

**REGULAR MEETING
OF THE MAYOR AND COUNCIL
SEPTEMBER 25 , 2017**

THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY, WAS HELD ON SEPTEMBER 25, 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

PROCLAMATIONS - EAGLE SCOUT AND MESOTHELIOMA

Mayor Onderko requested that Councilwoman Magnani read the Proclamation for Mesothelioma into the record.

APPROVAL OF MINUTES

Mayor Onderko requested a motion to approve the following minutes:

A/ Regular Meeting of September 11, 2017

Councilman Skirkanish, seconded by Councilman Petrock, made a motion to approve the minutes of the Regular Meeting of September 11, 2017

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

ORDINANCE - FIRST READING AND INTRODUCTION

Mayor Onderko read the Ordinance by title.

Mayor Onderko requested a motion to introduce Ordinance #2017-1191.

Council President Szabo, seconded by Councilman Petrock, made a motion to introduce Ordinance #2017-1191.

All present were in favor.

Ordinance #2017-1191

AN ORDINANCE AMENDING ARTICLE 11 OF THE LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF MANVILLE ENTITLED "FEES AND CHARGES; TRANSCRIPTS" TO REVISE THE PROCEDURES AND FEES CONTAINED THEREIN AND REPEALING ORDINANCE NO . 724

WHEREAS, pursuant to the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq, a municipality may assess fees for certain land use applications and to deposit monies in escrow with the municipality to provide for the cost of the review of said applications by the Borough's professionals; and

WHEREAS, the Borough of Manville's Land Development Ordinance of 1987 made provisions for fees and escrows in accordance with N.J.S.A. 50:55D-1 et seq; and

WHEREAS, these fees and escrows were amended pursuant to Ordinance No. 724 as approved by the Borough Council on May 28, 1991; and

WHEREAS, the Borough of Manville wishes to update the amount to be assessed for application fees and escrows under the authority vested with the municipality pursuant to N.J.S.A. 40:55D-1 et seq; and

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. 724 is hereby repealed; and

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Manville in the County of Somerset and State of New Jersey that Article 11 of the Land Development Ordinance of the Borough of Manville, entitled "Fees and Charges; Transcripts," is hereby amended as follows:

Section I.

A. Each such application or appeal before the Joint Land Use Board of the Borough of Manville shall be accompanied by payment of a fee as follows or shall be paid in a method to be determined by the Borough Council, in its sole discretion, including but not limited to payment in installments:

- 1) Escrow deposits. In addition to the initial fees or charges as elsewhere set forth, the municipal agency shall require escrow deposits in accordance with the provisions of the fee and deposit schedule set forth in Article 11 hereof. The Chief Financial Officer of the Borough shall make all of the payments to professionals

for services rendered to the Borough or approving authority for review of applications for development, review and preparation of documents, inspection of improvements or other purposes under the provisions of N.J.S.A. 40:55D-1 et seq. The application review and inspection charges shall be limited only to professional charges for review of applications, review and preparation of documents and inspections of developments under construction and for review by outside consultants, when an application is of a nature beyond the scope of the expertise of the professionals normally utilized by the Borough. The only cost that shall be added to any such charges shall be actual out-of-pocket expenses of such professionals or consultants, including normal and typical expenses incurred in processing applications and inspecting improvements.

- 2) Scope of reimbursed services. The Borough shall be entitled to be reimbursed for the review of applications, both as to completeness and as to content, for the review and preparation of documents such as, but not limited to, drafting resolutions, developer's agreements, and necessary correspondence with applicant or applicant's professionals.
- 3) Deposit of escrow funds; refunds. Deposits received from any applicant in excess of \$5,000 shall be held by the Chief Financial Officer in a special interest-bearing deposit account, and upon receipt of bills from professionals and approval of said bills as hereinafter provided for, the Chief Financial Officer may use such funds to pay the bills submitted by such professionals or experts. Applications for **development fees are nonrefundable**. The Borough shall not be required to refund an amount of interest paid on a deposit which does not exceed \$100 for the year. If the amount of interest exceeds \$100, the entire amount shall belong to the applicant and shall be refunded to him by the Borough annually or at the time the deposit is repaid or applied for the purposes for which it was deposited, as the case may be, except that the Borough may retain for administrative **expenses a sum equivalent to no more than 33 1/3% of that entire amount, which** shall be in lieu of all other administrative and custodial expenses. All sums not actually so expended shall be refunded to the applicant within 90 days of the final decision by the appropriate municipal agency with respect to such application, upon certification of the Board Secretary that such application has been finally decided.
- 4) Payments.
 - a) Each payment charged to the deposit for review of applications, review and preparation of documents and inspection of improvements shall be pursuant to a voucher from the professional which voucher shall identify the personnel performing the service, and each date the services were performed, the hours spent to one-tenth-hour increments, the hourly rate and the expenses incurred. For Borough employees, the hourly rate shall be 200% of the employee's hourly base salary which shall be established annually by ordinance. All professionals shall submit vouchers to the Chief Financial Officer of the Borough on a monthly basis in accordance with **the schedules and procedures established by the Chief Financial Officer**. The professional shall send an informational copy of all vouchers or statements submitted to the Chief Financial Officer of the Borough simultaneously to the applicant and, the municipal agency for whom said services were performed.

