

**REGULAR MEETING
OF THE MAYOR AND COUNCIL
JUNE 12, 2017**

THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY, WAS HELD ON JUNE 12, 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
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 - EMS Week

Council President Szabo read a Proclamation for EMS Week.

APPROVAL OF MINUTES

Mayor Onderko requested a motion to approve the following minutes:

A/ Regular Meeting of May 22, 2017

Councilman Skirkanish, seconded by Councilman Petrock, made a motion to approve the minutes of the Regular Meeting of May 22, 2017.

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

ORDINANCE - FINAL READING AND PUBLIC HEARING

Mayor Onderko requested a motion to open the public portion on Ordinance #2017-1188.

Councilman Petrock, seconded by Councilwoman Camacho, made a motion to open the public portion on Ordinance #2017-1188.

All present were in favor.

Bob Kaminski, 10 Liberty Street - thanked the Mayor and Council for quick action on this issue.

Mayor Onderko also thanked Mr. Kaminski for bringing his attention to a tilted pole on 13th Avenue.

When no one else from the audience wished to comment, Mayor Onderko requested a motion to close the public portion on Ordinance #2017-1188.

Councilman Petrock, seconded by Councilwoman Camacho, made a motion to close the public portion.

All present were in favor.

Mayor Onderko requested a motion to adopt Ordinance #2017-1188.

Councilman Petrock, seconded by Council President Szabo, made a motion to adopt Ordinance #2017-1188.

Ordinance #2017-1188

**AN ORDINANCE OF THE BOROUGH OF MANVILLE
TO AMEND ORDINANCE NO . 500, KNOWN AS
THE TRAFFIC ORDINANCE**

BE IT ORDAINED by the Mayor and Council of the Borough of Manville that Ordinance No. 500 be and hereby amended as follows:

1. **SCHEDULE I.** NO PARKING: is hereby amended by adding thereto the following:

<u>NAME OF STREET SIDE</u>	<u>LOCATION</u>
Huff Avenue North	Between the west curbline of South Bridge Street to South Reading Avenue in an east/west direction Huff Avenue South From the east curbline of South Bridge Street to a point 280' east

2. **EFFECTIVE**

This ordinance shall take effect upon enactment and publication in the manner prescribed by law.

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

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

ORDINANCES - FIRST READING AND INTRODUCTION

Mayor Onderko read the Ordinance by title.

Mayor Onderko requested a motion to introduce Ordinance #2017-1189.

Council President Szabo, seconded by Councilman Petrock, made a motion to introduce Ordinance #2017-1189.

Ordinance #2017-1189

**AN ORDINANCE OF THE BOROUGH OF MANVILLE , COUNTY OF
SOMERSET , STATE OF NEW JERSEY , ESTABLISHING
REGULATIONS FOR THE PURPOSE OF CONTROLLING THE
PRESENCE OF SHOPPING CARTS IN AND ABOUT THE
BOROUGH OF MANVILLE BY ESTABLISHING FEES, AND A
PROCESS OF REDEMPTION, DISPOSAL AND ENFORCEMENT**

WHEREAS , the Mayor and Council find that the abandonment of shopping carts in and about the Borough of Manville has become a public nuisance and a financial imposition on the Borough; and

WHEREAS , the Mayor and Council by this ordinance intend to establish regulations to rectify such issues by instituting fees, and a process of redemption, disposal and enforcement:

SECTION I - DEFINITIONS

The following definitions shall apply:

Borough - The Borough of Manville, New Jersey, County of Somerset

Cart - (shopping cart) - all carts, baskets, or containers equipped with wheels and propelled by human power for the purpose of carrying goods, merchandise or other items to and from one place to another

Public Property - any park, square, parking lot, field, wooded area, street or any other place or location owned by or under the control of the Borough, the Board of Education of the Borough, or any other local governmental unit

SECTION II - ABANDONED CARTS

A/ It shall be deemed unlawful for any person to discard or abandon a shopping cart upon any public property, where such cart is owned by individual or is in possession, custody or control; and

B/ Any carts left unattended on any public property, where there is no person present who has possession, custody or control, will be deemed to have been discarded or abandoned and therefore subject to the provisions set forth herein; and

C/ The Borough shall remove or cause to be removed any cart found discarded or abandoned on any public property and shall assume possession of said cart until the requisite fees as later defined are satisfied and the cart is either returned to business or otherwise properly disposed of.

