 1.97 percent, which is within the 2 percent State cap, and the increase in the County property taxes on an average home in Somerset County is only \$5.00 annually. Our fiscally prudent management of County resources continues to be a hallmark of Somerset County Government. As a CPA, I know you need to sweat the details to keep County spending in check and we’ve done that, said Freeholder, Brian D. Levine. We are still able to provide value-added services that benefit taxpayers every day, such as Recycling, Transportation, 911-Dispatch, Vehicle Fuel Maintenance, and a Statewide Cooperative Purchasing Program, just to name a few. The amount to be raised by taxation would increase 1.97 percent in the 2017 budget to \$189.5 million. The County tax rate would increase slightly from \$32.01 to \$32.13, cost per \$100 per assessed value, equaling \$5.00 per year on an average \$423,000 house.”

Mayor Onderko stated that in Manville, the average is \$230,000, therefore the County increase will be somewhere around \$2.70.

He continued to read, "The proposed 2017 County Budget maintains 248 center lane miles of County roads, 752 County-owned bridges, maintains 39 parks, Recreation, Open Space Areas encompassing nearly 15,000 acres, fully funds 911 Communications Dispatch for 20 municipalities, provides Recycling Collection and processing for 19 municipalities including schools, funds nearly 200 Shared Services with local government and organizations within the County, partly funds budgets for County VoTech Schools, Raritan Valley Community College, and the Board of Social Services and Park Commission, fully funds the County Jail and County Emergency Services Training Academy. Since 2008, the total number of County employees has been reduced by 7 percent from 1,329 to 1,242."

Mayor Onderko stated that a public hearing on the proposed \$222 million budget tomorrow, Tuesday, April 25th at 6:30 p.m. on the third floor of the meeting room in the County Administration Building at 20 Grove Street.

Mayor Onderko stated he had one final item to announce: This Wednesday at 7:00 p.m. he will be part of a panel discussion at the Manville Elks entitled, "Right in our Backyard - the Drug Addiction Epidemic in Suburbia". He stated he cannot say enough about how concerned he is for our youth today. He stated when he first became Mayor last year, he was notified that we lost two of our residents and former wrestlers at Manville High School to overdoses. He stated they were 23 and 26 years old. He stated that he resurrected the Municipal Alliance Committee in town, which is a Governor Anti-Drug Message Council which gets funding from Somerset County. He stated that since then, we've been making progress. He stated that he looks forward to participating in this discussion with other members from Somerset County. He requested that the meeting be placed on our website to increase attendance at the meeting on Wednesday.

Councilman Petrock, as Chairperson of the Finance Committee reported that they have not met, however, he thanked the Committee members, the Department Heads for participating in the budget process. He stated it was difficult for some who did not get as much budget money as requested, however, it is better for the taxpayers. He thanked the public for their support.

Mayor Onderko stated that the budget is basically a balanced one. He stated there was a slight increase in the Municipal rate of .007, because during 2016 homes were demolished through the Blue Acres Buyout Program, and the town lost about \$5 million in assessed value. He stated that on an average home in town, the increase is about \$15.00 for the year.

Councilwoman Camacho, as Chairperson of the Policy, Planning and Personnel Committee reported that they have not met, however, they are still actively seeking a permanent Recreation Director. She stated we are still taking applications and reviewing resumes. She gave the Buildings and Grounds report on behalf of Councilman Petrone. She reported that regarding the sound system, Vince LoMedico, Director of Public Works, obtain quotes and contacted the top three vendors for

clarification on their quotes. She stated they are going to meet with the top two vendors to meet their proposals to make a final decision and set a time table for the installation to improve the system. She also reported that with regard to the proposed Shopping Cart Ordinance, the WalMart store manager has notified us that they will be installing the gatekeeper system on shopping carts which will prevent them from leaving the lot. She stated that the Committee still feels an Ordinance should be adopted. She also reported that the new light fixture for South Main Street and South Street has still not been received. She stated that Mr. LoMedico will contact PSE&G for status. She also stated she would like to schedule a Buildings and Grounds meeting prior to the next meeting. She reported that they met with the Zoning Officer to discuss property maintenance issues within the Borough and in conjunction with the Ordinance passed today. She stated that they reviewed the list of vacant properties consisting of approximately 80 homes vacant. She stated that some may be on the buyout list, however, some people just walked away. She reported that there are 17 blind intersections in town to discuss with the Zoning Officer. She stated that Arbor Day is April 28th and the Shade Tree Commission is planning its first Arbor Day Celebration on Friday, April 28th at the Library at noon, followed by refreshments. She invited all to attend.

Mayor Onderko mentioned that the Somerset County Multi-Jurisdictional, Multi-Hazard Mitigation Plan is up for renewal, and he will be working with the County OEM to upgrade the Manville Annex. He stated he will be working on getting as much Federal Aid as possible.

Councilman Skirkanish, as Chairperson of the Progress and Development Committee reported that they have not met, and the meeting with Rustic Mall officials scheduled for last week was cancelled. He stated that the meeting has been rescheduled for May 18th at 6:00. As Liaison to the Board of Health he reported that they discussed the Massage Ordinances which was adopted tonight, and compared it with Franklin's Ordinance. He also reported that they had their first reading of a Vending Machine Ordinance. He reported that the Rabies Clinic will be held on May 20th at Firehouse #3 on North 8th Avenue from 9 a.m. to 11 a.m., which is open to all Somerset County residents. He stated they will also be offering micro-chipping for \$25, and reminded everyone that all dogs and cats must be vaccinated prior to licensing. He noted that licenses will be available there. He also reported that he attended the Fire Board of Engineers Meeting.

