

**REGULAR MEETING  
OF THE MAYOR AND COUNCIL  
March 11, 2019**

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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 11, 2019 IN THE MANVILLE MUNICIPAL COURTROOM, 325 NORTH MAIN STREET, MANVILLE, NEW JERSEY AT 7:00 P.M.

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  
COUNCILMAN PHILIP E. PETRONE  
COUNCILMAN RON SKIRKANISH  
COUNCILMAN STEPHEN SZABO  
COUNCILWOMAN PATRICIA ZAMORSKI  
COUNCIL PRESIDENT MICHELE MAGNANI

ALSO PRESENT:

FRANCIS P. LINNUS, ESQ., BOROUGH ATTORNEY  
ANDREA WARDROP, BOROUGH ADMINISTRATOR  
MARK PELTACK, CHIEF OF POLICE  
PAMELA BOREK, BOROUGH CLERK

**SALUTE TO THE FLAG AND A MOMENT OF SILENCE**

**PROCLAMATION**

**Councilwoman Zamorski read the following into the record**

**PROCLAMATION  
AMERICAN RED CROSS MONTH 2019**

WHEREAS, in the Borough of Manville, we have a long history of helping our neighbors in need. American Red Cross Month is a special time to recognize and thank our Everyday Heroes – those selfless Red Cross volunteers and donors who give of their time and resources to help community members; and

WHEREAS, these heroes help families find shelter after a home fire. They give blood to help trauma victims and cancer patients. They deliver comfort items to military members in the

hospital. They use their lifesaving skills to save someone from a heart attack, drowning or choking. They enable children around the globe to be vaccinated from measles and rubella; and

WHEREAS, The American Red Cross depends on local heroes to deliver help and hope during a disaster. We applaud our heroes here in the Borough of Manville who give of themselves to assist their neighbors when they need a helping hand; and

WHEREAS, across the country and around the world, the American Red Cross responds to disasters big and small. In fact, every eight minutes the organization responds to a community disaster, providing shelter, food, emotional support and other necessities to those affected. It collects 40 percent of the nation's blood supply; provides 24-hour support to military members, veterans and their families; teaches millions lifesavings skills such as lifeguarding and CPR; and through its Restoring Family Links program, connects family members separated by crisis, conflict, or migration; and

WHEREAS, we dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money, and blood to fulfill its humanitarian mission.

NOW, THEREFORE, I, Richard M. Onderko, Mayor of the Borough of Manville, by virtue of the authority vested in me by the Constitution and laws of the Borough of Manville and State of New Jersey do hereby proclaim March 2019 as American Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

Borough of Manville,



Richard M. Onderko, Mayor

Councilman Joseph A. Lukac  
Council President Michele Magnani  
Councilman Philip Petrone

Councilman Ronald Skirkanish  
Councilman Stephen Szabo  
Councilwoman Patricia Zamorski

Read into the Record: March 11, 2019

## **APPROVAL OF MINUTES**

Mayor Onderko requested a motion to approve the following minutes:

A/Regular Meeting of February 11, 2019

Councilman Szabo, seconded by Councilman Lukac made a motion to approve the minutes of February 11, 2019.

ROLL CALL: AYES:MAGNANI, LUKAC, PETRONE, SKIRKANISH,  
SZABO, ZAMORSKI

B/ Regular Meeting of February 25, 2019

Councilman Skirkanish seconded by Councilman Szabo made a motion to approve the minutes of February 25, 2019.

ROLL CALL: AYES:MAGNANI, LUKAC, PETRONE, SKIRKANISH,  
SZABO, ZAMORSKI

C/ Closed Session Meeting of January 28, 2019

The approvals of minutes for January 28, 2019 was tabled due to the minutes were not placed in the packets and the Council did not have the opportunity to review the minutes of the Closed Session of January 28, 2019. The approval of the Closed Session minutes of January 28, 2019 will be at the next meeting on March 25, 2019.

### **ORDINANCES - FINAL READING AND PUBLIC HEARING**

Mayor Onderko read the Ordinance by title, and requested a motion to open the public portion on Ordinance #2019-1214.

Councilman Szabo seconded by Councilman Lukac, made a motion to open the public hearing on Ordinance #2019-1214.

All present were in favor.

Since no one from the Public wished to comment Mayor Onderko requested a motion to close the public portion on Ordinance #2019-1214.

Councilman Szabo, seconded by Councilman Lukac made to motion to close the public portion on Ordinance #2019-1214.

All present were in favor.

Mayor Onderko requested a motion to adopt Ordinance #2019-1214.