SECTION III - FEES AND DISPOSITION

A/ Upon possession of any abandoned or discarded carts, the Borough shall institute a \$50 per cart fee upon the business owner for the cart retrieval, and

B/ Upon possession of the Borough, the business owner will be notified of said possession of the cart; and

C/ The rightful owner of subject cart shall be permitted to assume possession upon the payment to the Borough of the per cart fee; and

D/ In the circumstance in which the rightful owner does not retrieve the cart within 30 days, the cart shall be properly recycled or otherwise disposed of, at the discretion of the Borough; and

SECTION IV

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.

SECTION V

Should there exist any inconsistency with other ordinances of the Borough, or 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.

SECTION VI

This ordinance shall take effect 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 introduce Ordinance #2017-1190.

Councilman Petrock, seconded by Council President Szabo, made a motion to introduce Ordinance #2017-1190.

Ordinance #2017-1190

**AN ORDINANCE TO AMEND ORDINANCE #2013-1128
AND TO AMEND ORDINANCE #2008-1074 ENTITLED
“AN ORDINANCE TO REPLACE THE RECREATION COMMISSION
AND ESTABLISH A RECREATION DEPARTMENT AND COMMITTEE
WITHIN THE BOROUGH OF MANVILLE ”**

STATEMENT OF PURPOSE

The purpose of this ordinance is to amend Ordinance #2008-1074, as previously amended by Ordinance #2013-1128, to AMEND Section 4 to expand the Recreation Commission from seven (7) members to nine (9) members.

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) Amendment of Section 4 to Expand Recreation Committee from seven (7) to nine (9) Members: Ordinance #2008-1074, as previously amended by Ordinance #2013-1128, is hereby amended at its Section 4 to now read as follows:

SECTION 4. THE RECREATION COMMITTEE.

The Recreation Committee shall consist of nine (9) members, to be appointed by the Mayor with the advice and consent of the Council. All appointments, except to fill vacancies, shall be for terms of three (3) years and shall terminate on December 31 of the third year. The Board shall advise and consult with the Director with respect to the program and activities of the Department of Recreation, shall study the public recreational needs of the Borough and shall, from time to time, recommend to the Director and to the Mayor and Council ways and means of improving the Borough's recreational programs and of coordinating public and private activities in the interest of public recreation.

(2) Terms and Dates of the New Appointments: The two additional Recreation Committee appointments created by this Ordinance shall serve for the following terms:

(A) One seat, to be appointed within 40 days of the effective date of this Ordinance, to serve an initial term expiring December 31, 2018, and thereafter for successive three (3) year terms, ending on December 31 of the third year;

(B) One seat, to be appointed within 40 days of the effective date of this Ordinance, to serve an initial term expiring December 31, 2019, and thereafter for successive three (3) year terms, ending on December 31 of the third year;

(3) Inconsistency: Should any provision of this ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of said prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

(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) Effective Date: This ordinance shall take effect immediately upon final adoption and approval of the same in accordance with the laws of the State of New Jersey.

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

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 #2017-100 through #2017-111.

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

All present were in favor.

Maria Janucik, 720 East Frech Avenue - had a question regarding Resolution #2017-101.

Administrator Bierwirth explained the situation for the emergency appropriation.

Dean Shepard, P.O. Box 222 - had a question regarding Resolution #2017-104, regarding increasing the bid threshold.

Administrator Bierwirth explained the increase of the bid threshold. She also explained that we will be continuing the practice of obtaining three bids.

Clerk Borek further explained that public purchasing laws still require municipalities to obtain three quotes.

Mary Jane Lisney, 131 South 3rd Avenue - commented regarding sidewalks being repaired and the bid threshold and asked if inspections are done after completion. She noted an area where the sidewalks have crumbled.

Mayor Onderko stated that there are performance clauses in the contract. He also noted that the grant money received for sidewalks is Federal money, and it does not cost the taxpayers.

Councilman Petrone noted that it is the "lowest responsible bidder".

Attorney Maciag stated that the bidders must present qualifications, so it is the "lowest qualified bidder" and the Borough is entitled to reject any bid deemed unqualified.

When no one else 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 #2017-100.

Councilman Petrock, seconded by Council President Szabo, made a motion to adopt Resolution #2017-100.

Resolution #2017-100

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

1. Current	\$1,4 25,041.88
2. Water/Sewer Utility	\$212 .14
3. General Capital	\$7,5 04.58
4. Recreation Trust	\$968 .03
5. Other Trust	\$3,6 01.50
6. Dedicated Dog	\$0.0 0
7. Housing Trust	\$0.0 0
Total	\$1,4 37,328.13

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 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 #2017-101 through #2017-111.