Council President Szabo, as Chairperson of the Public Safety Committee reported that they had an Emergency Meeting today with the Chief of Police, and he asked for a Resolution prohibiting parking on Gladys Avenue down to the gate for the Department of Public Works Building. He stated that there are people parking in front of the gate, and the workers cannot enter the yard with their trucks. He also reported that he attended the Board of Engineers Meeting on April 18th. He stated that they were presented with a list of needed materials. He presented a list of the needed items and requested a Safety Committee Meeting.

Mayor Onderko stated that a resident contacted him regarding another parking issue in town. He stated that he will ask the Committee to review the requests.

Councilwoman Magnani, as Chairperson of the Public Works Committee reported that they did not meet, however, they discussed the planting of trees. She thanked Shade Tree Commission members Jack Kuhlman and his sons Jack, Jr. and Brian for their help with the tree planting on the 21st. She stated that Jack volunteers as the Chairperson of the Shade Tree Commission, and he is a Tree Specialist. She reported that New Jersey American Water is completing paving and the mains on Marian Place and St. John Street has been completed. She reported that the storm catch basins have been completed. She reported that the Public Works Department is in the process of mulching the trees on Main Street and at the Borough buildings, and they are mowing the properties with liens and Blue Acres lots. She reported that the ball fields are ready, and grass clipping drop-offs began on April 21st. She asked that the residents follow the schedule in the calendar. She reported that she received an email from a resident regarding other residents putting out pickups on their property. She noted that the Ordinance was adopted tonight, and she believes that in this case, there was debris there for a long time. She stated that she forwarded the email to Vince, who will take care of it immediately. She asked landlords to store debris in the back of the property until the pickup date. She noted that items put out for pickup prior to the date could cause a hazardous situation. She reported that the County bridge replacement is continuing, and asked for patience. As Liaison to the Recreation Committee she reported that the annual PBA Luncheon will be held on April 27th at Firehouse #3, and will be co-hosted by the PBA and Manville Recreation. She stated that opening for Travel Softball is today, and two teams are participating in the Somerville league. She stated that T-Ball begins on May 8th. She reported that they are currently accepting applications for Camp Counselors, CPR Guards and Certified Lifeguards. She reported that registration for Summer Camps will begin in May, and pool badges will go on sale in May as well. She reported that the pools will open on June 24th, weather permitted. She stated that children 3 years and under do not require a badge; ages 4 to 59 is a \$40 fee for the season and 60 and over is \$20. She stated that day badges can be purchased for \$5 for residents and \$10 for non-residents. She reported that the Memorial Day Parade will take place on Sunday, May 28th at 1:00 p.m. She also reported that Patriot's Stadium will be hosting "Manville Day" with a Polish theme on July 8th at 7:05 p.m. She stated that the first 1,500 adults will receive free t-shirts and the first 500 kids will receive free t-shirts. Mayor Onderko will throw out the first pitch. She stated that the T-Ball team will be invited onto the field to start with a practice game. She stated that Manville residents may purchase tickets on line at a rate of \$8.50 per ticket, and information will be placed on our website. She noted that anyone who has Polish dance or Polish band should contact Manville Recreation. She stated we would love to have you perform and represent our town. She thanked the Manville High School Key Club for their efforts in making the Annual Senior Citizen's Prom a success. She apologized that she failed to mention last month that one of our Rescue Squad members, Robin Barb, should be commended for a beautiful gift. She stated that many of our Rescue Squad members are equally generous, however, on March 18th Robin Barb joined St. Baldwick's to raise money for children's cancer by shaving her head. She reported that Ms. Barb raised \$3,515 for children's cancer. She commended Robin Barb for her kindness and stated how proud she is to have her on our team.

Council President Szabo added that Assemblyman Jack Ciattarelli had an open-house at the Day Care Center in Bridgewater and reported that he mentioned Manville and our underfunding by the Government. He stated that one of his priorities is to equalize school funding. He also reported that he attended the Boy Scout fund raiser yesterday.

PUBLIC PORTION

Attorney Maciag set forth the rules for Public Portion.

Mayor Onderko requested a motion to open the public portion.

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

All present were in favor.

Bob Kaminski, 10 Liberty Street - commented about dump trucks going through red lights in the morning at the corner of North Main Street and Camplain Road.

Ray Walsh, 26 North 17th Avenue - commented regarding the Manville Municipal Alliance and mentioned Art Lisciandro, a former school teacher who was very active and instrumental in the Alliance. He stated he would be a great asset to the Alliance.

Dean Shepard, P.O. Box 222 - commented regarding police vehicles, and asked who the Chairman of Police Committee and members.

Mayor Onderko stated that the Chairman is Council President Szabo, and members are Councilman Skirkanish and Councilwoman Magnani.

Mr. Shepard recommended that the Council should reduce their salaries, which were raised by 50% last year. He stated that Manville is the highest paid Council of all the small towns in Somerset County. He noted that if the Council reduced their salaries, there would be additional money for police cars.

A discussion was held regarding the year the salaries were raised and how much the current salaries are.

Mayor Onderko requested that Councilwoman Camacho discuss the salaries in her Committee.

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

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

All present were in favor.

The meeting was adjourned at approximately 7:56 p.m.

ATTEST:

A handwritten signature in black ink that reads "Pamela Borek". The signature is written in a cursive, flowing style.

Pamela Borek, Borough Clerk