

**REGULAR MEETING  
OF THE MAYOR AND COUNCIL  
MARCH 8, 2021**

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THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY, WAS HELD ON MARCH 8, 2021 VIA ZOOM MEETING AT 7:00 P.M.

Join Zoom Meeting

<https://us02web.zoom.us/j/89240132963?pwd=YnJQTnFhdWZLWSswVWwxZW5TMGIvQT09>

Meeting ID: 892 4013 2963

Passcode: 08835

Dial by your location

+1 929 205 6099 US (New York)

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**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**

**PROCLAMATIONS**

Mayor Onderko read the Proclamation for American Red Cross Month 2021 into the Public Record.

**BOROUGH OF MANVILLE  
AMERICAN RED CROSS MONTH 2021 PROCLAMATION**

**WHEREAS**, throughout our country's history, the humanitarian spirit of the American people has shined as a beacon of hope in times of crisis. It is in that spirit that we celebrate American Red Cross Month, a chance to honor all those selfless Americans who step up and lend a hand whenever and wherever people are in need; and

**WHEREAS**, for 140 years, the American Red Cross has been synonymous with the prevention and alleviation of human suffering across the globe. Founded by Clara Barton in 1881, the organization’s mission lives on in the dedication of Red Cross workers — more than 90 percent of whom are volunteers — and the generosity of the American people in moments of crisis; and

**WHEREAS** we saw unmistakable evidence of that spirit through the challenges of this past year. In 2020, more than 70,000 people became new Red Cross volunteers and stepped up on behalf of those in need — as disaster shelter workers, health workers, blood donor ambassadors, and transportation specialists. And when our country faced a severe blood shortage, the American people rolled up their sleeves, with more than a half-million of our friends and neighbors donating blood with the Red Cross for the first time; and

**WHEREAS**, in a year like no other, people made a lifesaving difference. As months of relentless hurricanes, wildfires, and other extreme weather events battered communities, families spent more nights in emergency lodging than in any other year over the past decade — thanks to the hard work and generosity of Red Cross volunteers and partners who provided more than 1.3 million people with overnight stays last year. When the pandemic strained emergency services, Red Cross workers adapted to help fulfill urgent needs. They responded to increased emergency calls from military families, aided hundreds of thousands of home fire survivors, supported international health and hygiene services, and safely provided health and safety courses to essential workers and others to help them manage the COVID-19 threat.

**NOW, THEREFORE** I, Richard M. Onderko, Mayor of the Borough of Manville, County of Somerset, State of New Jersey along with the Council hereby proclaim March 2021 as American Red Cross Month and encourage all residents to observe this month with appropriate programs, ceremonies, and activities, and by supporting the work of service and relief organizations.

Borough of Manville



Richard M. Onderko, Mayor

Councilman Joseph A. Lukac, III

Councilwoman Suzanne Maeder

Councilwoman Michele Magnani

Council President Ted Petrock

Councilman Stephen Szabo

Councilwoman Patricia Zamorski

Read into the Record: March 8, 2021

Councilwoman Magnani read the Proclamation for Women’s History Month 2021 into the Public Record.

**BOROUGH OF MANVILLE  
WOMEN’S HISTORY MONTH 2021 PROCLAMATION**

**WHEREAS**, each year, Women’s History Month offers an important opportunity for us to shine a light on the extraordinary legacy of trailblazing American women and girls who have built, shaped, and improved upon our Country; and

**WHEREAS**, throughout American history, women and girls have made vital contributions, often in the face of discrimination and undue hardship. Courageous women marched for and won the right to vote, campaigned against injustice, shattered countless barriers, and expanded the possibilities of American life; and

**WHEREAS** our history is also replete with examples of the unfailing bravery and grit of women in America, particularly in times of crisis and emergency. Women served our Nation during World War II, led organizing and litigation efforts during the Civil Rights movement, and represented the United States on the global stage in the fight for human rights, peace, and security; and

**WHEREAS**, far too often, their heroic efforts and their stories have gone untold — especially the millions of Black women, immigrant women, and others from diverse communities who have strengthened America across every generation; and