Councilman Petrone requested that Resolution #2017-105 be taken separately.

Mayor Onderko requested a motion to adopt Resolutions #2017-101 through #2017-104, and #2017-106 through #2017-111.

Councilman Petrock, seconded by Councilman Skirkanish, made a motion to adopt Resolutions #2017-101 through #2017-111.

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

Resolution #2017-101

Explanation: This Resolution authorizes an emergency appropriation in the amount of \$3,300.00 for expenses associated with payment of Note Principal.

WHEREAS, the Borough of Manville requires an additional pay down payment of \$3,300.00 to meet debt service needs prior to next fiscal year; and

WHEREAS, the appropriation of the sum of \$3,300.00 was unforeseen at the time at the 2017 budget of the Borough of Manville was adopted; and

WHEREAS, this emergency appropriation is made pursuant to N.J.S.A. 40A:4-52, which permits a local unit to make an emergency appropriation, after the adoption of the budget, for a purpose which is not foreseen at the time of the adoption thereof to meet a pressing need to meet debt service needs prior to next fiscal year.

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.) An emergency appropriation in the amount of \$3,300.00 is hereby authorized pursuant to N.J.S.A. 40A:4-52 to meet a pressing need for public expenditure to meet the debt service needs prior to next fiscal year.

2.) The amount of \$3,300.00 shall be provided as a deferred charge in the 2018 budget.

3.) A certified copy of this resolution shall be filed with the Director of the Division of Local Government Services.

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-102

WHEREAS, the Borough of Manville was awarded grants from the 2015 and 2016 Somerset County Community Development Block Grant Program totally \$140,000 for Sidewalk Improvements; and

WHEREAS, bids have been solicited for said project pursuant to N.J.S.A. 40A:11-1, et seq. Local Public Law; and

WHEREAS, on May 18, 2017, nine bids were received, and after a thorough review of all bids by the Borough Engineer, Stan Schrek, P.E., he has recommended lowest responsible bidder is A Team Concrete of South River, New Jersey, in the amount of \$98,588.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Manville, in the County of Somerset, New Jersey that the bid for Sidewalk Improvements awarded to A Team Concrete, 104 George Street, South River, New Jersey in the amount of \$98,588.00.

BE IT FURTHER RESOLVED that the Mayor, Administrator and/or Borough Clerk be and are hereby authorized to execute any and all documents pertaining to this award of bid.

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

ALL PRESENT IN FAVOR PER CALL

Resolution #2017-103

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
Garrett Stewart	Certified Lifeguard Supervisor, 3+ years	6-14-17 to 9-5-17	\$13.00 per hour
Elizabeth Roche	Certified Lifeguard Supervisor 3+ years	6-14-17 to 9-5-17	\$13.00 per hour
Alec Salvatore	Certified Lifeguard Supervisor, 3+ years	6-14-17 to 9-5-17	\$13.00 per hour
Brandon Roche	Certified Lifeguard Supervisor, 2 years	6-14-17 to 9-5-17	\$12.00 per hour
Brianna Roche	Certified Lifeguard Supervisor, 2 years	6-14-17 to 9-5-17	\$12.00 per hour
Allison Cichon	Certified Lifeguard Supervisor, 2 years	6-14-17 to 9-5-17	\$12.00 per hour
Jacqueline McEvoy	Certified Lifeguard Supervisor, 2 years	6-14-17 to 9-5-17	\$12.00 per hour
Rachel Janes	Certified Lifeguard Supervisor, 2 years	6-14-17 to 9-5-17	\$12.00 per hour
Robert McEvoy	Certified Lifeguard, 3+ years	6-14-17 to 9-5-17	\$11.00 per hour
Thomas Caswell	Certified Lifeguard, 3+ years	6-14-17 to 9-5-17	\$11.00 per hour
Amber Lathi	Certified Lifeguard, 3+ years	6-14-17 to 9-5-17	\$11.00 per hour
Robert Stashek	Certified Lifeguard, 2 years	6-14-17 to 9-5-17	\$10.50 per hour
Elizabeth Poplawski	Certified Lifeguard, 2 years	6-14-17 to 9-5-17	\$10.50 per hour
Lauren Fisher	Certified Lifeguard, 2 years	6-14-17 to 9-5-17	\$10.50 per hour
Ana Zujkowski	Certified Lifeguard, 2 years	6-14-17 to 9-5-17	\$10.50 per hour
Victoria Schuyler	Certified Lifeguard, 2 years	6-14-17 to 9-5-17	\$10.50 per hour
Danny Santana	Certified Lifeguard, 1 year	6-14-17 to 9-5-17	\$10.00 per hour
Jason Guevara	Certified Lifeguard, 1 year	6-14-17 to 9-5-17	\$10.00 per hour
Matthew Rogalski	Certified Lifeguard, 1 year	6-14-17 to 9-5-17	\$10.00 per hour
Melany Solis	Certified Lifeguard, 1 year	6-14-17 to 9-5-17	\$10.00 per hour
Samantha Zuza	Certified Lifeguard, 1 year	6-14-17 to 9-5-17	\$10.00 per hour
Andrea Murillo	Certified Lifeguard, 1 year	6-14-17 to 9-5-17	\$10.00 per hour
Alex Fisher	Certified Lifeguard, 1 year	6-14-17 to 9-5-17	\$10.00 per hour
Steven Garcia	Certified Lifeguard, 1 year	6-14-17 to 9-5-17	\$10.00 per hour
Brielle Formanowski	Certified Lifeguard, 1 year	6-14-17 to 9-5-17	\$10.00 per hour
Michelle Mora	Certified Lifeguard, 1 year	6-14-17 to 9-5-17	\$10.00 per hour
Megan Harabin	CPR Guard, 3+ years	6-14-17 to 9-5-17	\$9.00 per hour
Raymond Thompson	CPR Guard, 2 years	6-14-17 to 9-5-17	\$8.75 per hour
Melissa Villalobos	CPR Guard, 2 years	6-14-17 to 9-5-17	\$8.75 per hour
Korinna Martine	CPR Guard, 1 year	6-14-17 to 9-5-17	\$8.50 per hour