Councilman Szabo, seconded by Councilman Lukac made a motion to adopt Ordinance #2019-1214.

ROLL CALL: AYES:LUKAC,PETRONE,SKIRKANISH,SZABO,  
ZAMORSKI  
NO: MAGNANI

### **Ordinance #2019-1214**

### **AN ORDINANCE AMENDING SCHEDULE III OF ORDINANCE NO. 500, KNOWN AS THE TRAFFIC ORDINANCE, AS AMENDED**

### **STATEMENT OF PURPOSE**

The purpose of this ordinance is to amend Ordinance #500, the Traffic Ordinance, as to prohibit making left turn to travel north at the intersection of Dakota St. and S. Main St. (CR533) Monday through Friday, between the hours of 7 am – 9 am and 4 pm – 7 pm.

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

**SECTION 1. AMENDMENT OF SCHEDULE XIII- TURN PROHIBITIONS**

Schedule XIII of Ordinance No. 500 is hereby amended to include the following under the stated designations:

<b><u>INTERSECTION</u></b>	<b><u>TIME</u></b>	<b><u>LOCATION</u></b>
Dakota Street and S. Main Street (CR 533)	<u>Monday – Friday 7 am – 9 am 4 pm – 7 pm</u>	From eastbound on Dakota Street to northbound on S. Main Street (CR 533)

- A. Emergency Vehicles shall be waived from adhering to said Ordinance as deemed necessary during emergency situations; emergency vehicles shall be authorized to make the left turn onto S. Main Street as needed.
- B. The reference in Section 9-1 of Ordinance #500 is amended to correct the typographical error so that it is clear that the locations referred to in Section 9-1 are described in Schedule XIII rather than Schedule XII.”

**SECTION 2. INCONSISTENCY**

Should any provision of this ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of said prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

**SECTION 3. SEVERABILITY**

In the event that any provision of this ordinance, or the application of 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, and to realize this intent, the provisions and application of this ordinance are declared to be severable.

**SECTION 4. PURPOSE OF CAPTIONS**

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 5. EFFECTIVE DATE**

This shall be effective immediately upon final adoption, approval and publication in accordance with law.

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

Mayor Onderko read the Ordinance by title, and requested a motion to open the public portion on Ordinance #2019-1215.

Councilman Szabo seconded by Councilman Lukac, made a motion to open the public hearing on Ordinance #2019-1215.

All present were in favor.

Maria Janucik, 720 E. Frech Ave., inquired as to what the changes to the Ordinance were. Administrator Wardrop answered her questions.

Resident, stated she lives on the border of Hillsborough and questioned how she could be protected from the river flow with a project that is starting in Hillsborough.

Mayor Onderko answered her question.

When no one else wished to comment Mayor Onderko requested a motion to close the public portion on Ordinance #2019-1215.

Councilman Szabo, seconded by Council President Magnani made to motion to close the public portion on Ordinance #209-1215.

All present were in favor.

Mayor Onderko requested a motion to adopt Ordinance #2019-1215.

Councilman Szabo, seconded by Councilman Skirkanish made a motion to adopt Ordinance #2019-1215.

ROLL CALL:                   AYES:MAGNANI, LUKAC, PETRONE, SKIRKANISH,  
  SZABO, ZAMORSKI

## **Ordinance #2019-1215**

### **AN ORDINANCE REPEALING AND REPLACING ORDINANCE #2016-1175 ENTITLED THE FLOOD DAMAGE PREVENTION ORDINANCE**

**Section 1.0**  
**STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND**  
**OBJECTIVES**

**1.1 STATUTORY AUTHORIZATION**

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Mayor and Council of the Borough of Manville, of New Jersey does ordain as follows:

**1.2 FINDINGS OF FACT**

a) The flood hazard areas of Borough of Manville are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

b) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

**1.3 STATEMENT OF PURPOSE**

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- a) To protect human life and health;
- b) To minimize expenditure of public money for costly flood control projects;
- c) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d) To minimize prolonged business interruptions;
- e) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;
- f) To help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;
- g) To ensure that potential buyers are notified that property is in an area of special flood hazard;
- h) To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions; and

i) To maintain eligibility in FEMA's National Flood Insurance Program (NFIP).

#### **1.4 METHODS OF REDUCING FLOOD LOSSES**

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- a) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- b) Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- c) Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- d) Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- e) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

#### **Section 2.0 DEFINITIONS**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

**"Appeal"** means a request for a review of the Construction Code Official's interpretation of any provision of this ordinance or a request for a variance.

