

**REGULAR MEETING MINUTES
OF THE MAYOR AND COUNCIL
JUNE 26, 2023**

THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY, WAS HELD ON JUNE 26, 2023, AT 325 N. MAIN ST. IN MANVILLE, NJ 08835 AT 7:00 P.M.

MAYOR RICHARD ONDERKO PRESIDED

The Acting Borough 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: ALL PRESENT

MAYOR RICHARD ONDERKO
COUNCILMAN BRANDEN AGANS
COUNCILMAN JOSEPH DEVITO III
COUNCILMAN JOSEPH LUKAC III
COUNCILWOMAN BARBARA MADAK
COUNCILMAN RONALD SKIRKANISH
COUNCILMAN STEPHEN SZABO

Present	Absent
x	
x	
x	
x	
x	
x	
x	
x	
	x
x	

ALSO PRESENT: ALL

THADDEUS R. MACIAG, BOROUGH ATTORNEY

GP CAMINITI, BOROUGH ADMINISTRATOR-ACTING BOROUGH CLERK

TRACI DILLINGHAM, DEPUTY ADMINISTRATOR/CLERK

SALUTE TO THE FLAG AND A MOMENT OF SILENCE

Mayor Onderko led the Salute to the Flag and moment of silence.

PROCLAMATION:

Honoring Flag Day, June 14th: Mayor Onderko read the proclamation into the record.

MEETING MINUTES

A/ Regular Meeting minutes of June 12, 2023; Closed Session minutes of June 12, 2023; motion to approve and second by Councilmen Szabo and Lukac, respectively.

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	x			
		DeVito	x			
	x	Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				

Regular Meeting minutes were approved.

B/ Closed Session minutes of June 12, 2023; motion to approve and seconded by Councilmen Szabo and Lukac, respectively.

Introduced	Seconded	Council	Yes	No	Abstain	Absent
------------	----------	---------	-----	----	---------	--------

		Agans	x			
		DeVito	x			
	x	Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				

Closed Session Meeting minutes were approved.

ORDINANCES: First Reading & Introduction

A/ Ordinance #2023-1297 Sewer Charges/Adopt Equivalent Dwelling Units: motion to introduce, followed by a Roll Call.

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	x			
		DeVito	x			
	x	Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				

Ordinance #2023-1297 was introduced.

B/ Ordinance #2023-1298 Amending 2023-1298 Maximum Rates of Compensation: motion to introduce, followed by a Roll Call.

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	x			
		DeVito	x			
	x	Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				

Ordinance #2023-1298 was introduced.

ORDINANCES: Second Reading & Public Reading

A/ Ordinance #2023-1295 Manville Film-Ready Motion Picture Standards: motion to open public discussion, followed by a Roll Call.

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	x			
		DeVito	x			
	x	Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				

---no public comments---

Motion to close public discussion, followed by a Roll Call.

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	x			
		DeVito	x			
	x	Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				

Motion to adopt, followed by a Roll Call.

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	x			
		DeVito	x			
	x	Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				

Ordinance #2023-1295 was adopted.

Borough of Manville
Ordinance # 2023-1295

**An Ordinance By The Borough Of Manville
Establishing “Film-Ready” Standards
for Motion Picture Filming in the Borough**

STATEMENT OF PURPOSE

The purpose of this Ordinance is to establish Establishing “film-ready” standards for motion picture filming in the Borough.

WHEREAS, the Mayor & Council believe it to be in the best interest of the Borough of Manville to facilitate motion picture filming in the Borough and to establish standards for same

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

SECTION 1: Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

FILMING

The taking of still or motion pictures either on film or videotape or similar recording medium, for commercial or educational purposes intended for viewing on television, in theaters or for institutional uses. The provisions of this chapter shall not be deemed to include the "filming" of news stories within the municipality.

MAJOR MOTION PICTURE

Any film which is financed and/or distributed by a major motion picture studio, including but not limited to the following:

- A. Universal Pictures.
- B. Warner Brothers, including New Line Cinema, Castle Rock Cinema, Village Road Show and Bel-Aire.
- C. Paramount, including MTV Films and Nickelodeon Movie.
- D. 20th Century Fox, including Fox Searchlight.
- E. Sony/Columbia.
- F. Disney/Miramax.
- G. MGM/United Artists.
- H. Dreamworks.
- I. Any major streaming service, such as Netflix, Hulu, or Amazon Prime Video.
- J. Any film for which the budget is at least \$5,000,000.
- K. Recurrent weekly television series programming.

