



**Borough of Manville
Ordinance #2024-1309**

**AN ORDINANCE TO AUTHORIZE
THE CODIFICATION OF MANVILLE BOROUGH ORDINANCES,
AND TO PROVIDE FOR A SPECIAL APPROPRIATION FOR SAME**

Statement of Purpose

This purpose of this Ordinance is to authorize the Codification of Manville Borough Ordinances; to provide for a Special Appropriation for same; and to authorize the Chief Financial Officer to account for same

WHEREAS, the Mayor & Council have determined it to be in the best interest of the Borough for the Borough Ordinances to be codified into a Code, to be made available in the Clerk's office, and to be posted on the Borough's website in a searchable "ECode" format; and

WHEREAS, a professional vendor with experience in codification, "General Code", has submitted a satisfactory proposal, and has previously provided Codification services to nine other Somerset County municipalities; and

WHEREAS, N.J.S.A. §40:49-4 provides for the Mayor & Council to authorize the revision and Codification of all the Ordinances of the municipality, including where necessary amended and supplemented for clarity; and

WHEREAS, N.J.S.A. §40A:4-53 provides that it shall be lawful for the Borough Council to make a special appropriation to finance the cost of expenses associated with the Codification of Ordinances; and

WHEREAS, the sum of \$36,085 has been determined as the amount to pay for the cost of said codification, and whereas N.J.S.A. §40A:4-53[c] provides guidelines and authorization for the Borough Chief Financial Officer to account for this special appropriation to be provided for in

succeeding annual budgets by the inclusion of 1/5 (\$7,117) of said total expense each Budget Year for five years; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor & Council of the Borough of Manville, as follows:

SECTION 1 The proposal by General Code is accepted, and in accordance with Section 5 of this Ordinance the Mayor and Borough Administrator are authorized to execute same on behalf of the Borough.

SECTION 2 Upon completion of said Codification and the Mayor & Council voting to accept said Codification, the Mayor & Council anticipate taking further action to accept same, to provide for continuing updates as future Ordinances are adopted, to make a complete copy of the Ordinance code available for inspection at the office of the Borough Clerk, to make a copy of the Land Use Volume available for review and access on-line, and to by Resolution establish future procedures for implementing such future updates.

SECTION 3 Pursuant to N.J.S.A §40A:4-53, the Borough has determined and hereby authorizes a special emergency appropriation in the amount of \$36,085 for revision and codification of ordinances, including \$23,585, for work performed by General Code in the revision and codification of ordinances, and \$12,500 in professional fees to the municipal attorney as set forth in N.J.S.A. §40:49-4 which Statute provides that the work of revision and codification be done under the direction of the Municipal Attorney, and which statute further provides for the governing body to have the power to provide adequate compensation therefor in addition to the municipal attorney's regular compensation. Said \$35,585 shall be paid to each firm in progress payments of 20%, 20%, 30%, 20% and 10% in accord with the Progress Payments Schedule set forth in Exhibit A to this Ordinance.

SECTION 4 The Borough Chief Financial Officer is authorized to account for this special appropriation to be provided for in succeeding annual budgets by the inclusion of 1/5 of the amount (\$7,117) each budget year for five years, in accord with the provisions of

N.J.S.A. §40A:4-55[c].

SECTION 5 The Mayor and Borough Administrator, in consultation with the Borough Attorney, are hereby authorized and directed to take such actions and sign such documents as are necessary to effectuate the intent of this Ordinance.

SECTION 6 Severability: In the event that any provision of this Ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

SECTION 7 Repealer: Should there exist any inconsistency with other ordinances of the Borough, or should any provision of this ordinance be inconsistent with the provisions of any other prior ordinances, the inconsistent provisions of such other prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

SECTION 8 Purpose of Captions. The captions contained in this Ordinance have been inserted only for the purpose of facilitation reference to the various sections, and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

SECTION 9 A certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction.

SECTION 10 A certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with the Director of the Division of Local Government Services within 5 days after such adoption.

SECTION 11 The Chief Financial Officer shall provide a Certification of Funds.

SECTION 12 Effective Date: This Ordinance shall take effect after adoption, passage, and publication according to law.

Borough of Manville,
Richard M. Onderko, Mayor

Richard M. Onderko

Performance and Payment Schedule

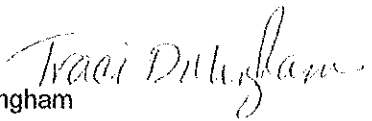
Deliverable	Delivery Date	Payment Allocation
Contract Signing	Within 30 days of contract signing	20% of total project price due
Submission of the Organizational Analysis	Within 80 days of contract signing and receipt of the materials. The Borough has 20 days for review	20% of total project price due
Submission of the Editorial and Legal Analysis with Manuscript	Within 180 days of receipt of the responses to the Organizational Analysis the Borough has 100 days for review	30% of total project price due
Submission of Draft	Within 145 days of receipt of responses to the Editorial and Legal Analysis, the Borough has 45 days to review	20% of total project price due
Delivery of the Code	Within 40 days of approval to proceed with the publication of the Code	Balance of total project price due

Performance schedule reflects only business days excluding legal holidays.

INTRODUCED this
12th day of February, 2024:

ORDINANCE # 2024-01
FIRST READING: 2/12/2024
ROLL CALL

Introduced	Seconded	Council	Yes	No	Abstain	Absent
	✓	Agans	✓			
✓		Camacho	✓			
		DeVito	✓			
		Madak	✓			
		Puia	✓			
		Skirkanish	✓			
		Onderko				

Attest: 
Traci Dillingham
Acting Borough Clerk

ADOPTED this
26th day of February, 2024:

ORDINANCE # 2024-01
SECOND READING AND FINAL ADOPTION: 2/26/2024
ROLL CALL

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		Agans	✓			
✓		Camacho	✓			
		DeVito	✓			
	✓	Madak	✓			
		Puia	✓			
		Skirkanish	✓			
		Onderko				


Attest:
Traci Dillingham
Acting Borough Clerk

ADOPTED this 26th day of February, 2024