

Borough of Manville
Ordinance No. 2021-1264

**An Ordinance By The Borough Of Manville In The County Of Somerset, State Of New Jersey,
Amending The Borough Land Use Code
Regarding Traffic Visibility At Corner Lots And Driveways**

Statement of Purpose

The Purpose of this Ordinance is to Amend the Height Requirement of Fencing, Structures, or Planting on Corner Borough Lots to Provide Safe Traffic Visibility

WHEREAS, the Mayor and Council of the Borough of Manville (the "Borough") finds that it is in the best interest of the safety and welfare of residents of, and visitors to, the Borough to provide for traffic visibility across corner lots;

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

SECTION 1: Chapter 31, Article 4, of the Borough Land Use Code is now amended at Section 31-409, at to read as follows:

§31-409 TRAFFIC VISIBILITY AT CORNER LOTS AND DRIVEWAYS

- (A)** On any corner lot no fence, structure, or planting over 30 inches in height shall be erected or maintained within 30 feet of the intersection of the road right-of-way lines so as to interfere with traffic visibility across the corner, and no wall or fence, and no hedge, tree, shrub, or other growth shall be maintained in such a way as to cause danger to traffic on a street by obscuring the view.
- (B)** No Fence, or any other type of material shall be shall be installed on front property within 10 feet of the property line, in Residential or Commercial zones; this is intended to ensure that there will be no obstructed vision of vehicles pulling out of driveways; provided that a fence may be permitted if the fence material is made in a way that will not obscure the view of oncoming vehicles (such as open chain link fence); the height of any such fence shall not exceed 42 inches in height.

SECTION 2: Repealer:

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or other provision of any such prior Ordinance, which is inconsistent with the provisions of this Ordinance, is hereby repealed to the extent of such inconsistency.

SECTION 3: Severability

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, or is found to be inconsistent with or precluded by any overriding State Statute or Regulation, 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 4: Inconsistency with other Ordinances

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 5: Effective Date

Effective Date: This ordinance shall take effect upon its passage and publication and filing with the Somerset County Planning Board as provided by law.

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

Mayor Onderko requested a motion to introduce Ordinance #2021-1265. Councilwoman Magnani, seconded by Councilman Lukac made a motion to introduce Ordinance #2021-1265.

**ROLL CALL: AYES: PETROCK, LUKAC, MAGNANI, MAEDER, SZABO
ABSENT: ZAMORSKI**

Borough of Manville
Ordinance No. 2021-1265

**An Ordinance By The Borough Of Manville In The County Of Somerset, State Of New Jersey,
Amending Ordinance # 2021-1223 Regarding Maintenance Of Weeds And Plant Growth**

Statement of Purpose

The purpose of this Ordinance is to amend the Property Maintenance Code Ordinance #2021-1223 regarding the maintenance of weeds and plant growth.

WHEREAS, the Mayor and Council of the Borough of Manville (the "Borough") finds that it is in the best interest of the safety and welfare of residents of, and visitors to, the Borough to provide for maintenance of weeds and plant growth on properties throughout the Borough;

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

SECTION 1: Ordinance No. 2019-1223 is amended at Section 302.4 to now read as follows:
302.4 Weeds:

All premises and exterior property shall be maintained free from weeds or, plant growth in excess of Six (6) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. The Borough shall issue/post Violations of this ordinance and property owners shall have 72 hours from the date of the notice to maintained lawn to borough standards, failure to abate violation the borough shall take necessary action to protect the health and safety and well-being of the resident of the Borough and remediate the problem immediately, a Summons shall be issued for a court appearance for violation of this Ordinance.

SECTION 2: Repealer:

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 to the extent of such inconsistency.

SECTION 3: Severability

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, or is found to be inconsistent with or precluded by any overriding State Statute or Regulation, 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 4: Inconsistency with other Ordinances

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 5: Effective Date

Effective Date: This ordinance shall take effect upon final adoption, approval and publication in accordance with law.