Alex Abarco	CPR Guard, 1 year	6-14-17 to 9-5-17	\$8.50 per hour
Harley Mazzariello	CPR Guard, 1 year	6-14-17 to 9-5-17	\$8.50 per hour
Carley Levay	CPR Guard, 1 year	6-14-17 to 9-5-17	\$8.50 per hour
Avene Wilson	CPR Guard, 1 year	6-14-17 to 9-5-17	\$8.50 per hour
Brittney Kozlowski	CPR Guard, 1 year	6-14-17 to 9-5-17	\$8.50 per hour
Pamela Farina	CPR Guard, 1 year	6-14-17 to 9-5-17	\$8.50 per hour
Hunter Eldridge	CPR Guard, 1 year	6-14-17 to 9-5-17	\$8.50 per hour
Isabella Sanchez	CPR Guard, 1 year	6-14-17 to 9-5-17	\$8.50 per hour
Emme Vornlocker	CPR Guard, 1 year	6-14-17 to 9-5-17	\$8.50 per hour
Jennifer Colucci	Camp Counselor	6-14-17 to 9-5-17	Up to \$15/hour
Goerge Putvinski	Camp Counselor	6-14-17 to 9-5-17	Up to \$15/hour
Douglas Grimm	Camp Counselor	6-14-17 to 9-5-17	Up to \$15/hour
Erik Warren	Camp Counselor	6-14-17 to 9-5-17	Up to \$15/hour
Courtney Carr	Camp Counselor	6-14-17 to 9-5-17	Up to \$15/hour
Emme Vornlocker	Camp Counselor	6-14-17 to 9-5-17	Up to \$15/hour
Samantha Zuza	Camp Counselor	6-14-17 to 9-5-17	Up to \$15/hour
Mike deWet	Camp Counselor	6-14-17 to 9-5-17	Up to \$15/hour
Michael Tyle	Camp Counselor	6-14-17 to 9-5-17	Up to \$15/hour
Robert Snyder	Sports Instructor	6-14-17 to 9-5-17	Up to \$15/hour
Garrett Stewart	Sports Instructor	6-14-17 to 9-5-17	Up to \$15/hour
Pat DeNapoli	Sports Instructor	6-14-17 to 9-5-17	Up to \$15/hour
Elizabeth Roche	Sports Instructor	6-14-17 to 9-5-17	Up to \$15/hour

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 Acting Borough Administrator.

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-104

**RESOLUTION APPOINTING A QUALIFIED PURCHASING AGENT AND
INCREASING THE BID AND QUOTE THRESHOLD FOR THE BOROUGH OF
MANVILLE**

WHEREAS, the Borough of Manville is subject to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Local Public Contracts Law was recently amended to give local contracting units the ability to increase their bid threshold up to \$40,000.00 and quote threshold to \$6,000.00 if a Qualified Purchasing Agent is appointed, as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Michael W. Pitts Jr., possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

WHEREAS, the Borough of Manville desires to take advantage of the increased bid and quote threshold.

