

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

Manville Police Dept. Pt. John Granahan (Ret.) led the Salute to the Flag and moment of silence.

THREE PROCLAMATIONS

Honoring LGBTQ+ Pride Month: Councilman Joseph DeVito III read the proclamation into the record.

Recognizing MPD Officer J. Granahan: Mayor Richard Onderko read the proclamation into the record and presented a plaque, followed by a recess from 7:15-7:30 for photos, cake.

Honoring the Department of Public Works: Council President Joseph Lukac III read the proclamation into the record.

MEETING MINUTES

A/ Regular Meeting minutes of May 22, 2023; Closed Session minutes of May 22, 2023; Special Meeting minutes of May 25, 2023; motion to approve and seconded by Councilmen Szabo and Agans, respectively.

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

Regular Meeting minutes were approved.

B/ Closed Session minutes of May 22, 2023; motion to approve and seconded by Councilmen Szabo and Agans, respectively.

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

Closed Session Meeting minutes were approved.

C/ Special Meeting minutes of May 25, 2023; motion to approve and seconded by Councilmen Szabo and Agans, respectively.

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

Special Meeting minutes were approved.

ORDINANCES: Introduction & First Reading

A/ Introduction of Ordinance #2023-1295 Manville Film-Ready Motion Picture Standards: motion to introduce, followed by a Roll Call.

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

Ordinance #2023-1295 was introduced.

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/ Introduction of Ordinance **#2023-1296** Manville Film-Ready Motion Picture Standards: motion to introduce, 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 introduced.

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

ORDINANCES: Second Reading & Public Hearing

A/ Ordinance #2023-1294 Amending Section 31-1203 of the Borough Land Use Code: motions to open/close public discussion, followed by Roll Calls; motion to adopt, followed by a Roll Call.

Open	Seconded	Close	Seconded	Adopt	Seconded	Council	Yes			No	Abstain	Absent
	x		x		x							
						Agans	x	x	x			
						DeVito	x	x	x			
						Lukac	x	x	x			
						Madak	x	x	x			
						Skirkanish	x	x	x			
x		x		x		Szabo	x	x	x			
						Onderko						

Ordinance #2023-1294 was adopted.

Borough of Manville

Ordinance # 2023-1294

**An Ordinance by the Borough Of Manville
Amending Section 31-1203 of the Borough Land Use Code**

Statement of Purpose

The purpose of this Ordinance is to establish conditions to authorize the Borough of Manville Zoning Officer to grant permits for applications for fences, solar panels, or other property improvements projects where the application creates no additional impervious coverage.

WHEREAS, Manville residents seeking permits to repair, replace, or install fencing, solar panels, or other property improvements projects which create no additional impervious coverage, are facing hardships where the new permit is held up due to unrelated impervious coverage issues with the property; and

WHEREAS, the Mayor & Council believe it to be in the best interest of Borough of Manville to authorize the Zoning Officer to issue permits in such situations, where no additional impervious coverage is being created, and where the previous impervious coverage is within 125% of the allowed impervious coverage percentage, as set forth below;

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: Section 1203.1 of the Borough Land Use Code is hereby Amended to add a new Section 1203.1(d), to read as follows:

§1203.1(d) Where a new application for the repair, replacement, or installation of fencing, solar panels, or other property improvements projects, creates no additional impervious coverage, and where any pre-existing impervious coverage does not exceed the permitted percentage by more than 25%, the Borough Zoning Officer shall issue said permit, provided that the Zoning Officer has approved a signed written agreement with the Applicant providing for a plan to remediate the previous impervious coverage issues on the premises.

SECTION 2. The Mayor, Borough Administrator, and Borough Zoning Officer 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,

COMMENTERS

1. Maria Janucik, 720 E. Frech St.: commented on how the Ordinance treats home improvements, impervious lot coverage. No Council action was warranted or taken.

Ordinance #2023-1294 was adopted.