PUBLIC LANDS

Any and every public street, highway, sidewalk, square, public park or playground or any other public place within the municipality which is within the jurisdiction and control of the municipality.

SECTION 2: Permit required.

A. No person or organization shall film or permit filming on public or on private property where such filming involves the use of public property for the operation, placement or temporary storage of vehicles or equipment utilized in such filming, including, but not limited to, any temporary structure, barricade or device intended to restrict or block off pedestrian or vehicular traffic, without first having obtained a permit from the office of the Borough Clerk, which permit shall set forth the approved location of such filming and the approved duration of such filming by specific reference to day or dates. Said permit must be readily available for inspection by Borough officials at all times at the site of the filming.

B. All permits shall be applied for and obtained from the office of the Borough Clerk during normal business hours. Applications for such permits shall be in a form approved by the Borough Clerk and be accompanied by a permit fee in the amount established by this chapter in § 10 herein.

C. If a permit is issued and, due to inclement weather or other good cause, filming does not in fact take place on the dates specified, the Borough Clerk may, at the request of the applicant, issue a new permit for filming on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this permit.

SECTION 3: Issuance of permits.

A. No permits will be issued by the Borough Clerk unless applied for prior to three days before the requested shooting date; provided, however, that the Borough Administrator may waive the three-day period if, in his judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.

B. No permit shall be issued for filming upon public lands unless the applicant shall provide the municipality with satisfactory proof of the following:

(1) Proof of insurance coverage as follows:

(a) For bodily injury to any one person in the amount of \$500,000 and any occurrence in the aggregate amount of \$1,000,000.

(b) For property damage for each occurrence in the aggregate amount of \$300,000.

(2) An agreement, in writing, whereby the applicant agrees to indemnify and save harmless the municipality from any and all liability, expense, claim or damages resulting from the use of public lands.

(3) The hiring of an off-duty police officer for the times indicated on the permit.

C. The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Police Department with respect thereto.

SECTION 4: Interference with public activity; notice of filming.

A. The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets.

B. The holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activity on such public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three days prior to the requested shooting date and be informed that objections may be filed with the Borough Clerk, said objections to form a part of applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Borough Clerk within two days of the requested shooting date.

SECTION 5: Refusal to issue permit; employment of patrolmen and electrician.

A. The Borough Administrator may refuse to issue a permit whenever he determines, on the basis of objective facts and after a review of the application and a report thereon by the Police Department and by other Borough agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or ordinance or would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare.

B. Further, the Borough reserves the right to require one or more on-site patrolmen in situations where the proposed production may impede the proper flow of traffic, the cost of said patrolman to be borne by the applicant as a cost of production. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company does not have a licensed electrician on staff.

SECTION 6: Appeals.

A. Any person aggrieved by a decision of the Borough Administrator denying or revoking a permit or a person requesting relief may appeal to the Borough Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Borough Administrator.

B. An appeal from the decision of the Borough Administrator shall be filed within 10 days of the Borough Administrator's decision. The Borough Council shall set the matter down for a hearing within 30 days of the day on which the notice of appeal was filed. The decision of the Borough Council shall be in the form of a resolution supporting the decision of the Borough Administrator at the first regularly scheduled public meeting of the Borough Council after the hearing on the appeal, unless the appellant agrees in writing to a later date for the decision. If such a resolution is not adopted within the time required, the decision of the Borough Administrator shall be deemed to be reversed, and a permit shall be issued in conformity with the application or the relief shall be deemed denied.

SECTION 7: Waiver of requirements of chapter by Borough Administrator. The Borough Administrator may authorize a waiver of any of the requirements, provisions or restrictions of this chapter if the Borough Administrator determines that a waiver thereof may be granted without endangering the public health, safety and welfare. In determining whether to issue a waiver, the Borough Administrator shall consider the following factors:

- (1) Potential traffic congestion at the location.
- (2) The applicant's ability to remove the applicant's vehicles and equipment from the public streets or other public property.
- (3) The extent to which the applicant is requesting restrictions on the use of public streets or public parking facilities during filming.
- (4) The nature of the filming, including whether filming will take place indoors or outdoors, and the proposed hours for filming.
- (5) The extent to which the filming may affect adjoining and nearby property owners and occupants.
- (6) The Borough's prior experience with the applicant, if any.