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 be and hereby increases its bid threshold to \$40,000.00 and Quote threshold to \$6,000.00;
2. The Borough of Manville be and hereby designates Michael W. Pitts Jr. as the Qualified Purchasing Agent to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30);
3. That in accordance with N.J.A.C. 5:34-5.2 the Business Administrator for the Borough of Manville be and is hereby authorized and directed to forward a certified copy of this resolution to the Director of the Division of Local Government Services.

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-106

**A RESOLUTION IN REGARD TO THE MAKING
OF FAIR AND OPEN APPOINTMENTS IN THE BOROUGH OF MANVILLE**

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

It does hereby determine that pursuant to N.J.S.A. 19:44A-20.5 et seq., appointments to the following offices and positions for calendar year 2017 shall be made through a fair and open process:

Flood Plain Management Consultant

BE IT FURTHER RESOLVED that the qualifications criteria on file in the Office of the Municipal Clerk, including disclosure of contributions pursuant to Borough Ordinance #2016-1169, shall be utilized in making said appointments.

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-107

1.) **WHEREAS**, several 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
244	4	Breese, Eric & Kristen	\$1,009.04	FWDSL
250	42	Gostyla, LLC	\$1,742.94	HWCS
130	29.04	Jeffrey, Erica	\$1,814.11	John Palumbo

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-108

WHEREAS, in July of 2013, a Letter of Understanding was created between the Borough of Manville and Teamsters Local Union #469 regarding Summer Hours; and

WHEREAS, Article IV of the Teamsters Local Union #469 contract was amended to include the sentence: "Summer hours shall be from 6:00 a.m. till 2:30 p.m. from Memorial Day till Labor Day."; and

WHEREAS, the Director of Public Works has recommended that the Summer Hours be utilized from June 19, 2017 to September 30, 2017 this year.

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 Department of Public Works hours will be 6:00 a.m. to 2:30 p.m. from June 19, 2017 until September 30, 2017, when their hours will return to 7:00 a.m. to 3:30 p.m.

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-109

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, New Jersey that the Director of the Division of Local Government Services approve the insertion of an item of revenue in the 2017 Clean Communities Grant in the amount of \$22,667.94 which item is now available as a revenue from the 2017 Clean Communities Grant. A copy of the grant confirmation from the State of New Jersey is attached hereto.

BE IT FURTHER RESOLVED, that a like sum of \$22,667.94 be and the same is hereby appropriated under the caption, "2017 Clean Communities Grant".

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-110

WHEREAS, in accordance with Ordinance #2012-1109, "An Ordinance to Regulate Unsafe Buildings" and Ordinance #2001-960, "Property Maintenance Code of the Borough of Manville", the Property Maintenance Officer has determined nuisances such as overgrown grass higher than 10" and rodent harborage in the way of trash and abandoned items in the yard exists at certain properties; and

WHEREAS, the Property Maintenance Officer has sent numerous notices to certain properties to abate high grass and rodent harborage nuisances, and those nuisances have not been abated to date; and

WHEREAS, Ordinance #2012-1109, **Section 8. Abatement of nuisance; correction of defect; lien against premises**, states:

The Borough Council, by resolution of its governing body, may abate a nuisance, correct a defect or put the premises in proper condition so as to comply with the requirements of any municipal ordinance or state law applicable thereto, at the cost of the owner or lessor, and expend municipal funds for such purpose and charge the same against the premises, and the amount thereof as determined by the governing body of the municipality shall be a lien against the premises.

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 properties:

Address	Block	Lot
634 Huff Avenue	177	17
1111 Gress Street	4	34

have failed to abate nuisances on the property, despite being properly noticed by the Property Maintenance Officer to abate said nuisances; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorize the Public Works Director to abate the nuisances at the listed property and to provide the cost of such minimal abatement to the Tax Collector, which shall be a lien against that property on the tax records.

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-111

WHEREAS, it has been determined that there is a need at the Department of Public Works to obtain additional clerical assistance; and

WHEREAS, the 2017 Public Works budget includes \$9,000 for the hiring of a part-time administrative clerk due to a position vacancy; and

WHEREAS, the Policy, Planning and Personnel Committee met on June 5, 2017 and recommends that the current Administrative Assistant, Violet Hall, increase her hours from 35 hours per week to 40 hours per week in lieu of hiring a part time administrative clerk; and

WHEREAS, Violet will be paid her current hourly rate for the additional hours.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey that beginning June 19, 2017, Violet Hall's hours will be increased from 35 hours per week to 40 hours per week.