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

1. Kelly Harriman, 158 N. 8th Ave.: commented on the 2023 tax rate and the practice of yearly tax assessments compared to Montgomery Twp. No Council action was warranted or taken.
2. Maria Janucik, 720 E. Frech Ave.: commented on resolution #2023-124 Shared Services with Somerset County, Manville sewer connections, service for Hillsborough residents, and the need for residents to make noise to increase pressure on Trenton for more State aid. No Council action was warranted or taken.
3. Erin Resch, 119 Gary St.: commented on the number of homes in Manville and drop in ratables through non-residential properties. No Council action was warranted or taken.
4. Phil Petrone, 7 N. 11th Ave.: commented on \$30K insurance bill for EMS, mutual aid services, and coverage through Robert Wood Johnson. No Council action was warranted or taken.

RESOLUTIONS TAKEN INDIVIDUALLY

Individual motion to approve Resolution #2023-121, Adoption of 2023 Municipal Budget, followed by a Roll Call.

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

	x	Szabo	x			
		Onderko				

Resolution #2023-121 was approved.

Borough of Manville
Resolution #2023-121
ADOPTION OF THE 2023 MUNICIPAL BUDGET

BE IT RESOLVED by the Borough Council of Manville Borough, County of Somerset, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purpose stated of the sums therein set forth as appropriations, and authorization of the amount of **\$15,608,475.97** for municipal purposes and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

(1)	GENERAL REVENUES	
	Surplus Anticipated	\$ 1,770,938.00
	Miscellaneous Revenue Anticipated	\$ 3,573,365.66
	Receipts from Delinquent Taxes	\$ 400,000.00
(2)	AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES	\$9,864,172.31
	TOTAL REVENUES	\$15,608,475.97
(3)	GENERAL APPROPRIATIONS	
	Within "CAPS"	\$ 12,163,703.99
	Operations Including Contingent Excluded from "CAPS"	\$ 614,771.98
	Operations – Total Operations Excluded from "CAPS"	
	Capital Improvements	\$ 250,000.00
	Municipal Debt Service	\$ 650,000.00
	Total Deferred Charges	\$ 330,000.00
	Reserve for Uncollected Taxes	\$ 1,600,000.00
	TOTAL APPROPRIATIONS	\$15,608,475.97

ATTEST:

Richard M. Onderko, Mayor
Borough of Manville

Individual motion to approve Resolution #2023-122, Approval of Vouchers, 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				

Resolution #2023-122 was approved.

Borough of Manville
Resolution #2023-122
Approval of Vouchers

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

1. Fund 01 Current	\$1,494,327.05
2. Fund 04 Capital Checking	\$2,850.00
3. Fund 07 Sewer	\$138,299.62
4. Fund 08 Sewer Capital	\$16,401.10
5. Fund 12 Escrow Trust	\$245.00
6. Fund 12 Lien Trust	\$29,100.00
7. Fund 12 Redemption Checking Trust	\$18,720.91
8. Fund 15 Recreation	\$7,479.09
TOTAL	\$1,707,422.77

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

ATTEST:

Borough of Manville,
Richard M. Onderko, Mayor

Individual motion to approve Resolution #2023-130, Liquor License, VFW, 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				

Resolution #2023-130 was approved.

Borough of Manville
Resolution #2023-130
2023-2024 Liquor License Renewal-Veterans of Manville

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

License Name	Business Name and Address	License Number
Veterans of Manville	VFW Post 2290 600 Washington Ave.	1811-31-025-001

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 12,2023, 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

Individual motion to approve Resolution #2023-123, Closed Session, followed by a Roll Call.

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

Resolution #2023-123 was approved.

OPEN: 9:02 pm

CLOSE: 9:10 pm

Borough of Manville

Resolution #2023-123
Closed Session

BE IT RESOLVED by the Mayor and Council of The Borough of Manville, that an Executive Session of the Mayor and Council, from which the public will be excluded will be held upon adoption of this resolution for the purpose of discussing:

- Litigation Update, Personnel Matters

Exclusion of the public for this purpose (s) stated is expressly permitted by the provisions of the “OPEN PUBLIC MEETINGS ACT”, N.J.S.A. 10:4-6, et. seq. It is not anticipated that the contents of the discussion will be made known until it has been determined that disclosure of the subject matter will not adversely affect the public interest and until the Mayor and Council have adopted a Resolution so concluding.

ATTEST:

Borough of Manville,
Richard M. Onderko, Mayor

RESOLUTIONS BY CONSENT

Mayor Onderko requested a motion to approve Resolutions #2023-124 through #2023-129, #2023-131 through #2023-134, 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 #2023-124 through #2023-129, #2023-131 through #2023-134 were approved.