SECTION 8: Copies of permit; inspections. Copies of the approved permit will be sent to the Police and Fire Departments before filming takes place and to the New Jersey Film Commission. The applicant shall permit the Fire Prevention Bureau or other Borough inspectors to inspect the site and the equipment to be used, if deemed necessary. The applicant shall comply with all safety instruction issued by the Fire Prevention Bureau or other Borough inspectors.

SECTION 9: Reimbursement of certain costs. In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the Borough for any lost revenue, such as parking meter revenue, repairs to public property or other revenues that the Borough was prevented from earning because of filming.

SECTION 10: Fees. The schedule of fees for the issuance of permits authorized by this chapter are as follows:

A. Basic filming permit: \$100. Where an applicant requests a waiver of the provision of Section 3A requiring expedited processing of a permit application within 24 hours of the filming date, the basic filming permit fee for processing the application on an expedited basis shall be \$150

B. Daily filming fee payable in addition to the basic filming permit when filming entirely on public property: \$200 per day.

C. Daily filming fee payable for major motion picture when filming entirely on public property: \$1,000 per day.

D. Filming permit for nonprofit applicants filming for educational purposes, including student films (no daily rate required): \$25.

E. Filming on private property: no daily filming fee will be imposed

SECTION 11: Violations and penalties. Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$2,000, imprisonment in the county/municipal jail for a term not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof as determined by the Municipal Court Judge. Each day on which a violation of an ordinance exists shall be considered a separate and distinct violation and shall be subject to imposition of a separate penalty for each day of the violation as the Municipal Court Judge may determine.

SECTION 12. Authorization. The Mayor, Council, Borough Administrator, and such Borough employees and staff as the Borough Administrator may designate, are hereby authorized and directed to take such steps as are necessary to effectuate the purposes of this Ordinance.

SECTION 13: Repealer. Any prior Ordinance of the Borough of Manville, or any article, section, paragraph, subsection, clause, or other provision of any such prior Ordinance, which is inconsistent with the provisions of this Ordinance, is hereby repealed, or temporarily repealed as applicable, to the extent of such inconsistency.

SECTION 14: Severability. In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by any Court of competent jurisdiction, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective; such holding 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 5: Inconsistency with other Ordinances. Should any provision of this ordinance be inconsistent with the provisions of any other prior ordinances, or shall be inconsistent with any article, section, paragraph, subsection, clause, or other provision of any prior ordinances, the inconsistent provisions of such other prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

SECTION 6: Effective Date. This ordinance shall be effective immediately after final adoption and publication in accordance with law.

Borough of Manville,

Richard M. Onderko, Mayor

B/ Ordinance #2023-1296 Capital Appropriations for 2023 Municipal Budget: motion to open public discussion, followed by a Roll Call.

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	x			
		DeVito	x			
	x	Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				

---no public comments---

Motion to close public discussion, followed by a Roll Call.

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	x			
		DeVito	x			
	x	Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				

Motion to adopt, followed by a Roll Call.

Introduced	Seconded	Council	Yes	No	Abstain	Absent
	x	Agans	x			
		DeVito	x			
		Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				

Ordinance #2023-1296 was adopted.

Borough of Manville

Ordinance # 2023-1296

AUTHORIZING AS A GENERAL IMPROVEMENT THE ACQUISITION OF CERTAIN VEHICLES & EQUIPMENT BY MANVILLE BOROUGH AND APPROPRIATING \$500,000.00 THEREFORE FROM THE "CAPITAL IMPROVEMENT FUND" OF SAID BOROUGH

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

Section 1. Manville Borough in Somerset County (hereinafter referred to as "Municipality") is hereby authorized to acquire the following equipment for Manville Borough and make the following improvements to Manville Borough facilities:

A. POLICE		
	MDTs, Radar Units, Computer Server, Other Equipment	\$50,000.00
B. RECREATION		
	Holiday Lights, Basketball Court Patchwork, Other Equipment	\$28,000.00
C. FIRE / OEM		
	Fire & OEM Vehicles	\$135,000.00
D. DEPARTMENT OF PUBLIC WORKS		
	Garbage Truck	\$287,000.00

Section 2. The work, acquisitions or improvements authorized by Section 1. of this Ordinance (the estimated cost of which is noted opposite each item of work, acquisition, or improvement) shall be undertaken as a general improvement, the entire cost of which shall be contributed and borne by the Municipality as a general expense, and no part of said cost shall be specially assessed against any property. The estimated cost noted opposite each item of work, acquisition or improvement is not to be interpreted as either a maximum or minimum amount to be expended for the item; however, the total cost of said items shall not exceed \$500,000.00 unless this Ordinance is amended.

Section 3. It is hereby determined and stated that the undertaking of the aforesaid work, acquisitions or improvements (hereinafter referred to as "purpose") is not a current expense of the Municipality; and that the total estimated cost of said purpose is \$500,000.00 estimated cost for each specific item having been noted in Section 1 above.

Section 4. The sum of \$500,000.00 appropriated for said purpose from the "Capital Improvement Fund" of the Municipality for said purpose as required by law and now available therefore under a budget or budgets of the Municipality previously adopted.

Section 5. The capital budget of the Municipality is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith.

Section 6. Effective Date. This ordinance shall be effective immediately after final adoption and publication in accordance with law.

Borough of Manville,

Richard M. Onderko, Mayor

PUBLIC PORTION ON RESOLUTIONS

Motion and second to open, close public discussion on Resolutions, followed by Roll Calls.

Introduced		Seconded		Council	Yes		No		Abstain	Absent
<i>Open</i>	<i>Close</i>	<i>Open</i>	<i>Close</i>		<i>o</i>	<i>c</i>	<i>o</i>	<i>c</i>		
		x		Agans	x	x				
				DeVito	x	x				
			x	Lukac	x	x				
				Madak	x	x				
				Skirkanish	x	x				
x	x			Szabo	x	x				
				Onderko						

1. Maria Janucik, 720 E. Frech Ave.: commented on resolutions #2023-137, -140, and -144 regarding garbage truck bid pricing, liquor license award to vacant building, and electrical inspector practices. No Council action was warranted or taken.

RESOLUTIONS TAKEN INDIVIDUALLY

Individual motion to approve Resolution #2023-135, Approval of Vouchers, followed by a Roll Call.

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	x			
		DeVito	x			
	x	Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				

Resolution #2023-135 was approved.



Borough of Manville
Resolution #2023-135
Approval of Vouchers

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

1. Fund 01 Current	\$359,992.22
2. Fund 07 Sewer	\$2,406.64
3. Fund 12 Trust Redemption	\$8,035.72
4. Fund 12 Escrow Trust	\$1,487.50
5. Fund 12 Lien Trust	\$20,300.00
6. Fund 12 Trust Checking	\$3,348.17
7. Fund 15 Recreation	\$13,128.56
TOTAL	\$408,698.81

After being examined by each respective committee, are hereby ordered to be paid.

ATTEST:

Richard M. Onderko, Mayor
 Borough of Manville

RESOLUTIONS BY CONSENT

Mayor Onderko requested a motion to approve Resolutions #2023-136 through #2023-144, followed by a Roll Call.

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	x			
		DeVito	x			
	x	Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				

Resolutions #2023-136 through #2023-144 were approved.



Borough of Manville
Resolution #2023-136

**Authorizing Department of Public Works to Conduct Search for
Full-Time Laborer**

WHEREAS, there is a need in the Department of Public Works (DPW) for one full-time Laborer to fill a vacancy due to retirement; and

WHEREAS, the DPW Director met with the Governing Body's DPW Committee and the Borough Administrator, and the Committee and Administrator recommend that he move forward with the job search and hiring process.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Manville, County of Somerset, and State of New Jersey that the DPW Director of the Borough be authorized to proceed with the job search and hiring for one full-time Laborer to be hired at the rate of \$24.45 per hour according to the terms of the Teamsters Local 469 contract currently in force.