**"Area of special flood hazard"** means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone AE.

**"Base flood"** A flood having a one percent chance of being equaled or exceeded in any given year.

**"Base Flood Elevation (BFE)"** – The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE the elevation represents the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

**"Basement"** means any area of the building having its floor subgrade (below ground level) on all sides.

**"Development"** means any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling,

grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

**“Elevated Building”** — A non-basement building (i) built, in the case of a building in an Area of Special Flood Hazard, to have the top of the elevated floor elevated above the base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

**“Existing Manufactured Home Park or Subdivision”** — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**"Flood or flooding"** means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- [1] The overflow of inland or tidal waters and/or
- [2] The unusual and rapid accumulation or runoff of surface waters from any source.

**"Flood Insurance Rate Map" (FIRM)** means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**"Flood Insurance Study" (FIS)** means the official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

**"Floodplain management regulations"** means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a flood plain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**“Floodproofing”** — Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**“Floodway”** — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without accumulatively increasing the water surface elevation more than 0.2 foot.

**“Freeboard”** — A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

**"Highest adjacent grade"** means the highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

**"Historic structure"** means any structure that is:

a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

c) Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or

d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(1) By an approved State program as determined by the Secretary of the Interior; or

(2) Directly by the Secretary of the Interior in States without approved programs.

**"Lowest floor"** means the lowest floor of the lowest enclosed area [including basement]. An unfinished or flood resistant enclosure, useable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements of 44 CFR Section 60.3.

**"Manufactured home"** means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

**"Manufactured home park or manufactured home subdivision"** means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

**"New construction"** means structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

**"New manufactured home park or subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the flood plain management regulations adopted by the municipality.

**"Recreational vehicle"** means a vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**"Start of construction"** for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**"Structure"** means a walled and roofed building, a manufactured home, or a gas or liquid storage tank, that is principally above ground.

**"Substantial damage"** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**"Substantial improvement"** Any reconstruction, rehabilitation, addition, or other improvement of a structure the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This

term includes structures which have incurred "substantial damage", regardless of the actual repair work performed or "repetitive loss". The term does not, however, include either:

- 1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- 2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

**"Variance"** means a grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

**"Violation"** The failure of a structure or other development to be fully compliant with this ordinance. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

## **Section 3.0**

### **GENERAL PROVISIONS**

#### **3.1 LANDS TO WHICH THIS ORDINANCE APPLIES**

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Borough of Manville, Somerset County, New Jersey.

#### **3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD**

The areas of special flood hazard for the Borough of Manville, Community No. 340437, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- a) A scientific and engineering report "Flood Insurance Study, Somerset County, New Jersey (All Jurisdictions)" dated November 4, 2016.
- b) "Flood Insurance Rate Map for Somerset County, New Jersey (All Jurisdictions)" as shown on Index and panel numbers 161E, 162E, with a panel date of September 28, 2007, and panel numbers 163F, 164F with a panel date of November 4, 2016; whose collective effective date is November 4, 2016.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study and maps are on file at 325 North Main Street, Manville, NJ 08835-1800.

#### **3.3 PENALTIES FOR NONCOMPLIANCE**

No structure or land shall hereafter be constructed, re-located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2,000.00 or imprisoned for not more than 90 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Borough of Manville from taking such other lawful action as is necessary to prevent or remedy any violation.

### **3.4 ABROGATION AND GREATER RESTRICTIONS**

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

### **3.5 INTERPRETATION**

In the interpretation and application of this ordinance, all provisions shall be:

- a) Considered as minimum requirements;
- b) Liberally construed in favor of the governing body; and,
- c) Deemed neither to limit nor repeal any other powers granted under State statutes.

### **3.6 WARNING AND DISCLAIMER OF LIABILITY**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the Borough of Manville, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

## **Section 4.0 ADMINISTRATION**

### **4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT**

A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in Section 3.2. Application for a Development Permit shall be made on forms furnished by the Construction Code Official and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing.

Specifically, the following information is required:

- a) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- b) Elevation in relation to mean sea level to which any structure has been floodproofed.
- c) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 5.2-2; and,
- d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

## **4.2 DESIGNATION OF THE LOCAL ADMINISTRATOR**

The Construction Code Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

## **4.3 DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR**

Duties of the Construction Code Official shall include, but not be limited to:

### **4.3-1 PERMIT REVIEW**

- a) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- b) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
- c) Review all development permits to determine if the proposed development is located in the floodway, assure that the encroachment provisions of Section 5.3a) are met.