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

ALL PRESENT IN FAVOR PER ROLL CALL

Mayor Onderko requested a motion to adopt Resolution #2017-105.

Councilman Skirkanish, seconded by Council President Szabo, made a motion to adopt Resolution #2017-105.

Resolution #2017-105

WHEREAS, after negotiations with Manville PBA Local No. 236, a Memorandum of Agreement for January 1, 2016 through December 31, 2019 has been drafted; and

WHEREAS, the Finance Committee and the Policy, Planning & Personnel Committee have reviewed the terms of the new agreement and recommend its approval;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey, that they hereby approve the above items and authorize the Borough Administrator to endorse the Memorandum of Agreement.

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

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

OFFICIAL REPORTS

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

- A/ Clerk's Report - May, 2017
- B/ Police Department Report - May, 2017
- C/ Code Enforcement Report - May, 2017
- D/ Board of Health Report - Animal Control - May, 2017
- E/ Board of Health Report - General - May, 2017
- F/ Board of Health Report - Registrar - May, 2017

COMMITTEE REPORTS AND COUNCIL COMMENTS

Mayor Onderko thanked the Borough Police Department for their actions during another serious accident on Main Street near the underpass. He thanked Officer Canuso, Lt. Crater, Officer Szelag, and Officer Morrison especially for their efforts. He stated that there is a week in May designated as Police Week, however, every week is Police Week. He stated that he cannot thank them enough for saving lives every day.

Mayor Onderko also read into the record a letter received from Senator Christopher "Kip" Bateman.

"Dear Mayor Onderko: I am pleased to learn from the New Jersey Department of Transportation that Manville has received \$215,000 from the Department's Municipal Aid Program funded by the Transportation Trust Fund for improvements in pedestrian safety on Kennedy Boulevard. I support the Department's commitment to continued local aid funding as part of the Transportation Trust Fund. This funding will help alleviate the costs of road improvements without impacting the local taxpayers. Please contact the legislative district office if you have any questions or need additional information. Very truly yours, Senator "Kip" Bateman.

Mayor Onderko stated that it was a significant amount of money and a very good thing. He stated that as we all pay the higher gas taxes, it's nice to get some of the money back. He also stated that he is looking forward to the graduation of Manville High School Class of 2017 on June 22nd.

Councilman Petrock, as Chairman of the Finance Committee reported that they met on June 5th to discuss the emergency appropriation of \$3,300. He stated that the money will not be taken out until the 2018 budget, and we will not touch the 2017. He also commented regarding Michael Pitts, our new CFO who has converted our payroll system from ADP to Primepoint, and the savings is already \$3,000 and has increased our customer service. He stated that our accounting systems provider is switching our general ledger software from Edmunds to Municipal Software, Inc., with a \$500-\$700 budget savings, and there's no cost to purchase the software. He stated that there is a

charge to bring the current software up to date, however many towns are doing the same. He further stated that the rollover on Bond Anticipation Notes is coming up, and we do have a deficit due to the school tax payment, however, the cash flow will improve with August tax payments.

Councilwoman Camacho, as Chairwoman of the Policy, Planning and Personnel Committee reported that they met on June 5th to discuss finalizing the PBA Contract. She stated that they will be concentrating on the DPW negotiations and will be meeting with them on June 15th. She stated that they approved the summer schedule for the Department of Public Works, which allows work to begin at 6:00 a.m. to 2:30 with a half-hour lunch break. She stated it will minimize their time outside during the heat of the day. She stated that they will be on this schedule from June 19th to October 1st. She further reported that they DPW requested a part-time clerical assistant for help with paperwork and State-mandated reports filed on a regular basis. She stated that it was decided that rather than higher another part-time assistant, they have extended the work week for the full-time secretary at the DPW since it is more cost-efficient. She commented on the recent Primary Elections.

Mayor Onderko thanked his wife, Sharon, for working on the Manville's News which has been so favorably received in the community. He stated that all past editions from January to June are available on our website. He also stated that there were two laptops in storage, and he reconditioned them and loaded them with Windows 10 for our Fire Chiefs. He also stated that the Water Company donated Toughbook computers which were given to the Fire Chiefs, since their old machines were outdated.

