

**REGULAR MEETING
OF THE MAYOR AND COUNCIL
JANUARY 11, 2021**

THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY, WAS HELD ON JANUARY 11, 2021 VIA ZOOM MEETING AT 7:00 P.M.

Join Zoom Meeting
<https://zoom.us/j/7918384106>
Meeting ID: 791 838 4106
Or
Dial by your location
Call-In Number: 1 929 205 6099
Meeting ID: 791 838 4106

MAYOR RICHARD ONDERKO PRESIDED

The 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:

MAYOR RICHARD ONDERKO
COUNCILMAN JOSEPH LUKAC, III
COUNCILWOMAN SUZANNE MAEDER
COUNCILWOMAN MICHELE MAGNANI
COUNCILMAN STEPHEN SZABO
COUNCILWOMAN PATRICIA ZAMORSKI
COUNCIL PRESIDENT TED PETROCK

ALSO PRESENT:

THADDEUS R. MACIAG, BOROUGH ATTORNEY
BRETT RADI, BOROUGH ADMINISTRATOR
WENDY BARRAS, BOROUGH CLERK

SALUTE TO THE FLAG AND A MOMENT OF SILENCE

Mayor Onderko dedicated the Moment of Silence to resident and ex-fireman Calvin Wynn who recently passed away.

MAYOR'S APPOINTMENT

A/ Joint Land Use Board

Amanda Gorbatuk-Class 4 Member	1/4/2020	4 years	12/31/2023
(filling an unexpired 4 year term)			

APPROVAL OF MINUTES

Mayor Onderko requested a motion to approve the following minutes:

A/ Special Meeting of December 28, 2020

Councilwoman Maeder, seconded by Councilman Lukac made a motion to approve the minutes of the Special Meeting of December 28, 2020.

ROLL CALL:

**AYES: PETROCK, LUKAC, MAEDER, SZABO, ZAMORSKI
ABSTAIN: MAGNANI**

PUBLIC PORTION ON RESOLUTIONS

Mayor Onderko requested a motion to open the public portion on Resolutions #2021-16 through #2021-31. Councilwoman Magnani , seconded by Councilman Szabo , made a motion to open the public portion on Resolutions #2021-16 through #2021-31.

All present were in favor.

When no one from the public wished to comment, Mayor Onderko requested a motion to close the public portion on Resolutions. Councilwoman Magnani, seconded by Councilman Lukac , made a motion to close the public portion on Resolutions #2021-16 through #2021-31.

All present were in favor.

RESOLUTIONS-BY CONSENT

Mayor Onderko asked if any Council member would like to take any resolution individually. When no one answered, Mayor Onderko requested a motion to adopt Resolutions #2021-16 through #2021-31. Councilwoman Magnani seconded by Councilman Lukac made a motion to adopt Resolutions #2021-16 through #2021-31.

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

Resolution #2021-16 Resolution Appointing Risk Management Consultant

WHEREAS, the Borough of Manville (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk Management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that 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 (the governing body of “Local Unit”), as follows:

1. The Borough of Manville hereby appoints **Alliant-Boynton Insurance Agency** as its Risk Management Consultant.

2. The Borough Administrator and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2021 in the form attached

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

Resolution #2021-17

**Statewide Insurance Fund
Resolution Appointing Fund Commissioner**

WHEREAS, (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Manville, County of Somerset, and State of New Jersey that **Brett Radi, Borough Administrator** is hereby appointed as the Fund Commissioner for the Local Unit for the **Fund Year 2021**; and

BE IT FURTHER RESOLVED that **Wendy Barras, Borough Clerk**, is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the **Fund Year 2021**; and

BE IT FURTHER RESOLVED that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

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

**Resolution #2021-18
Authorization to Hire Temporary Seasonal DPW Employees**

WHEREAS, the Public Works Department has the need to hire three temporary seasonal employees due to COVID- 19 quarantines and injuries; and