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

Mayor Onderko requested a motion to introduce Ordinance #2021-1266. Councilwoman Magnani seconded by Councilman Lukac made a motion to adopt Ordinance #2021-1266.

**ROLL CALL: AYES: PETROCK, LUKAC, MAGNANI, MAEDER, SZABO
ABSENT: ZAMORSKI**

Borough of Manville
Ordinance No. 2021-1266

**An Ordinance By The Borough Of Manville In The County Of Somerset, State Of New Jersey,
Amending The Borough Land Use Code Regarding Procedures For Review Of Zoning
Permit Applications**

Statement of Purpose

The purpose of this Ordinance to amend the Borough Land Use Code regarding procedures for review of zoning permit applications.

WHEREAS, the Mayor and Council of the Borough of Manville (the “Borough”) finds that it is in the best interest of the Borough to provide for traffic visibility across corner lots to revise and clarify the procedures for review of Zoning Permit Applications in the Borough;

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

SECTION 1: Chapter 30, Article 12, of the Borough Zoning Land Use Code is now amended at Section 30-1203(b), to read as follows:

§ 31-1203.1 Zoning Permit.

. . . .
b. The Zoning Officer shall determine that said application conforms in all respects to the requirements of this Ordinance, where plans regarding the construction or alteration of any building or part of any building, or the change in use of any land or building or part thereof, including fence, pool, solar panel installations or any other modifications done to any building,

residential structure, or parcel of land, and an approved site/land survey are reviewed, and shall issue the zoning permit and sign and stamp all plans, and so advise the Construction Official.

SECTION 2: Repealer:

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 to the extent of such inconsistency.

SECTION 3: Severability

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, or is found to be inconsistent with or precluded by any overriding State Statute or Regulation, 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 4: Inconsistency with other Ordinances

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 5: Effective Date

Effective Date: This ordinance shall take effect upon its passage and publication and filing with the Somerset County Planning Board as provided by law.

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

PUBLIC PORTION ON RESOLUTIONS

Mayor Onderko requested a motion to open the public portion on Resolutions #2021-135 through #2021-146. Councilman Szabo, seconded by Councilman Lukac, made a motion to open the public portion on Resolutions #2021-135 through #2021-146.

All present were in favor.

Maria Janucik, 720 E. Frech Ave., Inquired as to how the 2% increase was determined for the department heads in Resolution #2021-144 and the source of funds for the purchases in Resolutions #2021-137- #2021-139.

Mayor Onderko answered her questions.

When no one from the public wished to comment, Mayor Onderko requested a motion to close the public portion on Resolutions. Councilman Szabo seconded by Councilwoman Magnani a motion to close the Public Portion on Resolution #2021-135 through #2021-146.

All present were in favor.

RESOLUTIONS- TAKEN SEPARATELY

Mayor Onderko requested a motion to adopt Resolution #2021-135. Councilman Szabo seconded by Councilman Lukac made a motion to adopt Resolution #2021-135.

**ROLL CALL: AYES: PETROCK, LUKAC, MAGNANI, ZAMORSKI
ABSENT: MAEDER, SZABO**

**Borough of Manville
Resolution #2021-135
Approval of Vouchers**

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

1. Current	\$1,354,869.38
2. Recreation Dedicated	\$4,142.86
TOTAL	\$1,359,012.24

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

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

RESOLUTIONS-BY CONSENT

Mayor Onderko asked if any Council member would like to take any resolution individually. When no one on Council replied, Mayor Onderko requested a motion to adopt Resolutions #2021-136 through Resolutions #2021-144 and Resolution #2021-146. Councilman Szabo, seconded by Councilwoman Magnani made a motion to adopt Resolutions #2021-136 through #2021-144 and Resolution #2021-146.