ATTEST:

Borough of Manville,

Richard M. Onderko, Mayor



Borough of Manville
Resolution #2023-137

**AUTHORIZING PURCHASE OF GARBAGE TRUCK THROUGH THE SOURCEWELL
COOPERATIVE PRICING COUNCIL**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through a New Jersey State CO-OP per N.J.S.A. 40A:11-11; and

WHEREAS, Manville Borough has determined the following cooperative pricing system Sourcewell CO-OP contract # 091219-LEG has provided the Borough with the most competitive price for this item; and

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 04-215-55-901.

NOW, THEREFORE, BE IT RESOLVED By the Borough Council of Manville Borough that the purchase of a Garbage Truck at a not exceed amount of \$261,646.32 be authorized through the utilization of the Sourcewell Cooperative Pricing Council to: WITTKE Sanitation Equipment Corp., 80 Furler Street, Totowa, NJ 07512.

Borough of Manville,

Richard M. Onderko, Mayor



Borough of Manville
Resolution #2023-138
Authorizing Website Development Services with SDL

WHEREAS, the Borough of Manville recognizes the need to update the Borough website to make more information and services available to its residents and other interested parties; and

WHEREAS, the Borough currently works with multiple vendors to manage the Borough's website services and seeks to streamline and simplify these operations; and

WHEREAS, the Borough is currently working with Spatial Data Logic ('SDL') of Somerset, NJ as a service provider for municipal management software products and services; and

WHEREAS, SDL through another division of its company offers website development and maintenance services which would enable the Borough of Manville to seamlessly integrate user functions of its website with stored municipal information; and

WHEREAS, the governing body and Borough officials have reviewed options, service providers, and costs for the necessary actions and vendor requirements and have determined that Spatial Data Logic, Inc. located at 285 Davidson Ave. Suite 302, Somerset NJ 08873 has the necessary qualifications and experience to upgrade the Borough website, has provided the Borough with a satisfactory proposal, and has indicated costs less than or equal to its existing website service providers; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey, that the Borough Administrator is authorized to accept the proposal submitted by Spatial Data Logic Inc. of 285 Davidson Ave., Somerset, NJ 08873 as follows:

- 1) The proposed Services from Spatial Data Logic Inc. in the form annexed to and made a part of this Resolution, is accepted.
- 2) This contract is awarded without competitive bidding as a "Professional Service "in accordance with N.J.S.A 40:11-5(1)(a) of the Local Public Contracts Law;

- 3) The Mayor and Borough Administrator are hereby authorized to execute the attached Professional Services Agreement, as consistent with the terms of this Resolution, and not to exceed \$18,000.00.
- 5) The Chief Financial Officer shall provide a Certification of Funds.

Borough of Manville,
 Richard M. Onderko, Mayor



Borough of Manville
Resolution #2023-139
Temporary Seasonal Employee- Recreation Leader

WHEREAS, the Recreation Department is in need of support personnel for their seasonal programs (Summer 2023) ; and

WHEREAS, in accordance with Ordinance #2018-1212, these employees are now referred to as Temporary Seasonal Employees.

WHEREAS, these employees have been screened, reviewed, and approved by the Recreation Dept. and other entities in accordance with all necessary requirements for the appointments;

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, subject to approval by the Dept. of Community Affairs, Division of Local Government Services according to the terms of their Transitional Aid program.

Temporary Seasonal Employee(s): S. Sperling-Slater

Position	Rate of Pay
Recreation Leader	\$3,800.00 per season

Borough of Manville,
 Richard M. Onderko, Mayor



Borough of Manville
Resolution #2023-140

2022-2023 Liquor License Renewal-Kohinoor Mahal, LLC

WHEREAS, an application was filed for renewal of the following Plenary Consumption License:

License Name	Business Name and Address	License Number
Kohinoor Mahal, LLC	Kohinoor Mahal, LLC 729-731 South Main St.	1811-33-020-008

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 renewals.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey hereby authorize the Borough Clerk to issue license renewals for the above establishments on June 26, 2023, with the terms and conditions set forth herein for all licensed premises, and place the seal of the Borough of Manville upon said licenses 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,