- b) The Chief Financial Officer shall prepare and send the applicant a statement which shall include an accounting of funds, listing all deposits, interest-earnings disbursements and the cumulative balance of the escrow account. This information shall be provided on a quarterly basis, if monthly charges are \$1,000 or less, or on a monthly basis, if monthly charges exceeded \$1,000. If an escrow account or deposit contains insufficient funds to enable the Borough or approving authority to perform required application review or improvement inspections, the Chief Financial Officer shall provide the applicant with a notice of the insufficient escrow or deposit balance. In order for work to continue on the development or the application, the applicant shall within a reasonable time period post a deposit to the account in an amount to be agreed upon by the Borough or approving authority and the applicant. In the interim, any required health and safety inspections shall be made and charged back against the replenishment of funds.
- 5) Payments required prior to issuance of permits. No zoning permits, building permits, certificates of occupancy or any other types of permits may be issued with respect to any approved application for development until all bills for reimbursable services have been received by the Borough from professional personnel rendering services in connection with such application and payment has been made.
- 6) Close-out procedures.
 - a) The following close-out procedures shall apply to all deposits and escrow accounts established under the provisions of N.J.S.A. 40:55D-1 et seq. and shall commence after the approving authority has granted final approval and signed the subdivision plat or site plan, in the case of application review escrow and deposits, or after the improvements have been approved in accordance with N.J.S.A. 40:55D-53, in the case of improvement inspection escrows and deposits.
 - b) The applicant shall send written notice by certified mail to the Chief Financial Officer of the Borough and the approving authority and to the relevant municipal professional, that the application or the improvements, as the case may be, are completed. After receipt of such notice, the relevant professional shall render a final bill to the Chief Financial Officer of the Borough within 30 days and shall send a copy simultaneously to the applicant. The Chief Financial Officer of the Borough shall render a written final accounting to the applicant on the uses to which the deposit was put within 45 days of receipt of the final bill. Any balances remaining in the deposit or escrow account including interests, in accordance with N.J.S.A. 40:55D-53.1, shall be refunded to the developer along with the final accounting.
- 7) Scope of charges. All professional charges for review of an application for development, review and preparation of documents or inspection of improvements shall be reasonable and necessary and in accordance with N.J.S.A. A. 40:55D-53(h), given the status and progress of the application or construction. **Review fees shall be charged only in connection with an application** for development presently pending before the approving authority or upon review of compliance with the conditions of approval, or review of requests for modification or amendment made by the applicant. A professional shall not review items which are subject to approval by any state governmental agency

and not under municipal jurisdiction except to the extent consultation with a state agency is necessary due to the effect of state approvals on the subdivision or site plan.

- 8) **Limitation of inspection fees.** Inspection fees shall be charged only for work shown on a subdivision or site plan or required by an approving resolution. Professionals inspecting improvements under construction shall charge only for inspections that are reasonably necessary to check the progress and quality of the work and such inspections shall be reasonably based on the approved development plans and documents.
- 9) Substitution of professionals. If the Borough retains a different professional or consultant in the place of a professional originally responsible for development application review, or inspection of improvements, the Borough or approving authority shall be responsible for all time and expenses of the new professional to become familiar with the application or the project, and the Borough or approving authority shall not bill the applicant or charge to the deposit or the escrow account for any such services.
- 10) Estimate of cost of improvements. The cost of the installation of improvements for the purposes of N.J.S.A. 40:55D-53 shall be estimated by the Municipal Engineer, based on documented construction costs for the public improvements prevailing in the general area of the Borough. The developer may appeal the Municipal Engineer's estimate to the County Construction Board of Appeals, established pursuant to N.J.S.A. 52:27D-127.
- 11) Appeals.
 - a) An applicant shall notify, in writing, the Land Use Administrator (who shall be the Borough Engineer or his or her Designee) with copies to the Chief Financial Officer, the approving authority and the professional whenever the applicant disputes the charges made by a professional for a service rendered to the Borough in reviewing applications for development, review and preparation of documents, inspection of improvements, or other charges made pursuant to N.J.S.A. 40:55D-53.2. The Land Use Administrator or their designee shall within a reasonable time attempt to remediate any disputed charges. If the matter is not resolved to the satisfaction of the applicant, the applicant may appeal to the County Construction Board of Appeals, established pursuant to N.J.S.A. 52:27D-127, any charge to an escrow account or deposit by any municipal professional or consultant or the cost of the installation of improvements estimated by the municipal engineer pursuant to N.J.S.A. 40:55D-53.4. An applicant or his authorized agent shall submit the appeal in writing to the County Construction Board of Appeals. The applicant or his authorized agent shall simultaneously send a copy of the appeal to the Borough, approving authority, and any professional whose charges are the subject of the appeal. An applicant shall file an appeal within 45 days from receipt of the informational copy of the professional's voucher required by N.J.S.A. 40:55D-53.2(c), except that if the professional has not supplied the applicant with an informational copy for the voucher, then the applicant shall file his appeal within 60 days from the receipt of the municipal statement of activity against the deposit or escrow account required by N.J.S.A. 40:55D-53.2(c). An applicant may file an appeal for an ongoing series of charges by a professional during a period not exceeding six months to demonstrate that

they represent a pattern of excessive or inaccurate charges. An applicant making use of this provision need not appeal each charge individually.

- b) Appeals shall be taken in accordance with the rules and procedures established by the County Construction Board of Appeals.
- c) During the pendency of the appeal, the Borough or approving authority shall continue to process, hear and decide the application for development and to inspect the development in the normal course and shall not withhold, delay or deny reviews, inspections, signing of subdivision plats or site plans, the reduction or the release of performance or maintenance guarantees, the issuance of construction permits or certificates of occupancy or any other approval or permit because an appeal has been filed or is pending under this subsection. The Chief Financial Officer of the Borough may pay charges out of the appropriate escrow account or deposit for which an appeal has been filed. If a charge is disallowed after payment, the Chief Financial Officer of the Borough shall reimburse the deposit or escrow account in the amount of any such disallowed charge or refund the amount to the applicant. If a charge is disallowed after payment to a professional or consultant who is not an employee of a Borough, the professional or consultant shall reimburse the Borough in the amount of any such disallowed charge. A successful appellant may receive a refund of the appeal fee.