**ROLL CALL: AYES: PETROCK, LUKAC, MAEDER, MAGNANI, SZABO
ABSENT: ZAMORSKI**

**Borough of Manville
Resolution #2021-136**

Resolution of the Borough of Manville Authorizing the Acceptance of the State of New Jersey Department of Law and Public Safety, Office of the Attorney General SFY21 Body-Worn Camera Grant Program State Fiscal Year 2021

WHEREAS, the Borough of Manville desires to accept funding in the amount of \$46,874.00 with no match under the SFY21 Body-Worn Camera Grant Program, State Account No. BFY21-100-066-1020-495, Award Number 21-BWC-253, SubAward Period: January 1, 2021-December 31, 2025; and

WHEREAS, the Borough of Manville has reviewed the accompanying application and has approved said requests; and

WHEREAS, this project is a joint effort between the Department of Law and Safety Office of the Attorney General and the Borough of Manville Police Department for the purpose described in the application.

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

1. As a matter of public policy, Borough of Manville Police Department wishes to participate to the fullest extent possible with the Department of Law and Public Safety, Office of the Attorney General;
2. The Attorney General will receive funds on behalf of the applicant;
3. The Office of the Attorney General will be responsible for the receipt and review of the application for said funds;
4. The Office of the Attorney General will initiate allocations to each applicant as authorized.

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

Borough of Manville
Resolution #2021-137

Authorization to Purchase 2021 Roll Off Truck for Department of Public Works

WHEREAS, the existing Department of Public Works Roll Off Truck is in need of replacement; and

WHEREAS, the Finance Committee discussed and approved the purchase of a new 2021 Roll Off Truck for the Department of Public Works as stated in Ordinance #2021-1261; and

WHEREAS, the purchase is being made through State Contract Bid #ESCNJ 20/21-55, in the amount of \$199,782.41 and

WHEREAS, the funds are available and have been certified as such by the CFO.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey authorizes the purchase of a 2021 Roll Off Truck from Hudson County Motors for the chassis and Tony Sanchez, LTD for the hydraulics for a total amount of \$199,782.41.

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

Borough of Manville
Resolution #2021-138

Authorization to Purchase Two (2) 2022 Pick Up Trucks for Department of Public Works

WHEREAS, the existing Department of Public Works Pick Up Trucks are in need of replacement; and

WHEREAS, the Finance Committee discussed and approved the purchase of a two (2) new 2022 Pick Up Trucks for the Department of Public Works as stated in Ordinance #2021-1261; and

WHEREAS, the purchase is being made through MCCPC-Contract #15-C, Item #8, in the amount of \$73,034.00 and

WHEREAS, the funds are available and have been certified as such by the CFO.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey authorizes the purchase of two (2) 2022 Pick Up Trucks from Ditschman Ford/Flemington Ford in Flemington, NJ for a total amount of \$73,034.00.

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

Borough of Manville
Resolution #2021-139

Authorization to Purchase Equipment for Department of Public Works- 2021 Sand Pro

WHEREAS, the existing Department of Public Works ballfield maintenance equipment is in need of replacement; and

WHEREAS, the Finance Committee discussed and approved the purchase of a new 2021 Sand Pro for the Department of Public Works as stated in Ordinance #2021-1261; and

WHEREAS, the purchase is being made through CO-OP #65 MRESC18/19-25, in the amount of \$33,813.04, and

WHEREAS, the funds are available and have been certified as such by the CFO.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey authorizes the purchase of a 2021 Sand Pro from Storr Tractor in Branchburg, NJ in the amount of \$33,813.04.