**WHEREAS**, in the current moment of crisis, women continue to lead. From vaccine researchers to public health officials to the countless heroines on the frontlines, women are working around the clock to defeat COVID-19; and

**WHEREAS**, Women, also make up the majority of America’s essential workers, including educators and childcare providers, grocery store workers, farmworkers, and others who are keeping our families, our communities, and our country afloat. This year has also marked an historic milestone of women’s leadership 232 years in the making, with the inauguration of America’s first woman Vice President; and

**WHEREAS** March 8<sup>th</sup> is International Women’s Day and the theme for 2021 is “Choose to Challenge”. Women are responsible for their own thoughts and actions every day and they challenge the world every day and Women can choose to challenge gender bias and inequality in the world.

**NOW THEREFORE**, I Richard M. Onderko, Mayor of the Borough of Manville, County of Somerset, State of New Jersey hereby along with the Council proclaim March 2021 as Women’s History Month in the Borough of Manville.

Borough of Manville



Richard M. Onderko, Mayor

Councilman Joseph A. Lukac, III

Council President Ted Petrock

Councilwoman Suzanne Maeder

Councilman Stephen Szabo

Councilwoman Michele Magnani

Councilwoman Patricia Zamorski

Read into the Record: March 8, 2021

Councilwoman Maeder read the Proclamation for Girl Scout Day into the Public Record.

**BOROUGH OF MANVILLE  
GIRL SCOUT DAY PROCLAMATION 2021**

**WHEREAS** March 12, 2021 marks the 109<sup>th</sup> anniversary of Girl Scouts of the USA, the largest and most successful leadership program for girls in the world; and

**WHEREAS**, as the world's premier leadership development organization for girls, Girl Scouts has emphasized public service, civic engagement, and fostering a sense of community in girls for over a century; and  
**WHEREAS**, Girl Scouts works to champion the ambitions, cultivate the talents, and develop the skills of girls to be leaders in their own world, and in ours; and  
**WHEREAS**, in these incredibly challenging times, Girl Scouts provides community, consistency, and connection for girls, and is a safe haven in all the uncertainty; and  
**WHEREAS**, in the time of COVID-19, Girl Scouts offers girls skill-building digital programming and experiences girls can participate in safely from home as they continue their Girl Scouts journeys; and  
**WHEREAS**, at a time when civics education is missing from many schools, Girl Scouts has introduced new K-12 Civics badges to bring girls more experiences that deepen their understanding of democracy and government, prepare them for a lifetime of civic engagement, and motivate them to be catalysts for change; and  
**WHEREAS**, Girl Scouts offers girls 21<sup>st</sup> century programming in science, technology, engineering, and math; the outdoors, entrepreneurship; and beyond, helping girls develop invaluable life skills and take the lead early and often; and  
**WHEREAS**, Gold Award Girl Scouts already take on projects that have a measurable and sustainable impact on a community by first assessing a need, designing a solution, completing a project, and inspiring others to sustain it; and  
**WHEREAS**, today, more than 50 million women are Girl Scout alums: and  
**WHEREAS** there are approximately 30 Girl Scouts within the Borough of Manville who belong to Unit #68, Girl Scout Heart of New Jersey; and  
**NOW THEREFORE**, I Richard M. Onderko, Mayor of the Borough of Manville, County of Somerset, State of New Jersey along with the Council do hereby applaud the Girl Scout Movement and Service Unit #68 for providing girls with a safe, inclusive, all-girl space where they can hone their skills and develop leadership abilities, and I declare March 12, 2021 to be Girl Scout Day in the Borough of Manville.

Borough of Manville



Richard M. Onderko, Mayor

Councilman Joseph A. Lukac, III

Council President Ted Petrock

Councilwoman Suzanne Maeder

Councilman Stephen Szabo

Councilwoman Michele Magnani

Councilwoman Patricia Zamorski

Read into the Record: March 8, 2021

## **MAYOR'S APPOINTMENTS**

Mayor Onderko appointed Haley Hostos to the Manville Municipal Alliance.

Mayor Onderko made the following appointments to the Economic Development Committee.