B. Schedule of fees and escrow amounts.

- 1) Each such application or appeal shall be accompanied by payment of a fee as follows or shall be paid in a method to be determined by the Borough Council, in its sole discretion, including but not limited to payment in installments:

Schedule of Fees

Category	Application Fee	Escrow Fee
Minor subdivision, simple lot change (no variance)	\$250	\$1,500
Minor subdivision plat or minor site plan	\$200	\$1,500
Major subdivision		
a. Sketch plat	\$200	\$1,500
b. Preliminary plat	\$250 plus \$100 per lot	\$1,500
c. Final plat	\$200 plus \$50 per lot	\$1,500
Major Site Plan		
a. Preliminary approval	\$500 plus \$5 per one thousand square feet of lot area or part thereof, plus \$5 per one hundred square feet of proposed floor are or part thereof	\$3,000
b. Final approval	25% of preliminary approval fee	\$3,000
Conditional use applications	\$250 in addition to other	\$1,500

Schedule of Fees

Category	Application Fee applicable fees	Escrow Fee
Variances and appeals		
a. Appeals (N.J.S.A. 40:55D-70a)	\$200 for the first lot \$100 for each additional lot	\$1,500
b. Interpretation (N.J.S.A. 40:55D-70b)	\$200 for the first lot \$100 for each additional lot	\$1,500
c. Hardship/bulk (N.J.S.A. 40:55D-70c)	\$250 for the first lot \$100 for each additional lot, in addition to other applicable fees	\$1,500
d. Use (N.J.S.A. 40:55D-70d)	\$350 for the first lot \$100 for each additional lot, in addition to other applicable fees	\$1,500
e. Permit (N.J.S.A. 40:55D-34 & 35)	\$200	\$1,500
Simple variance (If the application involves nothing more than the erection of a fence or shed on the property of a single- or two-family residence, construction of a swimming pool accessory to a single- or two-family residence, or construction of an addition to or an alteration of a single- or two-family residence not to exceed a total of 500 square feet.)	\$75	\$750
Amended subdivision or extension of approval	50% of initial fee	50% of initial escrow
Amended site plan or extension of approval	50% of initial fee	50% of initial escrow
Informal review of a concept plan (In the event that the developer subsequently submits a preliminary application or master development plan application for the proposed development, the amount of any informal review shall be credited towards those formal application fees.)	\$50 for each meeting of Land Use Board For review by Land Use Board engineer, one-third (1/3) of conventional preliminary fee or one-third (1/3) of master development plan fee, as appropriate.	\$750
2) Payment is made in two checks. One check is to be identified as the "application fee" and the second check is to be identified as the "escrow account."		

- 3) If the fee schedule for application fees or escrow deposits is modified during the course of an application, the new application and escrow fee due and payable will be that fee which is in effect at the time the application is deemed complete.
- 4) All fees shall be paid at the time of application.
- 5) In the event the application is for more than one (1) category of relief or action, the fee shall consist of the total of the normal fees for each category of action.
- 6) Applicant shall be required to pay any extraordinary costs relating to the site plan review of conditional use approval, including engineering or other expert fees.
- 7) The Board may require the taking of testimony stenographically and having the same transcribed, the cost of which shall be borne and paid by the appellant or applicant. The Board may require a deposit to be made for such purposes as shall be reasonable under the circumstance.
- 8) Applicant shall be responsible for the publication of a decision of the governing body on an appeal in a newspaper, and shall be responsible for the actual cost of publication of same.

C. If the fee schedule for application fees or escrow deposits is modified during the course of an application, the new application and escrow fee due and payable will be that fee which is in effect at the time of decision by the Board.

Section II

Any section or subsection of the Land Development Ordinance of the Borough of Manville not specifically addressed in this Ordinance is to remain unchanged and continue with full force and effect.

Section III

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

Section IV

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 V

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law.

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

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

Mayor Onderko read Ordinance #2017-1192 by title.

Mayor Onderko requested a motion to introduce Ordinance #2017-1192.

Councilman Petrock, seconded by Councilwoman Camacho, made a motion to introduce Ordinance #2017-1192.

Ordinance #2017-1192

AN ORDINANCE OF THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY, ORDINANCE PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$23,000.00 TO FUND REVISION AND CODIFICATION OF ORDINANCES

Statement of Purpose

The purpose of this Ordinance is to authorize and appropriate to finance the cost of expenses associated with the Codification of Borough Ordinances.

WHEREAS, N.J.S.A. 40A:4-53 provides that it shall be lawful to make a special emergency appropriation to finance the cost of expenses associated with the codification of ordinances; and

WHEREAS, the amount of \$18,000.00 has been determined as the amount needed to pay for the costs for work performed by Coded Systems, LLC, for the updates to General and permanent ordinances, including Board of Health Ordinances, through June 30, 2017; and \$5,000.00 for Zoning and Land Development Ordinances to be updated through June 30, 2017; and

WHEREAS, the special emergency appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to the Act (N.J.S. 40A:4-55)

NOW, THEREFORE, BE IT ORDAINED as follows (not less than two-thirds of all governing body members affirmatively concurring):

SECTION 1. Pursuant to N.J.S.A 40A:4-53, the Borough has determined and hereby authorizes a special emergency appropriation in the amount of \$23,000.00 for revision and codification of ordinances.