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

Borough of Manville
Resolution #2021-140
Resolution Acknowledging The Annual Audit For The Year 2020
Of Manville Borough, Somerset County

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Borough of Manville's Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, N.J.S.A. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of N.J.S.A. 52:27BB-52, to wit:

A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, and in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

Borough of Manville
Resolution #2021-141
Temporary Seasonal Employees- Recreation

WHEREAS, the Recreation Department is in need of personnel for their seasonal programs; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey, that the following Temporary Seasonal Employees shall be hired by the Recreation Department:

First Name	Last Name	Title	Salary
Meghan	Mack	Softball & Basketball Camp Coach	\$15.00
Hannah	Janes	Softball & Basketball Camp Coach	\$12.00

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

Borough of Manville
Resolution #2021-142
Authorizing Agreement with Somerset County for CDBG Subgrant Agreement for Manville Library Improvements

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (Public Law 116-136) makes available supplemental Community Development Block Grant (CDBG) funding for grants to prevent, prepare for, and respond to coronavirus (CDBG-CV grants); and

WHEREAS, on February 9, 2021, the Somerset County Board of County Commissioners approved a Substantial Amendment to the 2019 Action Plan and authorized the submission to the U.S Department of Housing and Urban Development (HUD); and

WHEREAS, the Borough of Manville submitted a grant application for COVID-19 improvements to the Manville Public Library; and

WHEREAS, said Substantial Amendment to the Action Plan included projected funding for the aforementioned project for the Borough of Manville; and

WHEREAS, the Borough of Manville will be responsible for the administration for a project entitled Manville Public Library COVID-19 Improvements and will utilize \$114, 979.66 of Community Development Block Grant-CV Funds with no matching funds from the Borough to undertake the project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Borough of Manville, County of Somerset, and State of New Jersey that the attached agreement between the Borough of Manville and the County of Somerset regarding the Community Development Block Grant for the Manville Library Improvements is hereby approved on the terms and conditions as set forth in this attached agreement; and be it

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

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

Borough of Manville
Resolution #2021-143

**A Resolution By The Mayor & Council Of The Borough Of Manville
Requesting The Somerset County Board Of Commissioners To Revise
The Speed Limits On Main Street In The Borough Of Manville**

WHEREAS, the Mayor and Council of the Borough of Manville (the “Borough”) have received from the Borough Engineer a comprehensive 49-page study, dated May 21, 2021, entitled “Main Street Traffic Safety Study”; and

WHEREAS, the Main Street Traffic Safety Study comprised a traffic safety review of North/South Main Street in the Borough of Manville, between the approximate limits of the Raritan River to Schmidt Street; and

WHEREAS, the justification for the Main Street Traffic Safety Study was that the Mayor and Council of the Borough of Manville are concerned with resident safety due to perceived high rates of speed along Main Street and history of crashes along the roadway; and

WHEREAS, the Borough Engineer and his professional staff, in preparing the Main Street Traffic Safety Study, reviewed NJDOT traffic data, performed field observations, reviewed crash data provided by the Manville Police Department, reviewed Technical Guidance from Federal Highway Administration and New Jersey Department of Transportation, developed an itemized list of areas of concern that impact pedestrian and vehicular operations/movements along Main Street, then developed several options for the Borough considerations for safety improvements on Main Street in the Borough of Manville; and

WHEREAS, the Main Street Traffic Safety Study found that Main Street is located between the Raritan River to the North to Schmidt Street in the South, with a roadway configuration varying between either 1 to 2 lanes in each direction with portions permitting on street parking, 7 signalized intersections, 16 non-signalized intersection, present posted speed limits varying from 25 mph to 45 mph, 35 commercial/ mixed use driveways, 16 residential driveways, and sidewalks varying from 5 to 15 feet in width, or in some places no sidewalks at all; and

WHEREAS, the Main Street Traffic Safety Study found that the present Speed Limits along Main Street from Dukes parkway East to Schmidt Avenue, in an area comprising just 1.6 miles. include seven different speed limit zones, ranging, North to South, from a 35mph zone, to a 25mph zone, to a 30mph zone, to a 35mph zone to a 25 mph zone, to a 30mph zone to a 40mph zone, including zones sometimes having different northbound and southbound limits in the same block; and