WHEREAS, any temporary seasonal employees hired will be part-time with a maximum of 29 hours per week; and

WHEREAS, the Director of Public Works recommends the re-hiring of Nicholas Pusateri for one of the three positions as he has worked for the Borough of Manville in past summers and has performed very well; and rehiring this experienced individual would benefit the Department; and

WHEREAS, the Director of Public Works and the Borough Administrator along with the Finance Committee recommends the hiring of three temporary seasonal employees for the Department of Public Works;

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 Director of Public Works is hereby authorized to hire Nicholas Pusateri and as a temporary seasonal part-time employee for the Public Works Department at the rate of \$15 per hour, not to exceed 29 hours, effective January 18, 2021.

NOW, THEREFORE BE IT FURTHER RESOLVED, the Director of Public Works is hereby authorized to continue the hiring process for two additional temporary seasonal DPW employees.

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

**Resolution #2021-19
Reappointment of OEM Director**

WHEREAS, Mr. John Bentz was appointed as OEM Director by the adoption of Resolution #2018-31; and

WHEREAS, Resolution #2018-31 stated the term would expire December 31, 2020; and

WHEREAS, the Mayor and the Council wish to reappoint Mr. John Bentz to serve in the position as OEM Coordinator for the Borough of Manville for three years ending on December 31, 2023; and

WHEREAS, John Bentz will compensated an annual stipend of \$10,000 for serving in the role of OEM Coordinator for the years 2021, 2022 and 2023; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, in the County of Somerset, New Jersey, that John Bentz is hereby appointed Coordinator of the Office of Emergency Management for the Borough of Manville to fill the three-year term ending on December 31, 2023.

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

**Resolution #2021-20
Reappointment of the Housing Official for the Borough of Manville**

WHEREAS, the Borough of Manville adopted Ordinance # 2020 -1232
An Ordinance To Provide For Rental Housing Registration, Inspection And Permits In The Borough Of Manville on April 13, 2020; and

WHEREAS, the Ordinance defines the Housing Official as the Borough staff member licensed as a Housing Code Official from the State of New Jersey Department of Community Affairs, who shall be designated as having responsibility for enforcement of housing, and property maintenance standards, and this Ordinance; and

WHEREAS, Patrick A. Renaldi, Zoning/Property Maintenance Officer, currently holds a Housing Code Official License from the State of New Jersey; and

WHEREAS, Patrick A. Renaldi was appointed as the Housing Official for the Borough of Manville by adoption of Resolution #2020-88; 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 Patrick A. Renaldi be reappointed as the Housing Official for the Borough of Manville effective January 1, 2021 for a stipend amount of \$5,00.00.

NOW THEREFORE BE IT FURTHER RESOLVED, that said stipend of \$5,000.00 for the Housing Official is currently under review.

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

**Resolution #2021-21
Amending Resolution 2020-173, Borough Vehicle to County Auction**

WHEREAS, Resolution #2020-173 authorized the Director of Public Works to forward a 1999 Ford Crown Victoria to the County Auction; and

WHEREAS, the year of the vehicle and VIN# stated in the above resolution was incorrect and should be correctly stated as:

2005 Ford Crown Victoria	VIN# 2FAFP71W35X106300
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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset, New Jersey, that the above mentioned vehicle is no longer needed for public use and will be forwarded to Somerset County Vehicle Maintenance Department for auction.

BE IT FURTHER RESOLVED the Director of Department of Public Works or the Borough Administrator may arrange for the disposition of this vehicle as indicated above.

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

Resolution #2021-22
Retroactive Resolution For Year End Budget Transfers

WHEREAS, there appears to be insufficient funds in Budget accounts (excepting the appropriation for Contingent Expenses or Deferred Charges) to meet the demands thereon for the balance of the Current Year; and

WHEREAS, there appears to be a surplus in various Budget accounts (excepting the appropriation for Contingent Expenses, Deferred Charges, Cash Deficit of Preceding Year, Reserve for Uncollected Taxes, Down Payments, Capital Improvement Fund of Interest and Debt Redemption Charges) over and above the demand deemed to be necessary for the balance of the Budget Year; and

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of R.S. 40A:4-58, part of the surplus in the account heretofore mentioned be, and the same hereby transferred retroactively to 12/31/2020, to the accounts (excepting the appropriation for Contingent Expenses, Deferred Charges) mentioned as being insufficient, to meet the current demands.