SECTION 2. A certified copy of the Ordinance, as finally adopted, shall be filed with the Director of the Division of Local Government Services.

SECTION 3. 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 4. 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 5. 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 Ordinance #2017-1193 by title.

Mayor Onderko requested a motion to introduce Ordinance #2017-1193.

Council President Szabo, seconded by Councilman Petrock, made a motion to introduce Ordinance #2017-1193.

Ordinance #2017-1193

AN ORDINANCE OF THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY, ORDINANCE PROVIDING FOR THE SALE OF REAL PROPERTY NOT REQUIRED FOR PUBLIC USE, LOCATED AT BLOCK 257, LOTS 16 AND 17

Statement of Purpose

The purpose of this Ordinance is to authorize the Borough to sell real property not required for public use.

WHEREAS, the Borough of Manville is seeking to sell certain land, being Block 257, Lots 16 and 17 (the Property), not needed for public use; and

WHEREAS, "N.J.S.A. 40A:12-13 provides that "Any county or municipality may sell any real property, capital improvement or personal property, or interests therein, not needed for public use"; and

WHEREAS, "N.J.S.A. 40A:12-13 provides that:

"Notwithstanding any provision of law to the contrary, whenever any municipality intends to sell real property which is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvements thereon, it shall accord the owner or owners of any real property contiguous to such real property the right to prior refusal to purchase such land."

and

WHEREAS, "N.J.S.A. 40A:12-13(b)(5) provides that such sale may be made: "(b) At private sale, when authorized by resolution, in the case of a county, or by ordinance, in the case of a municipality, in the following cases:

(5) A sale to the owner of the real property contiguous to the real property being sold; provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; except that when there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among all such owners. Any such sale shall be for not less than the fair market value of said real property.

and

WHEREAS, upon review by the Borough Engineer it has been found that the property in question is not needed for public use, is less than the minimum size required for development under the municipal zoning ordinance, and is without any capital improvements thereon; and

WHEREAS, the minimum bid shall be at the tax assessment value of the Property, which is \$11,000.00; and

WHEREAS, upon the completion of the bidding, the highest bid may be accepted, with the Borough reserving the right to reject all bids.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Manville in the County of Somerset, New Jersey, that

SECTION 1. The Property located at:

Block 257, Lots 16 and 17

shall be set for bid at a minimum of \$11,000.00, which is the tax-assessed value of the property.

SECTION 2. The Borough Administrator and Borough Clerk, in consultation with the Borough Attorney, are hereby authorized to prepare and advertise the Bid Notice for the Property, to be sent to all contiguous property owners in accord with N.J.S.A. 40A:12-13(b)(5).

SECTION 3. 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 4. 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 5. 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

PUBLIC PORTION ON RESOLUTIONS

Mayor Onderko requested a motion to open the public portion on Resolutions #2017-152 through #2017-159.

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

All present were in favor.

Maria Janucik, 720 East Frech Avenue - had questions regarding Resolution #2017-154. She also had questions regarding Resolution #2017-159.

Mayor Onderko stated that the Local Planning Services in Trenton will assist the Borough with a new redevelopment plan, since the original is over ten years old. He stated that the service will be provided at no cost. He also stated they will begin meeting shortly, and Councilman Skirkanish as Chairperson of the Progress and Development Committee and others will work with Trenton to come up with a new plan. He also explained that Stan Schrek from Van Cleef will be working on a Redevelopment Plan for eight lots on Valerie Drive.

Administrator Bierwirth explained Resolution #2017-159.

Leonard Ogin, 1122 Gress Street - asked for an explanation of Resolution #2017-155.

Mayor Onderko addressed his questions and stated that the Borough owns the Library building and is responsible for maintenance of the buildings and grounds. He stated that the lighting is being purchased through a grant, so it will not cost the Borough any money. He also stated that Nan Peterson is the best Librarian in Somerset County.

When no one else from the public 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 #2017-152.

Councilman Skirkanish, seconded by Councilman Petrock, made a motion to adopt Resolution #2017-152.

Resolution #2017-152

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

1. Current	\$1,409,680.33
2. Water/Sewer Utility	\$104,251.96
3. General Capital	\$0.00
4. Recreation Trust	\$1,940.69
5. Other Trust	\$1,506.00
6. Dedicated Dog	\$304.00
7. Housing Trust	\$0.00
Total	\$1,517,682.98

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.

Councilwoman Camacho asked if Resolution #2017-154 was discussed in Committee.

Councilman Skirkanish stated that it was discussed in Progress and Development.

Mayor Onderko stated that this is a free service, and he initially reached out to Trenton in order to move the redevelopment plan forward without incurring any costs.

Attorney Maciag requested that Resolution #2017-159 separately.

Councilman Petrock, seconded by Councilman Skirkanish, made a motion to take Resolution #2017-159 separately.

Mayor Onderko requested a motion to adopt Resolutions #2017-153 through #2017-158.

Council President Szabo, seconded by Councilman Skirkanish, made a motion to adopt Resolutions #2017-153 through #2017-158.