WHEREAS, the Main Street Traffic Safety Study found that there were six-hundred-forty-four (644) motor vehicle crashes along Main Street from January 2016 to February 2021, including nineteen (19) crashes involving Pedestrians: and

WHEREAS, the Mayor & Council of the Borough of Manville believe that the seven varying speed limit zones along Main Street, an approximately 1.7 mile length of roadway, allows an excessive rate of speed and serves to confuse motorists and pedestrians, with the changes in speed limit every few blocks; and

WHEREAS, the Mayor & Council of the Borough of Manville therefore believe that the speed limit along Main Street should be a consistent and uniform speed limit throughout the length of the roadway, set at 25mph; and

WHEREAS, Main Street is under the jurisdiction of Somerset County, as County Road 533, on which road the Somerset County Board of Commissioners sets the speed limits;

NOW, THEREFORE BE IT RESOLVED, by the Mayor & Council of the Borough of Manville, that the Borough of Manville hereby officially requests that the Somerset County Board of Commissioners reduce the speed limit on Main Street in the Borough of Manville to a consistent and uniform Speed Limit of 25mph, in a single speed limit zone along the length of Main Street, beginning at the Raritan River, and continuing to Schmidt Avenue.

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

Borough of Manville
Resolution #2021-144

**A Resolution Authorizing the Mayor and Council to Adjust
The Salaries of Various Management Personnel for 2021**

WHEREAS, the Finance Committee and the Policy, Planning and Personnel Committee have discussed salary adjustments for various management personnel for 2021, and

WHEREAS, The Finance Committee and the Policy, Planning and Personnel Committee have recommended a 2% per annum increase for 2021, and

WHEREAS, the Municipal Budget for the Borough of Manville was adopted by the Mayor and Borough Council, 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 salary adjustments in the amount of 2% per annum for each of the employees listed below are hereby authorized, with said increases to commence and be made effective July 1, 2021.

<u>EMPLOYEE</u>	<u>EMPLOYEE POSITION</u>
Vincenzo Lomedico	DPW Director
Wendy Barras	Borough Clerk
Lisa Gerickont	Tax Collector
Ron Cefalone	Recreation Director
Patrick Renaldi	Zoning/Property Maint/Fire
John Tamburini	Construction Official

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

Borough of Manville

Resolution #2021-146
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, the aforementioned license is currently inactive and held in "pocket" for three years; and

WHEREAS, in accordance with N.J.S.A. 33:1-12.39 it is required for a liquor license owner to file a Petition 12.39 for an inactive liquor license hold in "pocket" for more than two years; and

WHEREAS, such petition was filed by the license owner, Sameh Aboelata with the N.J Alcoholic Beverage Control; and

WHEREAS, a special ruling was granted for the aforementioned license by the Alcoholic Beverage Control on November 5, 2020; 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 July 12, 2021 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.

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

OFFICIAL REPORTS

- A/Clerk's Report- June, 2021
- B/Registrar's Report-June, 2021
- C/Code Enforcement Report- June, 2021
- D/Bureau of Fire Safety Report- June, 2021
- E/Board of Health Report- June, 2021
- F/Board of Health, Animal Report- June, 2021

Mayor Onderko stated the above reports were on file in the Clerk's office.

NEW BUSINESS

A/ Block Party/ Street Closing

Martinez- Vermont Ave. at the Dead End

Mayor Onderko stated hearing no denials, all new business has been accepted.

COMMUNICATIONS

A/Letter from Boy Scout Troop #193 requesting use of Memorial Pool on August 12th for a troop pool party.

B/Letter from Christ the Redeemer Parish requesting use of a recycling and garbage dumpster for their Summer Festival.