BE IT FURTHER RESOLVED that the Finance Officer be and is hereby authorized and directed to make the following transfers:

ACCOUNT	TO	FROM
Property Maintenance (SW)	\$ 1,515.00	
Uniform Fire Safety (SW)	\$ 1,120.00	
Sewer (SW)	\$ 6,650.00	
Administration (OE)		\$ 2,635.00
Sewer Liability Ins. (OE)		\$6,650.00
TOTAL	\$ 9,285.00	\$ 9,285.00

**Resolution #2021-23
Authorizing Program Year 2019 CDBG-CV3 Project**

WHEREAS, the Borough of Manville was notified by Somerset County on December 21, 2020 that it will receive a special allocation of Community Development Block Grant-CV funds in the amount of \$114,979.66 that must be used to prevent, prepare for or respond to the corona virus through the CARES act;

WHEREAS, the Borough of Manville plans to use \$114,979.66 of these funds to make public safety improvements to the Manville Public Library with regards to the Corona virus Pandemic; and

WHEREAS, the proposed project was discussed at a public Council meeting that was held on January 11, 2021. Comments were received at this meeting.

WHEREAS, it may be necessary to execute a sub grant agreement, and other such documents as required in order to satisfy conditions and requirements associated with receipt of said funds.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset, New Jersey, does hereby authorize submission of this project for inclusion in Somerset County's program year 2019 CDBG-CV action plan amendment; and

BE IT FURTHER RESOLVED the Council of the Borough of Manville hereby authorize and direct the Borough Administrator to execute a sub grant agreement, and other documents related to said projects.

**Resolution #2021-24
Professional Services Agreement – Taylor Wiseman Taylor
2021 Floodplain Management Consultant**

WHEREAS, the Borough has received a proposal from Taylor Wiseman Taylor, Mt. Laurel, New Jersey for Floodplain management consultant services; and

WHEREAS, the Mayor and Council confirmed the appointment of Taylor Wiseman Taylor as the Borough's Floodplain Management Consultant on January 4, 2021; 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 proposal of Taylor Wiseman Taylor, 124 Gaither Drive, Suite 150, Mt. Laurel, New Jersey, is hereby accepted, as follows:

- 1) The proposed Professional Services Agreement from Taylor Wiseman Taylor 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 \$7,000.00.
- 4) A Notice of award of this contract shall be published once, in accord with N.J.S.A 40:11-5(1)(a)(i).
- 5) The Chief Financial Officer shall provide a Certification of Funds

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

Resolution #2021-25
Professional Services Agreement – Taylor Wiseman Taylor
2021 Community Rating System Consulting Services

WHEREAS, the Borough has received a proposal from Taylor Wiseman Taylor, Mt. Laurel, New Jersey for Community Rating System management consultant services; and

WHEREAS, the Mayor and Council confirmed the appointment of Taylor Wiseman Taylor as the Borough's Community Rating System Consultant on January 4, 2021; 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 proposal of Taylor Wiseman Taylor, 124 Gaither Drive, Suite 150, Mt. Laurel, New Jersey, is hereby accepted, as follows:

- 1) The proposed Professional Services Agreement from Taylor Wiseman Taylor 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 \$7,000.00.
- 4) A Notice of award of this contract shall be published once, in accord with N.J.S.A 40:11-5(1)(a)(i).
- 5) The Chief Financial Officer shall provide a Certification of Funds

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

Resolution #2021-26
Professional Services Agreement – Taylor Wiseman Taylor
2021 Hazard Flood Mitigation Consultant