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

Resolution #2017-153

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

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

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as “**MA-2018-Manville Borough-00400**” to the New Jersey Department of Transportation on behalf of Borough of Manville; and

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

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-154

MANVILLE BOROUGH RESOLUTION

**TO RETAIN PLANNING SERVICES
FROM THE DEPARTMENT OF COMMUNITY AFFAIRS
LOCAL PLANNING SERVICES**

WHEREAS, the Borough of Manville is in need of professional planning services to prepare the Rustic Mall Redevelopment Plan Amendment (“the project”); and

WHEREAS, the New Jersey Department of Community Affairs, Office of Local Planning Services (“LPS”) provides a variety of planning services at no direct cost to eligible municipalities; and

WHEREAS, the Borough of Manville is an eligible municipality and an application for services was submitted by Mayor Richard M. Onderko to Local Planning Services on May 11, 2017; and

WHEREAS, the Borough of Manville has received a Scope of Services for the project prepared by Local Planning Services (attached); and

WHEREAS, the Borough of Manville desires to accept the aforementioned Scope of Services and name Andrea L. Bierwirth, Borough Administrator, as the municipal contact person for the project; and

WHEREAS, there is no budgetary impact on the Borough of Manville for the services being provided by LPS; and

WHEREAS, the Borough of Manville does not currently have the resources to perform the services being provided by LPS nor is the Borough of Manville under contract with a professional planner to complete the project; and

WHEREAS, the Council deems the interests of the Borough of Manville will be best served by accepting the services being provided by LPS; and

WHEREAS, as a condition of receiving services from LPS, the Borough of Manville is required to form a Working Committee to guide and provide information to LPS; and

WHEREAS, the Borough of Manville is committed to the completion of this project and will assist LPS as needed;

NOW THEREFORE BE IT RESOLVED that the Borough of Manville hereby appoints Andrea L. Bierwirth, Borough Administrator, as the municipal contact and authorizes her to perform all activities necessary to accomplish the intent of this resolution; and

BE IT FURTHER RESOLVED by the Borough of Manville as follows:

1. The Borough of Manville will retain professional planning services provided by LPS and approves the attached Scope of Services for the project;
2. The Borough of Manville establishes a Working Committee to assist LPS and authorizes the Mayor or municipal designee to appoint the members of the Working Committee and/or any replacement members necessary to retain functionality of the Committee in the event of vacancies; and
3. The Borough of Manville will provide access to appropriate municipal staff, consultants and officials, meeting space, and other non-monetary resources that may be necessary to complete the project.

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-155

WHEREAS, the Borough of Manville was awarded a grant for 2016 from the Somerset County Community Development Block Grant Program in the amount of \$75,000.00 for Library Exterior Lighting; 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 September 7, 2017, seven 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 Manor II Electric, Inc., of Holmdel, New Jersey, in the amount of \$46,134.04.

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 Manor II Electric, Inc., of Holmdel, New Jersey, in the amount of \$46,134.04.

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 ROLL CALL

Resolution #2017-156

WHEREAS, Christopher Silcox has applied to become a member of the Manville Fire Department; and

WHEREAS, all required criminal history background checks and fingerprinting has been completed; and

WHEREAS, in accordance with Ordinance #2014-1153, the Mayor and Council must approve, by Resolution, membership to the Fire Department.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey that Christopher Silcox is approved as a member of the Manville Fire Department.

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-157

WHEREAS, an application for renewal was filed by Mata Holdings, LLC, d/b/a La Cascada, having an address of 500 West Camplain Road, Plenary Retail Consumption Liquor License Number 1811-32-007-012; and

WHEREAS, investigations were conducted by the Police, Health and Fire Departments and reports were made; and

WHEREAS, no objections were filed and no appearances were made by the public opposing renewal, and the licensee has obtained a Tax Clearance Certificate.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville that the Borough Clerk is hereby authorized to issue a license renewal for Mata Holdings, LLC, d/b/a/ La Cascada on September 25, 2017, with the terms and conditions set forth herein for the licensed premises, and place the seal of the Borough of Manville upon said license and to affix her signature thereon; and

BE IT FURTHER RESOLVED that this Resolution is subject to change or revision.

TERMS AND CONDITIONS FOR ALL LICENSES

1. The licensee shall, at closing time, police an area of 100' in all directions of the licensed premises, and remove any and all bottles, broken glass and debris from said area.

2. The licensee shall keep all doors and windows closed during times when entertainment or juke box music is provided. The foregoing terms and conditions of renewal shall become binding on the licensee upon approval of this resolution by the commissioner of Alcoholic Beverage Control.

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

ALL PRESENT IN FAVOR PER ROLL CALL

Resolution #2017-158

**RESOLUTION AUTHORIZING VAN CLEEF ENGINEERING TO PROVIDE
ADDITIONAL PROFESSIONAL SERVICES ASSOCIATED WITH
THE PREPARATION OF A REDEVELOPMENT PLAN
FOR CERTAIN BOROUGH LOTS LOCATED ON VALERIE DRIVE**

WHEREAS, on January 25, 2016, as a result of the fair and open procurement process, N.J.S.A. 19:44A-20.4-5 et seq., Stan Schrek of Van Cleef Engineering was appointed as the Borough's Engineer for a three-year term; and

WHEREAS, there is now the necessity for professional engineering services to perform additional professional services associated with a Redevelopment Plan for eight (8) Borough-owned lots located on Valerie Drive; and

WHEREAS, the Borough has received an acceptable proposal from Stan Schrek for the professional services necessary to create a Redevelopment Plan for the Valerie Drive lots in an amount not to exceed \$5,000.

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

1. Stan Schrek of Van Cleef Engineering, is authorized to perform the additional professional services outlined in his proposal, dated September 21, 2017, in an amount not to exceed \$5,000.00, for the preparation of a Redevelopment Plan for lots located on Valerie Drive; and
2. This Amended Contract is awarded, as a result of the Fair and Open Selection Process as "Professional Services" in accordance with N.J.S.A. 40A:11-5(1)a of the Local Public Contracts Law and the New Jersey Local Unit Pay to Play Law (N.J.S.A. 19:44A-20.4-5 et seq.) because these services will be performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law, the performance of which service requires knowledge of an

advanced type in a field of learning acquired by a prolonged formal course of specialized instructions as distinguished from general academic instruction or apprenticeship and training.