COMMITTEE REPORTS AND COUNCIL COMMENTS

Councilman Lukac, as Chairperson of the Department of Public Works Committee stated the committee met on July 8th. Topics of discussion included re painting of pedestrian crosswalks by County contractor and a request from the Manville Seniors Club to plant their donated trees at the VFW, which the DPW has approved the request. Equipment purchases have been secured and completed. Milling and patching have been ongoing through out the Borough as well as catchbasin repair. Councilman Lukac reported there has been issues of illegal dumping at Blue and Green Acre properties.

Councilwoman Magnani, as Chairperson of Policy, Planning, and Personnel Committee stated the Committee will meet on July 19th with DPW Director LoMedico and Chief Herbst to discuss on street parking during snowstorms.

Council President Petrock, as Chairperson of the Finance Committee stated the Borough was still waiting for the tax rate to be cut, he was hopeful it would be before July 18th.

Councilwoman Maeder, as Chairperson of the Building and Grounds Committee stated the new generator for the library is still on back order. A new Air Condition unit as well as new LED lighting in the Council Room has been installed. All three Borough pools are open and being maintained daily. The Board of Health will be meeting on July 20th, the Economic Development Committee will meet on July 13th and the next scheduled Recreation meeting is August 3rd. Community Day has been scheduled for September 25th.

Councilman Szabo, as Chairperson of Progress and Development Committee reported the curb and sidewalk part of the Brooks Blvd. project will begin in August by Top Line Construction prior to the paving. NJ American Water will be paving the areas of the lower south side of town later in the summer where the water mains were replaced. The DPW committee reported that many of curbs are in disrepair. VanCleeef will need to put a bid package out for contract to replace the curbing prior to the final paving.

Mayor Onderko stated the search for a new Administrator has begun and hopes to be completed by the first meeting in September. Easement Agreements have been sent out to property owners on Main St for the Main St. Road Diet project. This project is on schedule and should begin in March of 2022. Bids for the project should start approximately towards the end of the year. Mayor Onderko reported he had a meeting with County Commissioner Director, Shanel Robinson regarding decreasing the speed on Main St from 35 mph to 25 mph.

PUBLIC PORTION

Mayor Onderko requested a motion to open the Public Portion. Councilman Szabo seconded by Councilwoman Maeder made a motion to open the Public Portion.

All present were in favor.

Phil Petrone, 7 N. 11th Ave., Inquired whether there is a charge to Christ the Redeemer Parish for use of a dumpster, why cameras were installed in the pump houses and regarding insurance for seasonal employees.

Mayor Onderko addressed his concerns.

Maria Janucik, 720 E. Frech Ave., Requested clarification regarding the Shared Service agreement with Raritan Borough for the DPW Director. She also commended Nan Peterson and her library staff for the excellent job they do at the library.

Mayor Onderko thanked her for comments.

When no one from the Public wished to speak, Mayor Onderko requested a motion to close the public portion. Councilman Szabo seconded by Councilwoman Magnani made a motion to close the public portion.

All present were in favor.

RESOLUTIONS TO BE TAKEN SEPARATELY

Clerk Barras read Resolution #2021-145 into the Public Record. Mayor Onderko requested a motion to adopt Resolution #2021-145. Councilman Szabo seconded by Councilman Lukac made a motion to adopt Resolution #2021-145.

**ROLL CALL: AYES: PETROCK, LUKAC, MAEDER, MAGNANI, SZABO
 ABSENT: ZAMORSKI**

**Borough of Manville
Resolution #2021-145
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 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.

At 7:40 pm Mayor Onderko and Council exited the Council Room for the Closed Session.

At 7:52 pm Mayor Onderko requested a motion to come out of Closed Session. Councilman Szabo seconded by Councilman Lukac made a motion to come out of Closed Session. Mayor Onderko stated there was no formal action to be taken from the Closed Session.

Mayor Onderko requested a motion to adjourn the meeting. Councilwoman Magnani seconded by Councilman Lukac made a motion to adjourn the meeting.

All present were in favor.

The meeting was adjourned at approximately 7:55 pm.

ATTEST:



Wendy Barras
Borough Clerk