WHEREAS, the Borough has received a proposal from Taylor Wiseman Taylor, Mt. Laurel, New Jersey for Flood Hazard Mitigation consultant services; and

WHEREAS, the Mayor and Council confirmed the appointment of Taylor Wiseman Taylor as the Borough's 2021 Flood Hazard Mitigation Consultant on January 4, 2021; 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 proposal of Taylor Wiseman Taylor, 124 Gaither Drive, Suite 150, Mt. Laurel, New Jersey, is hereby accepted, as follows:

- 1) The proposed Professional Services Agreement from Taylor Wiseman Taylor 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 \$10,000.00.
- 4) A Notice of award of this contract shall be published once, in accord with N.J.S.A 40:11-5(1)(a)(i).
- 5) The Chief Financial Officer shall provide a Certification of Funds

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

Resolution #2021 - 27
Authorizing Agreement With Thaddeus R. Maciag, Esq. Of Maciag Law, LLC,
For Professional Services As Borough Attorney
For The Year 2021

WHEREAS, the governing body of the Borough of Manville appointed Thaddeus R. Maciag, Esq. of the law firm Maciag Law LLC, 475 Wall Street, Montgomery Twp., New Jersey, as Manville Borough Attorney for the calendar year 2021, at its January 4, 2021 Annual Reorganization Meeting; and

WHEREAS, the Local Public Contacts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bids on the contract itself must be available for public inspection; and

WHEREAS, Mr. Maciag, Esq. has the necessary qualifications to perform the duties of Borough Attorney and has provided the Borough with a satisfactory proposal; and

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

- 1) The Proposal from Thaddeus R. Maciag, Esq. 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) As required by New Jersey state law, Mr. Maciag shall not be deemed a full-time employee of the Borough under the provisions of N.J.S.A. 52:14-17.25, et seq., which is known and cited as the "New Jersey State Health Benefits Program Act", and as a non-full-time employee shall not be entitled to health benefits nor pension benefits, nor to the Borough paying the employer share of any payroll taxes. The parties acknowledge that this Resolution authorizing the Employee Agreement acknowledges that the Borough Attorney shall not appear on a regular payroll, shall not be treated as a full-time employee, and shall not receive an employee salary
- 4) The Mayor or Borough Administrator are hereby authorized to execute the attached Professional Services Agreement, the essential terms of which provide for compensation as follows: (a) for Borough Attorney services, compensation not to exceed the flat fee of \$83,650 for the period January through December 2021, to be paid in twelve equal monthly

installments; (b) for General Litigation services, compensation shall not exceed an hourly rate of \$175 per hour for Attorney time of Mr. Maciag, \$155 per hour for Attorney time of any Maciag Law LLC associate attorneys or backup attorneys, and \$75 per hour for Paralegal time, with total 2021 compensation (i) not to exceed \$10,000 without further approval of the governing body for Litigation services involving Mike Wins Bar, LLC and ongoing Appellate matters before the N.J. Division of Alcoholic Beverage Control, the N.J. Office of Administrative Law, and N.J. Superior Court, and (ii) not to exceed \$10,000 without further approval of the governing body for any other General Litigation matters; (c) Real estate matters shall be compensated on a case by case by authorization of the Borough Administrator, and approval by the governing body.

- 5) A notice of the award of this contract shall be published once, in accord with N.J.S.A. 40:11-591)(a)(i).
- 6) The Chief Financial Officer shall provide a Certification of Funds.

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

Resolution #2021-28
Resolution Authorizing Professional Service Agreement
With Ventura, Miesowitz, Keough & Warner, P.C.
For Professional Services As Redevelopment Attorney Through December 31, 2021

WHEREAS, the governing body of the Borough of Manville appointed the law firm, Ventura, Miesowitz, Keough & Warner, P.C., Bernardsville, New Jersey, as the Borough's Redevelopment Attorney at its January 4, 2021 Reorganization meeting; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bids on the contract itself must be available for public inspection; and

WHEREAS, Steven K. Warner, Esq. will serve as the primary redevelopment attorney to Manville Borough from the law firm, Ventura, Miesowitz, Keough & Warner, P.C., Summit, New Jersey, and is well qualified to perform the duties of Redevelopment Attorney and has provided the Borough with a satisfactory proposal.