### **4.3-2 USE OF OTHER BASE FLOOD AND FLOODWAY DATA**

When base flood elevation and floodway data has not been provided in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, Construction Code Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to

administer Sections 5.2-1, SPECIFIC STANDARDS, Residential Construction, and 5.2-2, SPECIFIC STANDARDS, Nonresidential Construction.

#### **4.3-3 INFORMATION TO BE OBTAINED AND MAINTAINED**

- a) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- b) For all new or substantially improved floodproofed structures:
  - i. verify and record the actual elevation (in relation to mean sea level); and
  - ii. maintain the floodproofing certifications required in Section 4.1 c).
- c) Maintain for public inspection all records pertaining to the provisions of this ordinance.

#### **4.3-4 ALTERATION OF WATERCOURSES**

- a) Notify adjacent communities and the New Jersey Department of Environmental Protection, Bureau of Flood Control and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- b) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

#### **4.3-5 SUBSTANTIAL DAMAGE REVIEW**

- a) After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.
- b) Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Bureau of Flood Control.
- c) Ensure substantial improvements meet the requirements of sections 5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, 5.2-2, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION and 5.2-3, SPECIFIC STANDARDS, MANUFACTURED HOMES.

#### **4.3-6 INTERPRETATION OF FIRM BOUNDARIES**

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 4.4.

## **4.4 VARIANCE PROCEDURE**

### **4.4-1 APPEAL BOARD**

a) The Planning Board as established by the Borough of Manville shall hear and decide appeals and requests for variances from the requirements of this ordinance.

b) The Planning Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Construction Code Official in the enforcement or administration of this ordinance.

c) Those aggrieved by the decision of the Planning Board, or any taxpayer, may appeal such decision to the Superior Court of New Jersey, Somerset County, as provided in N.J.S.A. 40:55D.

d) In passing upon such applications, the Planning Board, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:

i. the danger that materials may be swept onto other lands to the injury of others;

ii. the danger to life and property due to flooding or erosion damage;

iii. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

iv. the importance of the services provided by the proposed facility to the community;

v. the necessity to the facility of a waterfront location, where applicable;

vi. the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

vii. the compatibility of the proposed use with existing and anticipated development;

viii. the relationship of the proposed use to the comprehensive plan and flood plain management program of that area;

ix. the safety of access to the property in times of flood for ordinary and emergency vehicles;

x. the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,

xi. the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

e) Upon consideration of the factors of Section 4.4-1d) and the purposes of this ordinance, the Planning Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

f) The Construction Code Official shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

### **4.4-2 CONDITIONS FOR VARIANCES**

a) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (i-xi) in section 4.4-1d) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

b) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

c) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

d) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

e) Variances shall only be issued upon

- i. A showing of good and sufficient cause;
- ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
- iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in section 4.4- 1d), or conflict with existing local laws or ordinances.

f) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

## **SECTION 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION**

### **5.1 GENERAL STANDARDS**

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

#### **5.1-1 ANCHORING**

a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

b) All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors.

This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

### **5.1-2 CONSTRUCTION MATERIALS AND METHODS**

- a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

### **5.1-3 UTILITIES**

- a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;
- c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
- d) For all new construction and substantial improvements, the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

### **5.1-4 SUBDIVISION PROPOSALS**

- a) All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;
- b) All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- c) All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and,
- d) Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least 50 lots or 5 acres (whichever is less).

### **5.1-5 ENCLOSURE OPENINGS**

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following

minimum criteria: A minimum of two (2) openings in at least two exterior walls of each enclosed area, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

## **5.2 SPECIFIC STANDARDS**

In all areas of special flood hazards where base flood elevation data have been provided as set forth in section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in SECTION 4.3-2, Use of Other Base Flood Data, the following standards are required:

### **5.2-1 RESIDENTIAL CONSTRUCTION**

a) New construction and substantial improvement of any residential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities (including all electrical, heating, ventilating, air-conditioning and other service equipment), elevated at or above the base flood elevation plus two (2) feet or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive.

### **5.2-2 NONRESIDENTIAL CONSTRUCTION**

In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an AE zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities (including all electrical, heating, ventilating, air-conditioning and other service equipment):

either

a) Elevated to or above the base flood elevation plus two (2) feet or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive;

or

b) Be floodproofed so that below the base flood level plus two (2) feet or as required by ASCE/SEI 24-14, Table 6-1, whichever is more restrictive, the structure is watertight with walls substantially impermeable to the passage of water;

c) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

d) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in section 4.3-3 b) ii.