### **Mayoral Council Appointment**

Suzanne Maeder

Exp. 12/31/2021

### **1 Year Initial Term**

Sue Asher

Exp. 12/31/2021

Richard Onderko                      Exp. 12/31/2021

**2 Year Initial Term**

Diana Sieberg                      Exp.12/31/2022  
John Holloway                      Exp. 12/31/2022

**3 Year Initial Term**

Joe DeVito                          Exp. 12/31/2023  
Denise DeSantis                      Exp. 12/31/2023

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

**APPROVAL OF MINUTES**

Mayor Onderko requested a motion to approve the following minutes:

**A/** Regular Meeting of February 22, 2021

Councilwoman Magnani, seconded by Councilwoman Zamorski made a motion to approve the minutes of the Regular Meeting of February 22, 2021

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

**ORDINANCES- FIRST READING AND INTRODUCTION**

Mayor Onderko read Ordinance #2021-1258 by title and requested a motion to introduce. Councilman Szabo seconded by Councilman Lukac made a motion to introduce Ordinance #2021-1258.

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

**Borough of Manville**  
**Ordinance #2021-1258**  
**An Ordinance By The Borough Of Manville**  
**In The County Of Somerset, State Of New Jersey,**  
**Prohibiting The Operation Of Any Class Of Cannabis Businesses**  
**Within The Borough Of Manville**

**WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Philip Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (“The Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

**WHEREAS**, The Act establishes six marketplace classes of licensed Cannabis Businesses, including:

- (1) Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- (2) Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- (3) Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;

- (4) Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- (5) Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- (6) Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

**WHEREAS**, this Ordinance is intended to prohibit the operation of all classes of cannabis businesses, and cannabis establishments, cultivators, manufacturers, wholesalers, retailers, distributors, or delivery services anywhere in the municipality, and is enacted by the Borough of Manville pursuant to the specific authority to do so, which authority is provided to the Borough of Manville by Section 31 of The Act;

**WHEREAS**, section 31a of The Act specifically authorizes municipalities to, by Ordinance, adopt regulations governing the number of cannabis establishments (defined in section 3 of The Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors, or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

**WHEREAS**, section 31b of The Act specifically authorizes municipalities to, by Ordinance, Prohibit the operation of any one or more classes of cannabis businesses anywhere in the municipality; and

**WHEREAS**, section 31b of The Act also stipulates, however, that any municipal Ordinance providing for such regulation or prohibition must be adopted within 180 days of the effective date of The Act (*i.e.*, by August 21, 2021); and

**WHEREAS**, pursuant to section 31b of The Act, the failure to enact such an Ordinance would mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

**WHEREAS**, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

**WHEREAS**, the Mayor & Council of the Borough of Manville has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Borough of Manville in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Borough of Manville’s residents and members of the public who visit, travel, or conduct business in the Borough of Manville to adopt an Ordinance prohibiting all manner of cannabis businesses, establishments, cultivators, manufacturers, wholesalers, retailers, distributors, or delivery services, and marijuana or cannabis related land use and development within the geographic boundaries of the Borough of Manville; and

**WHEREAS**, the Mayor & Council of the Borough of Manville have determined that businesses or facilities selling marijuana, cannabis, or related items, require special concern for security, safety, and location; and

**WHEREAS**, the Mayor & Council of the Borough of Manville are particularly concerned with such businesses or facilities being located within one mile of any school, church, pool, parkland, or playground, and have determined that here is no area of the Borough which can safely house such businesses or facilities, particularly given the present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general; and

**WHEREAS**, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by The Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of The Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which The Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within The Act's 180-day period in order to ensure sufficient time to carefully review all aspects of The Act and its impacts;

**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: Pursuant to the authority granted to the Borough by Section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis businesses, establishments, cultivators, manufacturers, wholesalers, retailers, distributors, or delivery services, and marijuana or cannabis related land use and development are hereby prohibited from operating anywhere in the Borough of Manville, except for the delivery of cannabis items and related supplies by a delivery service located outside of the Borough (as existing State law does not permit the Borough to prohibit the delivery of cannabis items and related supplies by a delivery service). This prohibition shall apply throughout the municipality, even in any parts of The Borough of Manville under the jurisdiction and authority of the County of Somerset, the State of New Jersey, or any County, State, regional, or independent agency, commission, board, authority or instrumentality, notwithstanding any State law to the contrary.