Richard M. Onderko, Mayor



Borough of Manville
Resolution #2023-141

2023-2024 Liquor License Renewal-Reading Cinemas

WHEREAS, an application was filed for renewal of the following Plenary Consumption License:

License Name	Business Name and Address	License Number
Reading Cinemas NJ INC.	Reading Cinemas 180 North Main St.	1811-33-010-012

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 renewals.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey hereby authorize the Borough Clerk to issue a license renewal for the above establishment on June 26, 2023, with the terms and conditions set forth herein for all licensed premises, and place the seal of the Borough of Manville upon said licenses 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,
Richard M. Onderko, Mayor



Borough of Manville
Resolution #2022-142

2023-2024 Liquor License Renewal- Pegajoso, LLC t/a Northside

WHEREAS, an application was filed for renewal of the following Plenary Distribution License:

License Name	Business Name and Address	License Number
Pegajoso, LLC	Northside Lounge	1811-33-017-004

	100 Brooks Blvd.	
--	------------------	--

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 renewals.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey hereby authorize the Borough Clerk to issue a license renewal for the above establishment on June 26, 2023, with the terms and conditions set forth herein for all licensed premises, and place the seal of the Borough of Manville upon said licenses 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,
Richard M. Onderko, Mayor



Borough of Manville
Resolution #2023-143
2023-2024 Liquor License Renewal-Boulderdash LLC

WHEREAS, an application was filed for renewal of the following Plenary Consumption, License; and

License Name	Business Name and Address	License Number
Boulderdash, LLC	Sameh Aboelata Pocket License	1811-33-023-006

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 renewals.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey hereby authorize the Borough Clerk to issue a license renewal for the above establishment on June 26, 2023, with the terms and conditions set forth herein for all licensed premises, and place the seal of the Borough of Manville upon said licenses 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,

Richard M. Onderko, Mayor



Borough of Manville
Resolution #2023-144

Appointment of Part-Time UCC Electrical Inspector- D. Auriema

WHEREAS, there is a need to hire a temporary, part-time Electrical Sub Code Official to assist with the overflow of inspections and plan reviews submitted to the Borough's Construction Dept.; and

WHEREAS, the interview process has been completed, Donald Auriema has the necessary qualifications, and has agreed to accept the position; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey that the Borough Administrator is authorized to hire Donald Auriema at an hourly rate of \$41.00 per hour with a maximum of up to ten (10) hour per week, effective June 27, 2023, subject to approval by the Department of Community Affairs, Division of Local Government Services according to the terms of their Transitional Aid program.

NOW, BE IT FURTHER RESOLVED THAT this is a part time position and is not eligible for health benefits or paid time off.

Borough of Manville,

Richard M. Onderko, Mayor

OFFICIAL REPORTS

A/ Manville Fire Dept. Engineer's Report, May 2023

Mayor Onderko advised that a copies of the report are on file in the Clerk's Office at Borough Hall.

NEW BUSINESS

A/ Usage Application: Memorial Pool party on July 7

--Council concurred with all new business--

COMMUNICATIONS

---none---

COMMITTEE REPORTS AND COUNCIL COMMENTS

Department of Public Works: Council President Lukac reported on borough maintenance activities, brake failure on one of the garbage trucks, graffiti in Memorial Park, free organic mulch available for all residents, next meeting in July. No Council action was required or taken.

Policy, Planning & Personnel: Chairman Skirkanish reported on Board of Health and the need for a new inspector for the borough, along with hurricane preparedness activities. No Council action was required or taken.

Public Safety: Councilwoman Madak reported on new crossing guards hiring, distracted driving enforcement, new body worn cameras at MPD, new police officer hired, new breathalyzer acquired, and new emergency sirens installed in town. No Council action was required or taken.

Buildings & Grounds: Councilman Agans reported on a 6/26 meeting and property in Lost Valley to be acquired for recreation purposes. No Council action was required or taken.

Progress & Development: Councilman Szabo reported status on Valerie Villas and lots of sales activity. No Council action was required or taken.

Finance: Councilman DeVito reported on the Economic Development Committee activities, goals, and new meeting dates, now on the fourth Friday of each month starting in July. Matt Brown in the new Chairman of the EDC. No Council action was required or taken.