### **5.2-3 MANUFACTURED HOMES**

- a) Manufactured homes shall be anchored in accordance with section 5.1-1b).
- b) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall:
  - i. Be consistent with the need to minimize flood damage,
  - ii. Be constructed to minimize flood damage,
  - iii. Have adequate drainage provided to reduce exposure to flood damage; and,
  - iv. Be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation plus two (2) feet or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive.

### **5.3 FLOODWAYS**

Located within areas of special flood hazard established in section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- a) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- b) If section 5.3[a] is satisfied, all new construction and substantial improvements must comply with SECTION 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION.
- c) In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

### **SECTION 6.0 SEVERABILITY**

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

### **SECTION 7.0 ENACTMENT**

#### **7.01 ADOPTION**

This Ordinance shall be effective on and shall remain in force until modified, amended or rescinded by the Borough of Manville, Somerset County, New Jersey.

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

## **PUBLIC PORTION ON RESOLUTIONS**

Mayor Onderko requested a motion to open the public portion on Resolutions #2019-60 through #2019-64 and #2019-66 through #2019-68.

Councilman Szabo, seconded by Council President Magnani, made a motion to open the public portion on Resolutions #2019-60 through #2019-64 and #2019-66 through #2019-68

All present were in favor.

Maria Janucik, 720 E. Frech Ave., asked who provides the grant funding mentioned in Resolution #2019-61 and . Inquired as to specific pay increases for the management staff as stated in Resolution #2019-62.

Mayor Onderko and Administrator Wardrop answered her questions.

When no one else from the public wished to comment, Mayor Onderko requested a motion to close the public portion on Resolutions.

Councilman Szabo, seconded by Council President Magnani made a motion to close the public portion on Resolutions.

All present were in favor.

## **RESOLUTIONS (To Be Taken Separately)**

Mayor Onderko requested a motion to adopt Resolution #2019-60.

Councilman Szabo, seconded by Councilman Skirkanish made a motion to adopt Resolution #2019-60.

ROLL CALL: AYES:MAGNANI,LUKAC,PETRONE,SKIRKANISH,  
SZABO, ZAMORSKI

### **Resolution #2019-60**

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

1. Current	\$1,478,983.05
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2. Dedicated Dog	\$768.00
3. Capital Checking	\$58,057.69
4. Sewer Checking	\$212,430.86
5. Sewer Capital Checking	\$0.00
6. Trust Checking	\$0.00
7. Lien Premium	\$29,000
8. Redemption Checking	\$74,095.87
9. Unemployment	\$0.00
10. Federal Asset	\$1,200.00
11. Developer's Escrow	\$ 1,369.50
12. Recreation Dedicated	\$70.00
<b>TOTAL</b>	<b>\$1,855,974.97</b>

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

Borough of Manville

/s/ Richard M. Onderko, Mayor

Mayor Onderko requested a motion to adopt Resolution #2019-61.

Councilman Lukac asked Mayor Onderko the impact of this resolution on the grant. Mayor Onderko stated it would have no impact since the grant is already closed out.

Council President Mangnani, seconded by Councilman Lukac made a motion to adopt Resolution #2019-61.

Mayor Onderko asked if there was any discussion amongst the Council before voting. Councilman Petrone stated he was voting against the Resolution because "to refuse the money is the wrong thing to do." Mayor Onderko stated it wasn't refusing money, the Borough is refusing to submit an application with FEMA to get more buy outs. Councilman Petrone stated that was not his understanding of it at the committee meeting level. Mayor Onderko stated this had nothing do with Blue Acres funding and felt the need to slow down the process. Administrator Wardrop provided an explanation of the FMA grant and the process to suspend it. Council President Magnani asked if this applied to the residents already in the process. Councilman Skirkanish asked for a better explanation of the Resolution.

ROLL CALL:           AYES: MAGNANI, LUKAC, SZABO  
                               NO: PETRONE, ZAMORSKI  
                               ABSTAIN: SKIRKANISH

Mayor Onderko stated the Resolution carries with a 3-2-1 vote.

**Resolution #2019-61**  
**Suspension of Acquisition Action Plan**

**WHEREAS**, the Borough of Manville applied for and received a 2015 FEMA Flood Mitigation Assistance planning grant; and

**WHEREAS**, subsequently, the Borough of Manville adopted an Acquisition Action Plan for the Borough of Manville in April of 2018; and

**WHEREAS**, the Borough of Manville now desires to suspend the Acquisition Action Plan until such time that the Sandy Blue Acres / CDBG-DR HUD disaster relief buyouts of 108 homes are processed and demolition is complete and to fully understand the tax implications resulting from said buyouts; and

**WHEREAS**, the Borough of Manville will not apply for a Flood Mitigation Assistance grant for more buyouts in 2019.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey that the Borough of Manville will suspend the Acquisition Action Plan adopted in 2018.