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

ALL PRESENT IN FAVOR PER ROLL CALL

Attorney Maciag noted a change to Resolution #2017-159, in the seventh “whereas” 40.1087 should be changed to \$0.1087. He requested a motion and a second to amend.

Councilman Petrock, seconded by Councilman Skirkanish, made a motion to amend the Resolution.

Mayor Onderko requested a motion to adopt Resolution #2017-159, as amended.

Councilman Petrock, seconded by Council President Szabo, made a motion to adopt Resolution #2017-159, as amended.

Resolution #2017-159

WHEREAS, the Mayor and Council are seeking to reduce electric and natural gas expenses for Borough facilities and streetlights; and

WHEREAS, the Finance Committee met on September 20, 2017 and discussed utilizing EMEX, LLC, a leading energy consulting firm, 410 Riverview Plaza, Trenton, New Jersey, to conduct a reverse auction process in procuring electricity supply service for public use from competitive suppliers through an online auction service; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the “Act”) authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

WHEREAS, Borough of Manville will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the Mayor and Council authorize the Borough Administrator and CFO to work with EMEX, LLC to conduct a reverse auction for the competitive bidding of energy costs; and

WHEREAS, for lighting electric supply services if the auction achieves a price of \$0.1099/kWh or less for a 12 month term, a price of \$0.1105/kWh or less for an 18 month term, a price of \$0.1087/kWh or less for a 24 month term; Borough of Manville may award a contract to the winning supplier for the selected term.

NOW THEREFORE BE IT RESOLVED, that the Borough Administrator of the Borough of Manville be and is authorized to execute on behalf of the Borough of Manville any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.1099/kWh or less for a

12 month term, a price of \$0.1105/kWh or less for an 18 month term, a price of \$0.1087/kWh or less for a 24 month term; Borough of Manville may award a contract to the winning supplier for the selected term.

WHEREAS, for general electric supply services, if the auction achieves a price of \$0.0488/kWh or less for a 12 month term, a price of \$0.0495/kWh or less for an 18 month term, a price of \$0.0477/kWh or less for a 24 month term; Borough of Manville may award a contract to the winning supplier for the selected term.

NOW THEREFORE BE IT RESOLVED, that the Borough Administrator of the Borough of Manville be and is authorized to execute on behalf of the Borough of Manville any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.0488/kWh or less for a 12 month term, a price of \$0.0495/kWh or less for an 18 month term, a price of \$0.0477/kWh or less for a 24 month term; Borough of Manville may award a contract to the winning supplier for the selected term.

WHEREAS, for natural gas supply services, if the auction achieves a price of \$0.625/therm or less for a 12 month term, a price of \$0.629/therm or less for an 18 month term, a price of \$0.623/therm or less for a 24 month term; Borough of Manville may award a contract to the winning supplier for the selected term.

NOW THEREFORE BE IT RESOLVED, that the Borough Administrator of the Borough of Manville be and is authorized to execute on behalf of the Borough of Manville any natural gas contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.625/therm or less for a 12 month term, a price of \$0.629/therm or less for an 18 month term, a price of \$0.623/therm or less for a 24 month term; Borough of Manville may award a contract to the winning supplier for the selected term.

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

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

OFFICIAL REPORTS

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

- A/ Clerk's Report - August, 2017
- B/ Code Enforcement Report - August, 2017

COMMITTEE REPORTS AND COUNCIL COMMENTS

Mayor Onderko thanked our First Responders for their attention to the structure fire near his home on Sunday morning. He acknowledged the quick response of Walt Wilczek, who works in Borough Hall, Ed Brygier, and Tom Woods who are all firemen, and Police Officer Craig Jeremiah and Officer Joe Buda who were on the scene. He stated that the home was saved due to the actions of our firemen and police, and the family with two children and two dogs was safe. He stated that the fire started in a recreational vehicle parked next to the garage, and there was an electrical short which caught the camper and then the house. He again thanked the members of North End Volunteer Fire Company #3 for their quick response which saved the home and the family. He stated that the Rescue Squad was on site to assist, and he also thanked the Hillsborough Fire Department and the FINDERNE Fire Department who also responded and provided mutual aid.

Mayor Onderko stated that Community Day was an enjoyable day for everyone on Saturday. He stated he is looking forward to even better events in the future, as each year it improves. He was happy to report that we had very generous donations this year, and there is a banner in the back of the room thanking the sponsors. He stated that events such as this are not possible without the community coming together, and he thanked the sponsors for their generosity.

Mayor Onderko also reported that he marched in the Basilone Day Parade in Raritan with his fellow Council Members. He stated it was great to see such patriotism on display when people are attacking our flag. He also stated that he is thankful that Hurricane Maria is going out to sea, and we have been spared a major hurricane.