Council President Szabo, as Chairperson of the Public Safety Committee reported that they did not meet, however, he attended the Rescue Squad meeting. He stated that they have water rescue training and CPR courses planned. He also reported that they have a new website, and they covered the MYAL carnival last week. He stated that they will be working with the Police Department on National Night Out sometime in August. He stated that the Rescue Squad participated in the Memorial Day Parade, and they held a Pasta Dinner on Sunday attended by Council President Szabo and the Mayor. He reported that they will be covering the Kelsey Run, and they are on stand-by every day from 6 p.m. to 11 p.m., and they will be covering the Corpus Christi procession on Sunday. He stated that they have had 77 calls for May, 338 calls for the year, and 40 calls for June. He reported that the Fire Department had 25 calls for May, 12 calls for June, and 125 for the year. Council President Szabo responded to Councilwoman Camacho's comments

Councilman Skirkanish, as Chairperson of the Progress and Development Committee reported that they met on June 7th and they discussed development of the eight lots owned by the Borough on Valerie Drive. He stated they will be requesting that the Borough Engineer provide drawings of the eight lots with townhouses for the next meeting. He stated that they believe townhomes will provide \$8,000 in tax revenue per unit, and they discussed the potential to develop 20-24 units. He stated that the Committee will meet next month to discuss the drawings. He also discussed the application by Dunkin' Donuts to move further south on Main Street to a location that will

allow a drive-thru. They discussed purchase and demolition of the property to gain added and much-needed visibility to the Rustic Mall. He also reported that the Committee discussed having metered parking along Main Street and the gazebo parking lot, however, it was determined that meters would hurt the businesses on Main Street. He stated that they also discussed the two-hour parking limits on Main Street and recommended discussing with the Police Chief regarding enforcement of parking violations. He further reported that the Mayor asked if there was a legal way to tax the vehicles at Adesa to use the revenue for beautification of the Borough or other constructive purposes, and the Administrator will look into the situation as well as the creation of a Chamber of Commerce. He further reported that he attended the Policy, Planning and Personnel meeting on June 5th, and the Board of Health meeting will be held on Tuesday, June 20th at 5:30. He also reported that he marched in the Memorial Day parade.

Mayor Onderko stated that they have discussed creating a "Welcome to Manville" folder due to the many home sales. He stated he would like to see a folder presented to new residents with the DPW calendar, Community News sign-up and Chamber of Commerce information.

Councilwoman Magnani, as Chairperson of the Public Works Committee reported that the Department of Public Works cleaned up a large ash tree which fell across Dukes Parkway on May 25th. She further reported that they have been discussing using the Dukes Park for events, however, Councilman Petrone stated that the trees at Dukes Park were old. She said that within two days an old tree did fall, and the County has marked a few of the older trees, since it is a wet area. She also reported that the South Main Street Bridge Project is ongoing, and the pools will be opening on June 24th. She stated that the Public Works Department did a lot of work on the pools to get them ready for the season. She reiterated that grass drop-off is continuing. She also stated that the Memorial Day Parade was beautiful, and thanked the Rescue Squad for a great spaghetti dinner. She also reminded everyone of Manville night at the Patriot's Stadium on July 8th, and reported that Movie Night will be held at the Hillsborough Elks sponsored by Recreation, Hillsborough Elks, Manville Library, Municipal Alliance and Power Family Success Center. She stated there will be open swim, the movie, food and fun for all. She reported that pool badges are on sale, and day badges are available for visitors. She reminded everyone to get their kids enrolled in summer camps and sports. She also reported that she attended the Hillsborough Professional Association meeting and found it much different than Manville. She requested that the Borough hire a professional planner next year to improve and beautify the town. She also reported that Manville Federal Credit Union is open and offering good deals.

Councilman Petrone, as Chairman of the Buildings and Grounds Committee, thanked Administrator Bierwirth and Attorney Maciag for their assistance in preparing a letter regarding a zoning issue. He stated that the Committee has been working on site-triangle issues in intersections, and they will be reviewing the enforcement with the Administrator. He also thanked Administrator Bierwirth and Attorney Maciag for the Shopping Cart Ordinance which was introduced tonight. He noted that Walmart has stated they will be installing an electronic fence, however, the Committee feels the

Ordinance is still necessary. He also reported that the equipment for the sound system has been ordered.

Mayor Onderko asked that Councilman Petrone and his Committee discuss the list of Hazard Mitigation Projects that he provided.

Councilman Petrone also introduced our new Recreation Director, Ron Cefalone and thanked him for a great job.

PUBLIC PORTION

Attorney Maciag set forth the rules for Public Portion.

Mayor Onderko requested a motion to open the public portion.

Councilman Petrock, seconded by Councilman Skirkanish, made a motion to open the Public Portion.