**BE IT FURTHER RESOLVED**, that the Borough of Manville will not apply for a Flood Mitigation Grant for 2019.

#### **RESOLUTIONS BY CONSENT**

Mayor Onderko asked if any Council Member wished to take any Resolution individually. When no one wished to take any Resolutions individually, Mayor Onderko requested a motion to adopt Resolutions #2019-62 through #2019-64 and Resolutions #2019-66 through #2019-68 .

Councilman Szabo, seconded by Councilman Petrone made a motion to adopt Resolutions #2019-62 through #2019-64 and Resolutions #2019-66 through #2019-68.

ROLL CALL:                   AYES: MAGNANI, LUKAC, PETRONE,  
  SKIRKANISH, SZABO,ZAMORSKI

#### **Resolution #2019-62 A Resolution Authorizing The Mayor & Council To Adjust The Salaries Of Management Personnel For 2019**

**WHEREAS**, the Policy, Planning and Personnel Committee met on March 4, 2019 and discussed salary adjustments for various management personnel including the Borough Administrator, for 2019; and

**WHEREAS**, Resolution #2018-232, approved non-contractual staff salary adjustments for various management personnel (excluding the Borough Administrator) for 2017 and 2018, but did not include the salary adjustments for 2019; and

**WHEREAS**, the 2018-2019 recommended salary adjustments for all management personnel were discussed with the PPP Committee in detail in 2018 meetings following the settlement of all contractual employee agreements; and

**WHEREAS**, a compensation rate schedule was prepared in 2018 for management personnel following the settlement of the contractual agreements reflecting the recommended salary increases for said employees of the Borough and this compensation rate schedule is now updated to include salary adjustments for 2019. **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 as shown on the 2019 compensation table be authorized and the increases be made effective January 1, 2019.

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

**Resolution #2019-63  
Budget Transfers**

**WHEREAS**, There is a need for a transfer of funds to areas where there are insufficient funds to meet the demands of the Borough in the 2018 Budget, and

**WHEREAS**, There are sufficient funds to be transferred to those accounts as stated to meet the needs of the Borough,

**NOW, THEREFORE, BE IT RESOLVED**, By the Borough Council of Manville Borough, County of Somerset, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-58 and N.J.S.A. 40A:4-59 hereby authorizes the Chief Finance Officer to make the following transfers:

**FROM:**

<b>Current Fund</b>	<b>Account Name</b>	<b>Amount</b>
01-203-25-265-200	Fire Department – (O/E)	\$ 9,000.00
01-203-26-290-295	Public Works – (O/E)	\$ 7,000.00
<b>TOTAL</b>		<b>\$ 16,000.00</b>

**TO:**

<b>Current Fund</b>	<b>Account Name</b>	<b>Amount</b>
01-203-20-155-200	Legal Services – (O/E)	\$ 9,000.00
01-203-20-165-251	Engineering Services – (O/E)	\$ 7,000.00
<b>TOTAL</b>		<b>\$ 16,000.00</b>

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

**Resolution #2019-64  
Social Media Policy for Borough of Manville**

**WHEREAS**, there exists a need for a Borough-wide Social Media usage policy, and

**WHEREAS**, the Mayor and the Council of the Borough of Manville are in support of such a policy; and

**WHEREAS**, in consultation with the Borough's Labor Attorney, a proposed policy was presented to the Policy, Planning and Personnel Committee; and

**WHEREAS**, the Policy, Planning and Personnel Committee recommends the adoption of the attached policy.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey, that the attached Borough wide Social Media Policy be adopted, adhered to and enforced by the Borough of Manville.

**BE IT FURTHER RESOLVED**, that the above mentioned policy shall become a part of the Borough of Manville Policy and Procedures Manual for employees and volunteers, including governing officials, special board and committee members, and management staff.

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

**Resolution #2019-66  
Tax Collector Adjustment-Lien Redemption**

**WHEREAS**, several real property tax payers have redeemed liens held against their property taxes and;

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

**NOW, THEREFORE BE IT RESOLVED** that the Borough Council, of the Borough of Manville, County of Somerset, State of New Jersey, hereby authorizes the Tax Collector to release the amount specified to the lienholders listed below.