MAYOR'S COMMENTS

Mayor Onderko spoke about flood mitigation meeting date information for Hillsborough on Wednesday, June 28th, concerns about property taxes, graduation on 6/15, Franklin Twp. meetings to discuss warehouse developments there, and a grant awarded to us for the feasibility study of the railroad crossing at N. 13th. He also read a letter received from President Biden from Sept., 2021 which will be hung in Council Chambers. No Council action was required or taken.

PUBLIC PORTION

Mayor Onderko requested a motion to open the Public Portion. Councilman Szabo, seconded by Council President Lukac, made a motion to open the Public Portion.

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	x			
		DeVito	x			
	x	Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				

All Present Were in Favor. Borough Attorney Maciag read the disclaimer reminding residents of the rules of speaking.

1. Maria Janucik, 720 E. Frech Ave.: commented on possibility of clawing back former PD Chief Herbst's salary, status of sewer system bidding, weight limits/truck traffic on Borough streets. Council action was not warranted or taken.
2. Kelly Harrigan, 1580 N. 8th Ave.: commented on the health inspector in town, tax assessment program, and tax exempt status of Christ the King. No Council action was needed or taken.

When no one else wished to comment, Mayor Onderko requested a motion to close the public portion. Councilman Szabo, seconded by Councilman Agans made a motion to close the public portion.

All Present Were in Favor.

Mayor Onderko then requested a motion to adjourn the meeting. Councilman Szabo, seconded by Council President Lukac, made a motion to adjourn the meeting.

All Present Were in Favor.

The meeting was adjourned at approximately 7:55 p.m.

ATTEST:

GP Caminiti
Acting Borough Clerk



Borough of Manville
Ordinance # 2023-1297

An Ordinance by the Borough of Manville
Adopting an “Equivalent Dwelling Unit” Formula
for Calculating Sewer Fees

Statement of Purpose

The purpose of this Ordinance is to establish a uniform system of sewer billing in the Borough of Manville by adopting a standard “Equivalent Dwelling Unit” formula for the purpose of calculating Sewer Fees

WHEREAS, the Mayor & Council believe it to be in the best interest of the Borough of Manville to establish a uniform system of sewer billing in the by adopting a standard “Equivalent Dwelling Unit” for calculating Sewer Fees;

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

SECTION 1: The Equivalent Dwelling Unit Calculations Table attached to and made a part of this Ordinance is hereby adopted, to apply to all Sewer Bills in the Borough from January 1, 2022 to the present.

SECTION 2: Any sewer ratepayer who believes that his or her property has been over-charged relative to the attached Table may make Application to the Borough Administrator who, in consultation with the Borough Tax Collector, shall have the discretion to grant an appropriate credit on such account for the period from January 1, 2022 to present.

SECTION 2. The Mayor, Borough Administrator, and Borough Tax Collector are hereby authorized and directed to take such steps as are necessary to effectuate the purposes of this Ordinance.

SECTION 3: Repealer. Any prior Ordinance of the Borough of Manville, or any article, section, paragraph, subsection, clause, or other provision of any such prior Ordinance, which is inconsistent with the provisions of this Ordinance, is hereby repealed, or temporarily repealed as applicable, to the extent of such inconsistency.

SECTION 4: Severability. In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by any Court of competent jurisdiction, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective; such holding 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 5: Inconsistency with other Ordinances. Should any provision of this ordinance be inconsistent with the provisions of any other prior ordinances, or shall be inconsistent with any article, section, paragraph, subsection, clause, or other provision of any prior ordinances, the inconsistent provisions of such other prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

SECTION 6: Effective Date. This ordinance shall be effective immediately after final adoption and publication in accordance with law.