Borough of Manville
Resolution #2023-124

Authorizing Shared Services with Somerset County Street Sweeping Collection Facility

WHEREAS, the County of Somerset has agreed to construct and operate a street sweeping storage facility at 410 Roycefield Road, Hillsborough, NJ 08844; and

WHEREAS, the Borough of Manville through its Department of Public Works has determined a need and expressed a willingness to share services agreement with the County to utilize the street sweeping facility and pay a unit price for disposal as needed; and

WHEREAS, the County seeks to have an executed Shared Services Agreement with the Borough of Manville, along with the municipalities of Branchburg, Bridgewater, Bound Brook, Hillsborough,

Raritan, Somerville, South Bound Brook, and Watchung, so that it may apply for grant monies available and necessary for the construction of the new facility; 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 be authorized to execute the Shared Services Agreement with the Department of Public Works, County of Somerset, NJ to facilitate the construction and operation of their new Street Sweeping Storage facility.

ATTEST:

Borough of Manville,

Richard M. Onderko, Mayor

Borough of Manville
Resolution #2023-125
2023-2024 Liquor License Renewal-Apak Liquors, LLP

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

License Name	Business Name and Address	License Number
Apak Liquors, LLP	Cybert's Liquor's, Inc. 26 South Main St.	1811-44-003-006

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 12, 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 #2023-126
2023-2024 Liquor License Renewal-Boscia Liquors, t/a Camplain Liquors

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

License Name	Business Name and Address	License Number
Boscia Liquors, Inc.	Camplain Liquors 519 West Camplain Rd.	1811-44-002-005

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 12, 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 #2023-127
2023-2024 Liquor License Renewal-Legion Home of Manville

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

License Name	Business Name and Address	License Number
Legion Home of Manville, Inc.	Legion Home of Manville 429 South Main St.	1811-31-024-003

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 12, 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 #2023-128

2023-2024 Liquor License Renewal- Mark & Gina, t/a Pizza N Pasta

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

License Name	Business Name and Address	License Number
Mark& Gina's Pizza & Pasta, LLC	Pizza & Pasta 930 South Main St.	1811-33-009-005

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 12, 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 #2023-129
2023-2024 Liquor License Renewal-Manville Pizza, LLC

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

License Name	Business Name and Address	License Number
Manville Pizza, LLC.	Manville Pizza 31 South Main St.	1811-33-005-009

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 12,2023, 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 #2023-131

Refund of 2022 Tax Overpayment

WHEREAS, several real property tax payers have overpaid their real property taxes and;

WHEREAS, the Tax Collector has received proof of such payments after correspondence with said property owners;

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

<u>Block</u>	<u>Lot</u>	<u>Name of Owner</u>	<u>Amount</u>	<u>Year</u>	<u>Quarter</u>
186	12	Liloia, Melissa	\$403.00	2022	4 th

Borough of Manville,

Richard M. Onderko, Mayor

Borough of Manville
Resolution #2023-132
Refund of Bulk Variance Permit Fees- Santana

WHEREAS, a request was received from Elvin Santana for a refund for fees and costs associated with his application to the Borough's Land Use Board for a bulk variance regarding impervious coverage at his property located at Block 318, Lot 15, 93 Louise Drive, Manville NJ 08835; and

WHEREAS, the property owner has submitted the following amounts in preparation for the bulk variance hearing date before the Land Use Board, as confirmed by the Secretary to the Borough's Land Use Board:

Application Fee:	\$75.00
Courier News:	\$149.76
Certified Mail:	\$100.38
Escrow Deposit:	<u>\$750.00</u>
Total	\$1,075.14 ; and

WHEREAS, revisions to the Borough's Land Use Ordinance #2023-1294 indicate that a Bulk Use Variance is no longer required for Mr. Santana's current application and that a refund is warranted.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey that Elvin Santana is hereby granted a refund of the bulk variance permit fees as shown in the total amount of \$1,075.14.