<u>Block</u>	<u>Lot</u>	<u>Name of Owner</u>	<u>Amount</u>	<u>Premium</u>	<u>Lienholder</u>
178	10	Xu, Jian Chong	\$7,619.51	\$2,100.00	Sunshine St
308	11.01	Shote, J & C	\$2,013.83	\$1,400.00	FWDSL

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

**Resolution #2019-67**  
**Tax Collector Adjustment-Refund of Overpayment of Property Tax**

**WHEREAS**, a property tax payer has overpaid their real property taxes and;

**WHEREAS**, the Tax Collector has received proof of such payment after correspondence with said property owner;

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

<u>Block Lot</u>	<u>Name of Owner</u>	<u>Amount</u>	<u>Year</u>	<u>Quarter</u>
110 39.01	Vergara, LLC	\$322.62	2018	4 <sup>th</sup>

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

**Resolution #2019-68**  
**Increase of Temporary Budget**

**WHEREAS**, The 2019 Budget has not been adopted and there is a need to increase the Temporary Budget prior to the 2019 Budget being adopted in order to maintain operations until such time as the Township Budget is in place; and

**WHEREAS**, N.J.S.A. 40A:4-20 provides for approval of emergency temporary appropriations prior to the 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:

Account Name	Account Type	Amount
<b>CURRENT FUND</b>		
Administrative & Executive	O/E	\$12,000.00
Mayor & Council	O/E	\$1,000.00
Financial Administration	O/E	\$5,000.00
Collection of Taxes	S/W	\$9,000.00
Assessment of Taxes	S/W	\$12,000.00

Engineering	O/E	\$8,000.00
Property Maintenance	S/W	\$6,000.00
Liability Insurance	O/E	\$30,000.00
Workers Compensation Insurance	O/E	\$31,000.00
Employee Group Insurance	O/E	\$60,000.00
Police Department	O/E	\$50,000.00
Emergency Management	S/W	\$2,000.00
First Aid Contribution	O/E	\$5,000.00
Uniform Fire Safety Act	S/W	\$9,000.00
Building and Grounds	O/E	\$21,000.00
Public Health Services	S/W	\$6,000.00
Utilities	O/E	\$75,000.00
<b>TOTAL CURRENT</b>		<b>\$342,000.00</b>
<b>SEWER FUND</b>		
Salary & Wages	S/W	\$50,000
Other Expenses	O/E	\$50,000
<b>TOTAL SEWER</b>		<b>\$100,000.00</b>

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

#### **OFFICIAL REPORTS**

- A/ Clerk's Report—February, 2019
- B/ Code Enforcement Report—February, 2019
- C/ Police Department Report—February, 2019
- D/Board of Health Report—February, 2019
- E/Board of Health Report, Animal Control—February, 2019
- F/Board of Health Report, Registrar—February, 2019
- G/Borough Attorney Report—February, 2019

Mayor Onderko stated all the above reports were on file in the Clerk's office, with the exception of the Borough Attorney Report, Attorney Linnus provided that report verbally for February, 2019 verbally.

#### **NEW BUSINESS**

No New Business Presented.

#### **COMMUNICATIONS**

No Communications Presented.

#### **COMMITTEE REPORTS AND COUNCIL COMMENTS**

Councilwoman Zamorski as Chairperson of the Public Safety Committee stated the Mayor received communication from Mike Kerwin from Somerset County regarding the Business Association and suggestions for the Manville Business Association. She

stated she would like to arrange a meeting with Mr. Kerwin, Mayor Onderko and herself to discuss some possible solutions. She further reported that there were 19 fire calls for the month of February and 47 year to date. Councilwoman Zamorski stated they would like to contact the County Engineer to have the No Turn on Red Sign at Thomas J. Kaschak Blvd to have it changed during certain time frames.

Councilman Lukac, as Chairperson of the Public Works Committee stated the DPW has continued cleaning sewer mains and repair of storm water catch basins. The street sweeper will be out as long as weather permits. The Borough is waiting on a confirmed list of areas that will have water and gas main replacements. Councilman Lukac reminded the Public Community Clean Up Day is April 13<sup>th</sup> and more information can be found on the Borough website or through the Recreation Dept.