Borough of Manville,

Richard M. Onderko, Mayor

Attest:

GP Caminiti, Acting Clerk

INTRODUCED this 26th day of
June, 2023

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	X			
		DeVito	X			
	X	Lukac	X			
		Madak	X			
		Skirkanish	X			
X		Szabo	X			
		Onderko				

**SECOND READING AND
FINAL ADOPTION:**

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans				
		DeVito				
		Lukac				
		Madak				
		Skirkanish				
		Szabo				
		Onderko				

[ADOPTED] [DEFEATED] this day of , 2023



Borough of Manville

Equivalent Dwelling Unit Calculation Table

	USE TYPE	EDU CONVERSION
A.	Single Family Residential	1 per unit
B.	Multi Family Residential / ADU (0-2 bedrooms)'	1 per unit
C.	Multi Family Residential /ADU (3+ bedrooms)	1 per unit
D.	Motel/Hotel without spa room or pools'	0.5 per room
E.	Nursing Homes, care facilities, other similar uses'	0.33 per room
F.	Professional Office Space'	1 per 3,000 square feet
G.	Retail Merchandising'	1 per 7,500 square feet
H.	Industrial Manufacturing, low water use'	1 per 10,000 square feet
I.	Industrial Warehousing'	1 per 20,000 square feet
J.	Food Preparation, Food Sales, etc.	Projected peak monthly gallon usage divided by 7,500.
K.	Pools, spas, fountains, other water features	1 per 30,000 gallon system capacity or the proportional value thereof
L	Grass or turf areas associated with categories B through J above	1 per 1,400 square feet, or the proportional value thereof.
M.	Water Intensive Development, such as, nurseries, commercial laundries, beauty salons, dentists, etc.	Projected peak monthly gallon usage divided by 7,500/
N.	Development for which no specific provision is made.	Projected peak monthly gallon usage divided by 7,500.

Notes:

1. A developer may request a calculation under Section N in lieu of sections B through I.



Borough of Manville
Ordinance # 2023-1298

An Ordinance To Amend Ordinance #2023-1289-An Ordinance To Provide For And Determine The Two Year Annual Maximum Rates Of Compensation Of Employees Of The Borough Of Manville Not Covered By Collective Bargaining Agreements.

Statement of Purpose

The purpose of this Ordinance is to amend Ordinance #2023-1289-Ordinance to Provide for and Determine the One Year Annual Maximum rates of Compensation of Employees

WHEREAS, Ordinance #2023-1289 set the maximum rate of compensation through December 31, 2024; and

WHEREAS, Ordinance #2031-1289 has been reviewed by the Borough Administrator, Policy, Planning and Personnel Committee and the Recreation Director and determined the rates of compensations for the following positions need to be amended; and

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

1.) The annual salary and hourly rate maximums for two years ending 12/31/2024 for the employees listed below are hereby established as follows:

Position	Maximum Salary through 12/31/2024
Confidential Administrative Asst.-Clerk's/Tax/Housing Office	\$60,000.00
Tax Assessor-Part Time	\$63,138.00
Fire Inspector-Part Time	\$44.00/hr.
Board of Health/Deputy Registrar (stipend)	\$3,500.00
Notary (stipend)	\$2,000.00
Registrar (stipend)	\$10,400.00

2.) Temporary Seasonal Employees are defined as employees whose duties are considered temporary and/or seasonal in nature. All Temporary Seasonal Employees will not receive health benefits, vacation days, holidays, personal days, sick days, or any other employee benefits. Temporary Seasonal Employees may be hired for either a five- or ten-month duration, however, the Borough of Manville may at any time end the employment of a Temporary Seasonal Employee without prior notice.

Temporary Seasonal Employees
 Not to Exceed Five (5) Consecutive Months

Position	Maximum Rate of Pay through 12/31/2024

Pool Director	\$11,200.00 per season
Recreation Leader	\$3,800.00 per season

3.) There shall be no minimum rate of compensation for any of the officers and employees listed herein.

4.) 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 application of this ordinance are declared to be severable.

5.) This Ordinance shall be effective immediately upon final approval and publication in accordance with the law.

NOW, THEREFORE BE IT RESOLVED by The Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey that the maximum rates of compensation are approved as provided in the table above effective immediately following adoption of this ordinance.

Borough of Manville,

Richard M. Onderko, Mayor

Attest:

GP Caminiti, Acting Clerk

INTRODUCED this 26th day of June, 2023

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	x			
		DeVito	x			
	x	Lukac	x			
		Madak	x			
		Skirkanish	x			
x		Szabo	x			
		Onderko				

SECOND READING AND FINAL ADOPTION:

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans				
		DeVito				
		Lukac				
		Madak				
		Skirkanish				
		Szabo				
		Onderko				

[ADOPTED] [DEFEATED] this day of , 2023