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

- 1) The proposal from, Ventura, Miesowitz, Keough & Warner, P.C., 783 Springfield Avenue, Summit, New Jersey be 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, at the hourly rate of \$175 per hour for Redevelopment Attorney time spent by Steven K. Warner, Esq., not to exceed \$10,000.
- 3) The Mayor and Borough Clerk are hereby authorized to execute a Professional Services Agreement, as consistent with the terms of this Resolution.
- 4) This Resolution shall be advertised once in the Courier News.
- 5) The Chief Financial Officer shall provide a Certification of Funds.

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

Resolution #2021-29
Professional Services Agreement—Planning Consultant

WHEREAS, the governing body of the Borough of Manville appointed Van Cleef Associates, LLC as the Borough's Planning Consultant at its January 4, 2021 Reorganization Meeting; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bids on the contract itself must be available for public inspection; and

WHEREAS, Angela Knowles of VanCleef Engineering, LLC has the necessary qualifications to perform the duties of Borough Planning Consultant and has provided the Borough with a satisfactory proposal.

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

- 1) The proposal from Angela Knowles of Van Cleef Associates, LLC, 755 Memorial Parkway, Phillipsburg, NJ 08865, be 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, at a hourly rate of \$136.00 as set forth in the attached Contract and not to exceed a yearly total of \$7,000.00.
- 3) The Mayor and Borough Clerk are hereby authorized to execute the Contract in this matter.
- 4) A Notice of Award of this contract shall be published once, in accord with N.J.S.A 40:11-5(1)(a)(i).
- 5) The Chief Financial Officer shall provide a Certification of Funds.

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

Resolution #2021-30
Professional Services Agreement-Labor Law Attorney
Franklin G. Whittlesey, Esq. Of Scholl & Whittlesey LLC,

WHEREAS, the governing body of the Borough of Manville appointed Franklin G. Whittlesey Esq, as Manville Borough Labor Law Attorney for the calendar year 2021, at its January 4, 2021 Reorganization Meeting; and

WHEREAS, the Local Public Contacts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bids on the contract itself must be available for public inspection; and

WHEREAS, the governing body, upon review of his qualifications, determined that Mr. Whittlesey has the necessary qualifications to perform the duties of Borough Labor Law Attorney and has provided the Borough with a satisfactory proposal; and

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

- 1) The proposed Professional Services Agreement from Franklin Whittlesey, Esq., 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, with an hourly rate of \$145 per hour and not to exceed \$30,000 for the year.
- 4) A Notice of award of this contract shall be published once, in accord with N.J.S.A 40:11-5(1)(a)(i).
- 5) The Chief Financial Officer shall provide a Certification of Funds.

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

**Resolution #2021-31
Professional Services Agreement-Bond Counsel
Rogut McCarthy, LLC**

WHEREAS, the governing body of the Borough of Manville appointed Rogut McCarthy, LLC, as Manville Borough Bond Counsel for the calendar year 2021, at its January 4, 2021 Reorganization Meeting; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bids on the contract itself must be available for public inspection; and

WHEREAS, the governing body, upon review of the qualifications, determined that Rogut McCarthy has the necessary qualifications to perform the duties of Borough Bond Counsel and has provided the Borough with a satisfactory proposal; and

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

- 1) The proposed Professional Services Agreement from Rogut McCarthy., 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, with terms as submitted in Exhibit A
- 4) A Notice of award of this contract shall be published once, in accord with N.J.S.A 40:11-5(1)(a)(i).
- 5) The Chief Financial Officer shall provide a Certification of Funds.