SECTION 2: The code of the Borough of Manville is hereby amended by adding to the list of prohibited uses throughout the Borough, the following: "All classes of cannabis businesses, and cannabis establishments, cultivators, manufacturers, wholesalers, retailers, distributors, or delivery services, and marijuana or cannabis related land use and development, including all cannabis establishments, cannabis distributors, or cannabis delivery services, as said terms are defined in section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service."

SECTION 3. Upon introduction of this Ordinance, a true copy of same shall be sent by the Borough Clerk to the Somerset County Planning Board, and as otherwise provided for by law.

SECTION 4: 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 5. 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 6. 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 7. Effective Date: This ordinance shall take effect upon its passage and publication and filing with the Somerset County Planning Board and as otherwise provided for by law.

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

Mayor Onderko read Ordinance #2021-1259 by title and requested a motion to introduce. Councilman Szabo, seconded by Councilman Lukac made a motion to introduce Ordinance #2021-1259.

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

**Borough of Manville**  
**Ordinance #2021-1259**

**An Ordinance By The Borough Of Manville Granting An  
Encroachment Easement At 266 North 6th Avenue, Manville, NJ**

**WHEREAS**, the granting of an easement requires the approval, by Ordinance, of the Mayor & Council, pursuant to N.J.S.A. 40A:12-13; and

**WHEREAS**, an easement can be transferred to a contiguous property owner pursuant to N.J.S.A. 40A:12-13(b)(5) and, as applicable, 40A:12-13(b)(4); and

**WHEREAS**, Applicants Pawel and Justina Zajkowski (the "Property Owners") applied to the Borough of Manville Planning Board (joint land use board) for final site plan approval and bulk variances for lot area and width and front yard, side yard, and parking space setbacks for Block 31, Lot 1-3, 266 North 6th Avenue, and

**WHEREAS**, the Borough of Manville Planning Board adopted a Resolution of Approval on February 2, 2021, and

**WHEREAS**, condition number four stated that the applicant shall obtain an easement for the encroachment of the porch/stairs on the Borough's right of way, and

**WHEREAS**, the Borough Attorney and Borough Engineer have reviewed the easement and recommend that the Encroachment Easement be granted by the Borough of Manville,

**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: The Encroachment Easement for 266 North 6th Avenue, in the form annexed to this Ordinance, is hereby authorized.

SECTION 2: The Mayor and Municipal Clerk are hereby authorized to execute the attached encroachment easement for 266 North 6th Avenue, and to transfer said encroachment easement rights to the Property Owners for Consideration paid of \$1.00.



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 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  
/s/ Richard M. Onderko, Mayor

#### **PUBLIC PORTION ON RESOLUTIONS**

Mayor Onderko requested a motion to open the public portion on Resolutions #2021-53 through #2021-59. Councilman Szabo, seconded by Councilman Lukac, made a motion to open the public portion on Resolutions #2021-53 through #2021-59.

**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. Councilman Szabo, seconded by Councilman Lukac, made a motion to close the public portion on Resolutions #2021-53 through #2021-59.

**All present were in favor.**

#### **RESOLUTIONS- TAKEN SEPARATELY**

Mayor Onderko requested a motion to adopt Resolution #2021-53. Councilman Szabo, seconded by Councilman Lukac made a motion to adopt Resolution #2021-53.

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

**Borough of Manville**  
**Resolution #2021-53**  
**Approval of Vouchers**

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

1. Current	\$1,616,308.16
2. Capital Checking	\$664.25

3. Sewer Checking	\$3,803.09
4. Trust Checking	\$15,000.00
5. Developer's Escrow	\$8,369.31
<b>TOTAL</b>	<b>\$1,644,144.81</b>

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 answered, Mayor Onderko requested a motion to adopt Resolutions #2021-54 through #2021-59. Councilman Szabo, seconded by Councilwoman Magnani made a motion to adopt Resolutions #2021-54 through #2021-59.