Council President Magnani, as Chairperson of Policy, Planning, and Personnel Committee stated the Committee met and in attendance were Councilman Skirkanish, Councilman Lukac, and Administrator Wardrop. The need for a Borough Social Media Policy was discussed. The committee discussed salary increases for the Management team. Two new positions are being put into the 2019 budget; a part time web design specialist and a part time Human Resources specialist. The DPW had originally requested 3 new full time positions however the Finance committee decided on 2 new full time DPW positions and one seasonal employee. The letters sent from Blue Acres to 108 residents was discussed. Council President Magnani stated there will be a meeting regarding the Memorial Day Parade in the next week and she is hoping to have a rain date this year

Councilman Skirkanish as Chairperson of Finance Committee stated the committee met on February 28<sup>th</sup> and in attendance were Councilman Szabo, Councilman Lukac, Administrator Wardrop, CFO Mike Pitts, and DPW Director LoMedico and the 2019 budget for the Department of Public Works was discussed. The committee met again on March 4<sup>th</sup> with Recreation Director Cefalone to discuss the 2019 Recreation budget. Councilman Skirkanish reported that the Borough has a positive cash flow with the payment of 1<sup>st</sup> quarter property taxes. Budget reviews and 2019 budget preparation is currently underway by the departments and the Committee still needs to meet with the Police and Fire Departments. Lastly, Councilman Skirkanish stated he attended the St. Patrick's Day Parade in Somerville as a member of the Cert Team.

Administrator Wardrop provided Councilman Szabo as Chairperson of the Progress and Development Committee report, as Councilman Szabo had laryngitis. She reported that the committee met on March 4<sup>th</sup> and in attendance were Councilman Petrone, Council President Magnani, Planning Board member Suzanne Maeder, Administrator Wardrop, and representatives from Local Planning Services. The draft of the Redevelopment plan was reviewed by the Committee. The committee discussed the concept plan map and potential recreational areas. The best method to communicate with the current property owners of the Rustic Mall was also discussed. The committee decided to present the Redevelopment Plan to the Planning Board at its April meeting. Local Planning Services will be present to make the presentation.

Councilman Petrone, as Chairperson of the Building and Grounds stated the Shade Tree Commission will be meeting with the principal of Roosevelt School on March 15<sup>th</sup>. Arbor Day festivities will be at Roosevelt School this year. The Borough had the bid opening for repair of the Kiddie pool at Memorial Pool and Borough Engineer Schrek is currently reviewing the received bids. Councilman Skirkanish and Council President Magnani will be working with Mr. Gorbatuk for the Memorial Day Parade. The lots at the recently demolished buy out properties are being filled in with topsoil and grass is being planted. Engineer Schrek is currently reviewing the lands transfer with Green Acres. Councilman Petrone stated the work at the library for partial roof repair will most likely start in April.

Mayor Onderko stated he attended the 100<sup>th</sup> anniversary mass of Christ the Redeemer Parish. He stated he will be setting up meetings with the Governor's office, Senators, and Assemblymen to discuss a recurring source of aid to help offset monies lost through the Blue Acres program. He explained he would like to take the financial burden off the Borough tax payers and hope to reduce the tax rate as it is too high. He reported he will be meeting with Assemblyman Frieman shortly and will invite the Finance Chairperson to attend as well.

## **PUBLIC PORTION**

Mayor Onderko requested a motion to open the public portion.

Councilman Skirkanish, seconded by Councilman Lukac, made a motion to open the Public Portion.

All present were in favor.

Patti Barnish, 239 Brooks Blvd., inquired if there was an Ordinance requiring the requirement of sidewalks in front of her property. She explained she has severe puddles and water ponding in front of her residence. She thought it might benefit from a catch basin being installed as there is one across the street.

Mayor Onderko explained he had been there and seen the issue first hand. He inquired DPW Director LoMedico's opinion of correcting the situation. Borough Attorney Linnus suggested this was an issue for Borough Engineer Shrek to review. Councilman Petrone stated he thought the existing sidewalks be removed and rebuilt up to grade.

Dayna Camacho, 950 Lincoln Ave., questioned the different requirements of the various Buy Out programs the Borough has utilized thus far. Questioned how the lists were assembled and who made the decisions as to which properties are bought out through the program.

Mayor Onderko answered her questions.

Alisa Hardgrove, Gress St., inquired if there were any grants available for home elevation.

Mayor Onderko answered her questions.

Sheila Lessing, 1133 Dukes Parkway, voiced her displeasure about the No Turn on Red at Dukes Parkway and North 13<sup>th</sup> Ave. Stated one of the buyout lots was being used to park cars on it.

Mayor Onderko thanked her for her comments.

Maria Janucik, 720 E. Frech Ave., asked when Mayor Onderko received the communication from the NJ DEP regarding future buy outs.

Due to a medical emergency in the room Mayor Onderko requested a motion to adjourn the meeting. Council President Magnani seconded by Councilman Skirkanish made a motion to adjourn the meeting.

All present were in favor.

The meeting was adjourned at approximately 8:30 pm.

ATTEST:

A handwritten signature in cursive script, appearing to read "Pamela Borek". The signature is written in black ink on a white background.