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

OFFICIAL REPORTS

A/ Manville Municipal Court Report- November, 2020

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

NEW BUSINESS

Councilman Szabo made a motion to rotate Council President every year in order to prevent serving for multiple years. There was no second made and the motion stalled. Mayor Onderko suggested this idea being brought before the Policy, Planning, and Procedure Committee.

MUNICIPAL COURT APPOINTMENTS

(Hillsborough Personnel)

Hillsborough Township Prosecutor: Mr. Frank Blandino, Esq.
(One (1) Year Term Expiring 12/31/2021)

Hillsborough Township Public Defender: Mr. Peter Cipparulo, Esq.
(One (1) Year Term Expiring 12/31/2021)

Hillsborough Township DWI Prosecutor: Mr. William Fox, Esq.
(One (1) Year Term Expiring 12/31/2021)

Hillsborough Township DWI Public Defender: Mr. Scott C. Mitzner, Esq.
(One (1) Year Term Expiring 12/31/2021)

Mayor Onderko requested a motion to accept the Municipal Court Appointments. Council President Petrock seconded by Councilman Lukac made a motion accept the Municipal Court Appointments.

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

COMMUNICATIONS

A/Letter from Mrs. Eve Kontos and other private owners of one and two family rentals in the Borough

B/Resignation Letter from Joint Land Use member- Mr. Tim Kenyon

COMMITTEE REPORTS AND COUNCIL COMMENTS

Councilwoman Zamorski, as Chairperson of the Public Safety Committee, stated the Committee is set to meet on January 13th and she will have a report at the next Council meeting.

Councilman Lukac, as Chairperson of the Department of Public Works Committee stated the DPW is currently repairing potholes, inspecting and maintaining the Borough's storm water infrastructure. NJ American Water has released its' 2021 schedule of water main replacement. Once completed they will pave from curb to curb.

Councilwoman Magnani, as Chairperson of Policy, Planning, and Personnel Committee, stated the Committee will meet on January 25th and they will discuss the parking lot ordinance and the ordinance setting fees for zoning and fire safety.

Council Petrock, as Chairperson of the Finance Committee, stated the Committee is set to meet on January 13th.

Councilwoman Maeder, as Chairperson of the Building and Grounds Committee, stated the Committee will meet before the next Council meeting. She reported LED lighting is to be installed at the Library and motion sensor sinks have been installed in the bathrooms at Borough Hall. The Recreation Committee will be accepting registration for their spring programs. The Board of Health will be having their 2021 Reorganization meeting on January 19th and will be holding a Rabies Clinic on February 27, 2021. Councilwoman Maeder reported all the Board of Health Ordinances have been codified and are available for viewing on the Borough's website.

Councilman Szabo, as Chairperson of the Progress and Development Committee, stated there was no report at this time.

OEM Coordinator Bentz stated there had been a total of 41 new cases reported last week. Vaccines for first responders are available now for those interested. Any resident interested in receiving the vaccine should register online at www.covidvaccine.gov.

Mayor Onderko stated the Borough website has been modified for easier access. The new Fire Chiefs were sworn in on January 9th at Borough Hall. He reported he will be meeting with Somerset County Engineering regarding the Main St. Road Diet. Mayor Onderko reached out to PSE&G about non working street lights throughout the Borough and most of them have been repaired.

Administrator Radi thanked Borough employees for their outstanding service to the residents. He stated the Borough is submitting a Community Development Block Grant for up to \$114,000 available funds for library projects relative to COVID. He thanked Borough employee, Kim Monto, for revamping the Borough website for easier accessibility. There have two temporary speed signs installed on Knopf St and Washington Ave. to monitor the speeding on those two roads. Permanent signs hopefully will be installed in the near future.

PUBLIC PORTION

Mayor Onderko requested a motion to open the Public Portion. Councilwoman Magnani , seconded by Councilman Lukac , made a motion to open the Public Portion.

All present were in favor.

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

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 7:27 pm.

ATTEST:



Wendy Barras
Borough Clerk