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

**Borough of Manville**  
**Resolution #2021-54**  
**Authorizing Temporary Emergency Appropriations**

**WHEREAS**, the 2021 Municipal Budget has not been adopted and there is a need to increase the Temporary Budget prior to the 2021 Budget being adopted in order to maintain operations until such time as the Borough Budget is in place; and

**WHEREAS**, N.J.S.A. 40A:4-20 provides for approval of emergency temporary appropriations prior to the Municipal Budget being adopted, by a confirming vote of two-thirds of the full governing body.

**NOW, THEREFORE, BE IT RESOLVED**, by confirmation of two-thirds of the full governing body, that the Chief Finance Officer is authorized to increase the temporary emergency appropriations as follows:

<b><u>Current Fund</u></b>		
Municipal Clerk	Other Expenses	\$ 500.00
Finance	Other Expenses	\$ 1,000.00
Group Health Insurance	Other Expenses	\$ 230,000.00
First Aid	Other Expenses	\$ 700.00
DPW	Other Expenses	\$ 55,000.00
Buildings & Grounds	Other Expenses	\$ 25,000.00
Sewer Budget	Other Expenses	\$ 25,000.00

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

**Borough of Manville**  
**Resolution #2021-55**  
**Authorization to Hire Temporary Seasonal DPW Employee**

**WHEREAS**, the Public Works Department has the need to hire two temporary seasonal employees as there was a vacancy created by injuries and COVID-19 quarantines; and

**WHEREAS**, the Director of Public Works and the Borough Administrator recommend the hiring of two temporary seasonal employees to work 29 hours per week; and

**WHEREAS**, the Borough Administrator supports the recommendation of the DPW Director to hire Robert Pierrot and Myles R. Pusateri to serve in the position of temporary seasonal sanitation worker; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey, that the Director of Public Works is hereby authorized:

To hire Robert Pierrot and Myles R. Pusateri as temporary, seasonal part-time employee for the Public Works Department at the rate of \$15 per hour, for 29 hours per week, effective March 9, 2021.

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

**Borough of Manville**  
**Resolution #2021-56**

**Transfer Borough Vehicle to County Auction**

**WHEREAS**, the Director of Public Works has deemed that a certain vehicle is past its useful life and the cost of repairs exuded the value of the unit; and

**WHEREAS** N.J.S.A. 40A:11-36 provides that any contracting unit, by resolution of its governing body, may authorize the disposition of its personal property; and

**WHEREAS** the vehicle is specified below:

2001 Chevy Pick Up	VIN# <b>1GCGK29UO1Z288447</b>
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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

**Borough of Manville**  
**Resolution #2021-57**

**Professional Service Agreement-Borough Auditor-Suplee, Clooney & Co.**

**WHEREAS**, the Borough is required by law to have a Municipal Auditor and to have an annual audit performed; and

**WHEREAS** the governing body of the Borough of Manville appointed Suplee, Clooney, & Co. as the Borough Auditor 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 Suplee, Clooney, & Co. has the necessary qualifications to perform the duties of Borough Auditor 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 Suplee, Clooney & Company, 308 East Broad Street, Westfield, New Jersey 07090-2122, 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, not to exceed \$81,000.00.
- 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

**Borough of Manville**  
**Resolution #2021-58**

**Professional Service Agreement-Borough IT Consultant-Lakeview Network**

**WHEREAS** the governing body of the Borough of Manville appointed Lance Floden dba Lakeview Network Consulting as the Information Technology Consultant for the Borough of Manville 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 contacts for “professional services” without competitive bids on the contract itself must be available for public inspection; and

**WHEREAS** the governing body of, upon review of the qualifications, determined that Lance Floden dba Lakeview Network Consulting has the necessary qualifications to perform the duties of Information Technology Consultant for the Borough of Manville 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 Lance Floden, dba Lakeview Network Consulting, 43 Hillcrest Street, Somerset, New Jersey 08873, 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, not to exceed \$20,000.00.
- 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

## **OFFICIAL REPORTS**

### **OFFICIAL REPORTS**

- A/** Clerk's Report- February, 2021
- B/** Code Enforcement Report- February, 2021
- C/** Bureau of Fire Safety Report- February, 2021
- D/** Registrar Report- February, 2021
- E/** Registrar, Board of Health Report – February, 2021
- F/** Registrar, Animal Control Report- February 2021
- G/** Manville Municipal Court Report- January 2021
- H/** Fireman Board of Engineers- February 2021

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

## **NEW BUSINESS**

- A/** 2021 Tow License Renewal  
DeLuca's Towing

Mayor Onderko requested a motion to accept New Business.