Borough of Manville,

Richard M. Onderko, Mayor

Borough of Manville
Resolution #2023-133
Refund of Temporary Fire Permit Fee- Dan's Waffles

WHEREAS, a request for a refund for a temporary fire permit fee for a Food Truck Festival on June 17, 2023 has been received from Dan's Waffles of 7256 Githens Ave., Pennsauken, NJ 08109; and

WHEREAS, the food truck owner, Dan's Waffles, has erroneously submitted payment twice for a single permit and the receipt of both payments has been confirmed by the Borough's Fire Safety office; and

WHEREAS, the temporary fire permit fee is \$54 per event.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey that Dan's Waffles is hereby granted a refund of the duplicate permit fee submitted in the amount of \$54.00.

Borough of Manville,

Richard M. Onderko, Mayor

Borough of Manville
Resolution #2023-134

2023-2024 Liquor License Renewal-LK Group, LLC

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

License Name	Business Name and Address	License Number
LK Group, LLC	The Extra Pint 1001 West Camplain Rd.	1811-33-001-008

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 a license renewal for the above establishment on June 12, 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

OFFICIAL REPORTS

A/ Registrar'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/ Eagle Project: Mayor Onderko explained that this project disposes of used/worn/damaged flags according to the guidelines set forth in the Flag Code

B/ Memorial Pool swim tests for the Boy Scouts

--Council concurred with all new business--

Councilman DeVito made a motion to draft a letter for the Fire Dept. in support of moving forward with the acquisition of the new tower ladder truck. Council President Lukac seconded, and all concurred.

COMMUNICATIONS

---none---

COMMITTEE REPORTS AND COUNCIL COMMENTS

Department of Public Works: Council President Lukac reported on Kennedy Blvd. repaving, street sweeper repair status, one retirement at DPW, replacement of shade trees on Knopf St., and the inclusion of \$2M in the State budget for the new tower ladder truck. No Council action was required or taken.

Policy, Planning & Personnel: Chairman Skirkanish reported the outcome of two meetings, the need for replacing 2 DPW staff, the projected \$200K annual revenue generated through rental registrations, necessary adjustments to the construction and fire safety fees, and a Board of Health meeting planned for 6/19. No Council action was required or taken.

Public Safety: Councilwoman reported on signage concerns and improvements on Main St., click-it-or-ticket grant activities by the Police Dept., first responders/OEM call for volunteers, and Ptl. John Granahan's Walk-out ceremony on 5/31. No Council action was required or taken.

Buildings & Grounds: Councilman Agans reported on a meeting scheduled for 6/24 and updated on all Borough parks and the Memorial Pool Kiddie Pool resurfacing. No Council action was required or taken.

Progress & Development: Councilman Szabo reported status on Valerie Villas and certificates of occupancy due to five unit sales. No Council action was required or taken.

Finance: Councilman DeVito reported status on 'Manville Film-Ready' ordinance activities, including the database for images from locations around town, and the upcoming meeting of the Economic Development Committee on 6/13. No Council action was required or taken.

MAYOR'S COMMENTS

Mayor Onderko extended retirement wishes for Ofc. John Granahan of the Manville PD, concerns about property taxes, upcoming Manville High School Scholarship Night, MHS graduation on 6/15, Hillsborough Planning Board meetings to discuss warehouse developments there, new stormwater regulations signed into law by Governor Murphy, Narcan training at the library, and buyouts for flood-risk homes through the Dept. of Housing and Urban Development's Smart Moves program (\$30M total funds available), and the need for additional State aid for Manville. 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. Sheila Lessing, 1132 Duke's Pkwy.: commented on insurance costs for the First Aid Squad being justified. No Council action was warranted or taken.
2. Phil Petrone, 7 N. 11th Ave.: commented on the County recycling program, code enforcement reporting, conditions of Borough roadways. No Council action was needed or taken.
3. Joe Zabawa, 829 Lincoln Ave.: commented on the water quality in his home being substandard due to chemicals introduced into the system by NJ American Water. No Council action was warranted or taken.
4. Maria Janucik, 720 E. Frech Ave.: commented on safety concerns for Valerie Villas construction, pool opening date, ratables from Adesa car auction operations, truck traffic and enforcement needs in the Borough. Council action was not warranted or taken.
5. John Bentz, 548 Sidorsky St.: thanked Councilman DeVito and the Council for the support of the new fire truck. 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 9:15 p.m.

ATTEST:

GP Caminiti
Acting Borough Clerk