Administrator Bierwirth reported that this month all Standing Committees met, and she attends all Committee meetings and prepare the reports for the Committee members. She stated that every Tuesday, there is a Department Head meeting, and they discuss the workings of Borough Hall and the community. She also reported that she attended the Land Use Board meeting on September 5th. She attends the Agenda Review and Preparation meetings. She also reported that she reviewed the Planning/Zoning and Construction fees with our Construction Code Official, Jack Tamburini, who also conducted a survey of other towns in the area. She stated that they will be reporting the findings to the Buildings and Grounds Committee. She also reported that on September 14th the initial meeting for Wreaths Across America was held, which she coordinated with officials in the area including Peter Niemiec who is our Veteran Affairs Director for Somerset County. She also reported that she has been working with Engineering on our Community Rating System Annual Recertification for 2017 for the National Flood Insurance Program. She also reported that she attended the Community Day planning meetings and worked along with the Recreation Department. She thanked Ron Cefalone, our Recreation Director, for his fantastic job. She acknowledged that Mr. Cefalone worked along with our Police Department, Department of Public Works, and the staff to put together a successful event. She also reported that in addition to the meetings, they contacted vendors and sponsors, and she was very pleased that Reading Cinemas provided a platinum sponsorship of \$1,500. She thanked the businesses in town for supporting the community. She also reported that they are

working with Tetra Tech, Inc., our consultant in Flood Mitigation on a grant to develop a system to identify properties for future buyouts. She also reported that on September 19th she attended the Montgomery Purple Heart Community Dedication Ceremony, and on September 14th she organized and attended the Sustainable Manville meeting. She stated that they meet on a monthly basis and discussed rain barrels and their Community Day participation. She also reported that she attended and worked at Community Day. She stated that her duties include supervision of staff, payroll review, and review of Manville's News. She also reported that negotiations with Teamsters has been settled and the Memorandum of Agreement has been signed and the Contract is official.

Councilman Petrock, as Chairman of the Finance Committee reported that he reviewed the Emex Agreement for Utility Auction and Codification of Ordinances. He stated that his committee met with representatives of both firms and he has information to share if anyone would like to review it. He spoke about Codification stating that it will be a great benefit to the Borough. He also reported that Michael Pitts, the Chief Financial Officer provided an update for the conversion of the Finance program software, which will go live on October 1st. He also reported that the OEM is in need of a laptop for training purposes, and three quotes have been received and money has been budgeted for this equipment.

Councilwoman Camacho, as Chairwoman of the Policy, Planning and Personnel Committee reported that they are scheduled to meet on October 3rd. She reported that she attended the Flood Mitigation meeting on September 20th as a member of the Buildings and Grounds Committee regarding the 2018 FMA Planning Grant and to discuss property ranking criteria. She also reported that she worked at Community Day and along with Councilman Skirkanish cooked 518 hamburgers. She thanked Ron Cefalone and his Department, Jean Weber and Kim Monto for all their work, as well as all the volunteers who helped and those who donated. She stated it was a tremendous success. She also reported that she marched in the Basilone Parade.

Councilman Skirkanish, as Chairperson of the Progress and Development Committee reported that they met to discuss the future sale of eight Borough-owned lots on Valerie Drive, and Stan Schrek provided a drawing of proposed townhomes. He reported that the Committee requested that the Resolution allowing Mr. Schrek to prepare a Redevelopment Plan for the lots. He stated with a Redevelopment Plan in place, a Developer will be able to see what he is working with. He also reported that the State Planning Services from the Department of Community Affairs will be working with the Borough to assist with the Redevelopment Plan for Rustic Mall. He reported that the Committee supported their assistance, and it was agreed that the Resolution would be placed on the Agenda for tonight's meeting. He reported that the Committee also discussed the swap of land from Manville Avenue with the Green Acres Land near the Library, and the Committee has agreed to discuss this further. He stated that they also discussed a new Chamber of Commerce for Manville Businesses and asked if Shirley Perlinski will reach out to businesses and follow up with Michael Kerwin of the Somerset Business Partnership on the process. He also reported as Liaison to the Board of Health that they did not meet due to lack of a quorum. He also reported that he

attended the Public Safety Meeting, the MIA/POW meeting at the VFW, and Community Day. He also reported that he marched in the Basilone Parade in Raritan.

Mayor Onderko apologized to Council President Szabo and stating that he forgot to recognize him in the audience at the MIA/POW Ceremony. He also informed the public that the Purple Heart Ceremony in Montgomery was quite moving. He stated that Jack Tamburini, our Code Enforcement Officer received a Purple Heart for Vietnam.

Council President Szabo, as Chairperson of the Public Safety Committee reported that they met on September 18th and discussed traffic on Knopf Street and speeding. He stated that the Committee was not in favor of installing speed bumps. The Committee also discussed South 13th and Washington and agreed to install a "do not block" sign, and it will be reviewed at the next meeting. He also reported that they discussed the Lost Valley tunnel entrance, and Councilwoman Magnani requested a white stop line, which was painted by the Department of Public Works. They will continue to monitor the situation. He also stated that he has nine pages of accidents which occurred in the Borough if anyone would like to review them. He also reported that he attended the dedication of the Veteran's Memorial Monument in Raritan, he participated in the MIA/POW Services at the VFW, attended Community Day, and marched in the Basilone Parade.

Councilwoman Magnani, as Chairperson of the Public Works Committee reported that New Jersey American Water is performing work on Marian and St. John Streets, and final paving is completed. They will also be replacing mains on South 8th between Roosevelt and Camplain Road. She reported that they are performing blacktop repairs and have been working on South 8th and Bleacher. She reported that milling and patching is being done, weather permitting. She also reported that Community Day was a great success. She thanked Ron Cefalone, Jean Weber, and Kim Monto for their planning, volunteers for the execution, and the Department of Public Works for the setup and cleanup. She reported that pavement striping on Kyle Street and sidewalk improvements near Weston School have been completed. She reported that routine mowing is being completed on vacant and Blue Acres lots, as well as ball field maintenance. She also reported that the first stage of the County Bridge Project on South Main Street is still in progress. She reported that the final day for grass drop-off is October 14th. She acknowledged that Mr. Reed came to her with his idea of the lines in front of the tunnel. She also announced that the North End Volunteer Fire Company #3 will be holding a fundraiser on the 28th at Applebee's from 11 a.m. to 9 p.m., and residents should tell the servers they are there for the Fire Company fundraiser. She also reported that she attended the Public Safety Meeting, the Buildings and Grounds meeting, and the Recreation Department meeting, as well as the Basilone Parade. As Liaison to the Recreation Committee she reported that adult basketball is open in the High School gym from 6 p.m. to 8 p.m. for nine weeks and they are looking for women to play as well. She reported that they are holding Fall Aerobics at the Library for Seniors on Fridays and the Adult Walking Program at the High School will begin in October. She also reported that Get Fit Aerobic Boot Camp will be held at the VFW in October. She made everyone aware of the great job Ron Cefalone did on Community Day, and she asked that everyone be more positive. She reported that the Borough had \$6,451 monetary sponsorship for Community Day, as well as \$3,000 in food donations, totaling