**All present were in favor.**

## **COMMUNICATIONS**

- A/** Letter from Statewide Insurance congratulating the Borough receiving Safety and Loss Control Award for 2020
- B/** Letter from NJ DOT granting three-month extension for Brook Blvd. Phase 1

## **COMMITTEE REPORTS AND COUNCIL COMMENTS**

Councilwoman Zamorski, as Chairperson of the Public Safety Committee, stated the Committee will be meeting next Monday and she would have a report at the next Council meeting. Starting June 1<sup>st</sup>, all police officers will be required to wear body cams. There is a grant available through the State however it is unsure the amount the Borough will be able to receive. The cost per camera is approximately \$500 and will cost approximately \$25,000 yearly to store it in the cloud.

Councilman Lukac, as Chairperson of the Department of Public Works Committee stated the Committee will be meeting next Monday. The DPW crews have been repairing potholes and have cleaned and inspected all catch basins and outfalls. He explained the guidelines for bulk trash and yard waste pick up since pick ups will resume this month. NJ American Water will resume replacing water mains in areas of the Borough and will repave curb to curb once completed.

Councilwoman Magnani, as Chairperson of Policy, Planning, and Personnel Committee stated she was pleased to see the introduction of Ordinance #2021-1258, prohibiting any class of cannabis businesses in the Borough and thanked Attorney Maciag and Administrator Radi for their hard work.

Council President Petrock, as Chairperson of the Finance Committee, stated the Committee met today. They are looking for feedback from the department heads on the needs of their respective departments. He is hopeful the budget will be introduced at the first meeting in April and adopted in May.

Councilwoman Maeder, as Chairperson of the Building and Grounds Committee stated the Committee is schedule to meet on March 22<sup>nd</sup>. The Recreation Department is launching their spring programs and registration is available via Community Pass. An Easter Egg Goodie Grab Bag will be hosted by the Recreation Department on March 27<sup>th</sup> from 1:00-3:00 pm down in Lincoln Park. She reported the Board of Health had a successful Rabies Clinic with approximately 90 rabies vaccines being administered.

Councilman Szabo, as Chairperson of the Progress and Development Committee, stated the Council would be going into Executive Session to discuss Rustic Mall.

## **PUBLIC PORTION**

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

**All present were in favor.**

Phil Petrone- 7 North 11<sup>th</sup> Ave., Questioned if the group that were hosting an activity in Lincoln park had a permit and who authorized it?

Mayor Onderko and Administrator Radi answered his question.

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

**All present were in favor.**

Mayor Onderko announced that he was pleased to see the 1.9 trillion-dollar aid package that was passed by the Senate would provide direct aid to municipalities. He is hopeful Manville will receive its fair share. He stated the green assessment cards have been mailed. He thanked the Board of Health for a successful Rabies Clinic. Mayor Onderko reported the number of COVID cases have been declining in the Borough and is optimistic with the warmer weather coming, the numbers will continue to go down. The Borough website and social media pages continue to provide updated COVID information.

OEM Director Bentz stated that the County received 1,000 vaccines last week for the County vaccine site at RVCC. Even though the J&J vaccine is being rolled out, Somerset County will not be mixing it in with the Moderna vaccine.

**RESOLUTIONS-taken separately**

Mayor Onderko requested a motion to adopt Resolution #2021-59. Councilman Szabo seconded by Councilman Lukac made a motion to adopt Resolution #2021-59.

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

At approximately 7:45 PM, the meeting moved into Closed Session.

At 8:23 PM, Mayor Onderko requested a motion to come out of Closed Session. Councilman Szabo, seconded by Councilwoman Magnani made a motion to come out of Closed Session.

**All present were in favor.**

Mayor Onderko stated there would no formal action taken out of the Closed Session.

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

**All present were in favor.**

The meeting was adjourned at approximately 8:24 pm.

ATTEST:



Wendy Barras  
Borough Clerk