All present were in favor.

Mary Jane Lisney, 131 South 3rd Avenue - commented regarding beautification of Manville and garbage on the streets and sidewalks. She also commented regarding the Yard Waste pick-ups being only once per month. She also commented that they are waiting to have their crosswalk painted, and she noticed on the corner of North 1st and Knopf Street there is a solar stop sign. She stated that they could use that at the corner of Washington and South 3rd.

Mayor Onderko and Councilwoman Magnani addressed her questions.

Maria Janucik, 720 East Frech Avenue - asked about the position of Qualified Purchasing Agent and the Shared Services Agreement with Montgomery.

Mayor Onderko and Administrator Bierwirth addressed her questions regarding the personnel we share with Montgomery.

Mrs. Janucik also asked about the townhouses mentioned in Councilman Skirkanish's report.

Mayor Onderko addressed her questions.

Marianne Shoaf, 144 South 19th Avenue - stated she was very pleased with the Borough website. She asked if there is an Ordinance limiting the number of unlicensed, unregistered, uninsured vehicles that are on someone's property.

Mayor Onderko stated that he believes there is a limit of one, and he will get her a copy of the Ordinance.

Bob Kaminski, 10 Liberty Street - commented regarding Resolution #2017-110 regarding Nuisance Properties. He commented on a property next to him that has high grass and unsafe conditions. He also asked questions about the lawsuit regarding Primary Elections.

Mayor Onderko stated that correspondence has been sent to the bank regarding condition of the property he referred to.

Ray Walsh, 26 North 17th Avenue - spoke about the Green Team of which he is a member and the projects that they are working on. He stated that the town is improving. He also mentioned that Administrator Bierwirth is a Certified Flood Plain Manager and asked what the benefit is to Manville.

Administrator Bierwirth stated that the primary benefit is the Borough's score with the Community Rating System which reduce flood insurance premiums. She stated that we are working with an Engineer who specializes in working with the CRS annually, and he believes that we can get our rating from a 7 to a 6 very easily, which would give residents a 20% reduction in flood insurance premiums. She also stated that if we can get to a rating of 5, we could get a 25% reduction. She also reported that she helped a resident obtain a LOMA (Letter of Map Amendment) which will allow him to receive reduced insurance premiums.

Mayor Onderko congratulated Administrator Bierwirth again for her efforts in studying for and passing the difficult exam and obtaining her CFM status.

Jeanette Medevielle, 150 South 19th Avenue - commented about surveillance laws and mentioned that the Police Department has no way to enforce issues dealing with surveillance cameras pointed at residents' homes. She asked if the Borough would be willing to consider an Ordinance to eliminate surveillance cameras pointed at peoples' homes. She stated she currently has three cameras facing her home which are keeping her from enjoying her backyard. She stated that her own cameras face her home, because she lives alone. She also mentioned a light-pollution Ordinance regarding flood lights that stay on all night.

Mayor Onderko stated that he will have the Borough Attorney research the surveillance issue. He also stated that we are in the process of reviewing our Land Use Ordinances that would take into account the lighting issue.

Dean Shepard, P.O. Box 222 - commented regarding the lawsuit surrounding the Primary Election, and asked the Mayor who paid the bill to defend the Borough Clerk.

Mayor Onderko stated that the taxpayers paid the bill for attorney fees.

Mary Jane Lisney, 131 South 3rd Avenue - asked if the Bridge Reconstruction on South Main Street will include dredging or widening of the Royce Brook.

Mayor Onderko stated that they were only working on the bridge. He also stated that he and Administrator Bierwirth had a meeting with the DEP, and announced that the Stony Brook Millstone Watershed Authority has worked hard to get the old Weston Mill Dam removed from the waterway, which will be done in August. He stated that they would also be removing all the sedimentation build-up behind the weir. He stated it will be good for the river, and we will continue to fight for Manville's benefit.

Administrator Bierwirth had the pleasure of working with the Police Department in Labor Negotiations. She stated that they presented extremely fair and reasonable contract amounts to consider. She stated that she commends the Police Officers for understanding the financial issues that Manville has. She thanked the Chief and all the Police Officers.

Mayor Onderko stated that his main goal is to keep Manville affordable, and he discussed the school funding crisis stating Manville is the seventh most underfunded school district in the State. He stated he will continue to fight the issue, because Manville's kids deserve better. He stated that if we receive more aid, our taxes will be stabilized and may even be lowered.

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

Councilman Petrock, 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.

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

All present were in favor.

The meeting was adjourned at approximately 8:09 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