\$11,951. She stated our total surplus was \$6,700 thanks to Ron, Kim, Jean, and all the volunteers. She reported that Halloween will be taken over by the P.T.A., and the Christmas Tree Lighting will be held on December 2nd. She reported that Breakfast with Santa will be held on December 8th, and Nan Peterson at the Library will be helping with Letters to Santa. She reported that the Winter Programs are open, and she thanked the Manville Arts Council who work with all our children, and she thanked them for all their good work.

Councilman Petrone, as Chairperson of the Buildings and Grounds Committee reported that they are addressing issues with residents storing property on Borough grounds. He also reported that they are working with Jack Tamburini on an unsafe building structure. He also reported that they are working with Walter Wilczek on the site triangles in town, as well as some Zoning issues he is working on as advised by Councilwoman Camacho. He thanked the cleaning staff from the Board of Education, and the new employee is doing a wonderful job keeping all the Borough Buildings clean. As Liaison to the Library Advisory Board he reported that the Town Wide Yard Sale is scheduled for October 7th, and residents can still register at the Library. He reported that the air conditioning is operating, and he also reported that the County gives back about \$26,000 per year to offset the Public Service bills for the Library. He also reported that the Library also services Weston School and Roosevelt School. He also reported as a member of the Shade Tree Commission that they received quotes for additional trees, and Sahara Restaurant has purchased cherry blossom trees for North Main Street in front of their building. He reported that they will be performing fall planting, and some of the members will be attending the workshop for credits to receive grants. He also reported that he attended the Basilone Parade and Community Day. He thanked Ron Cefalone and his staff for their excellent job, and he stated they had a very good time.

Councilman Petrock stated that he has been the one who has been requesting speed bumps and assistance with speeding concerns. He asked why the Public Safety has made the decision not to add speed bumps and stop signs, since he believes it is a very big safety concern.

Mayor Onderko stated that they will continue to monitor the situation.

Mayor Onderko also mentioned the issue of abandoned properties, and asked Councilman Petrone if there was any pressure they could put on the Banks to get them reoccupied so they are not vacant. He also stated that our schools system is bursting at the seams, and single-family homes are turning into boarding houses. He asked how the occupancy of the homes can be reduced to assist the school system. He thanked our Borough Attorney Maciag for contacting Trenton to see if there is a level of enforcement for the multi-family issue.

Councilwoman Camacho stated that there are Ordinances that can be put in place that restrict occupancy per square footage. She stated there are other municipalities in the State that enforce this type of Ordinance.

Attorney Maciag stated that he is meeting with the Department of Community Affairs on Thursday to discuss this issue.

Councilman Petrone stated that he would like to drive through town with the Director of Public Works and the Zoning Officer to make a list of properties to discuss with the Buildings and Grounds Committee. He stated he will get the permission of the Administrator to do this, and he welcomes anyone else on the Committee to join as well.

Administrator Bierwirth approved Councilman Petrone's request and informed him that she has found a website that identifies the location of abandoned properties which will assist in tracking. She and Councilman Petrone also acknowledged that Lisa Gerickont, our Tax Collector, does a great job in helping to identify the properties with the banks.

PUBLIC PORTION

Mayor Onderko requested that Mr. Maciag provide the rules for 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.

Sam Shoaf, 144 South 19th Avenue - commented that he was pleased to see the blinking stop sign on Washington. He also commented that he has seen many big trucks on side streets, and he has seen dump trucks and box trucks parked on the streets. He asked that the Police Department look into it.

Maria Janucik, 720 East Frech Avenue - asked about the Ordinance #2017-1193 for sale of Borough property.

Mayor Onderko stated that it is a landlocked piece of property on Schmidt Street.

Mrs. Janucik also asked about Ordinance #2017-1191 and who is the Land Use Administrator.

Mayor Onderko stated that they have selected the Borough Engineer, Stan Schrek, or his Designee as the Land Use Administrator.

Mrs. Janucik also asked how the annual reassessment program is progressing.

Administrator Bierwirth stated that Mr. Stives is reporting to Mr. Vance at the County on a monthly basis, and the last she heard we are about one-quarter of the way through.

Mrs. Janucik asked if anyone was helping Mr. Stives, and if so, if they had the qualifications to do so.

Administrator Bierwirth stated that Mr. Wilczek has shadowed Mr. Stives on inspections, and since Mr. Wilczek is out around the town every day, Mr. Vance had no issue with Mr. Wilczek helping. She further stated that Mr. Vance has not stated that any credentials are necessary.

Mrs. Janucik stated that she feels this program is very important and has supplied a list of questions regarding the program to the Somerset County Tax Board that will be addressed at their next meeting.

Rawle Gaskin, 16 South 10th Avenue - had a question regarding putting up a carport.

Administrator Bierwirth stated she will help him with his question after the meeting.

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.

When no one else wished to comment, 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 8:16 p.m.

ATTEST: 

Pamela Borek, Borough Clerk