

**REGULAR MEETING
OF THE MAYOR AND COUNCIL
April 8, 2019**

THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY, WAS HELD ON APRIL 8, 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

Mayor Onderko requested the Moment of Silence be dedicated to long time Manville resident and WWII Navy Veteran, Joe Bartusek who passed away recently.

PROCLAMATIONS

Councilman Petrone read the proclamation for Autism Awareness Month into the public record.

AUTISM AWARENESS MONTH

WHEREAS, autism is a pervasive developmental disorder affecting the social, communication and behavioral skills of those affected by it; and

WHEREAS, as more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as 1 in 68 children nationally and 1 in 45 in New Jersey, and,

WHEREAS, while there is no cure for autism, it is well-documented that if individuals with autism receive treatment early in their lives, it often is possible for those individuals to lead significantly improved lives, and

WHEREAS, individuals with autism often require a lifetime of specialized and community support services to ensure their health and safety and to support their families' resilience as they manage the psychological and financial burdens autism presents,

WHEREAS, Autism New Jersey, is spearheading an awareness effort in order to educate parents, professionals, and the general public about autism and its effects,

NOW, THEREFORE, I, Richard M. Onderko, Mayor of the Borough of Manville, County of Somerset, State of New Jersey, on behalf of myself and the Borough Council, do hereby proclaim April, 2019 as **AUTISM AWARENESS MONTH** in the Borough of Manville and urge all employees and residents to become better educated on the subject of autistic spectrum disorders.

BOROUGH OF MANVILLE



Richard M. Onderko, Mayor

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

Councilman Ronald Skirkanish
Councilman Stephen Szabo
Councilwoman Patricia Zamorski

Read into Record: April 8, 2019

Mayor Onderko read the proclamation for National Donate Life Month into the public record.

NATIONAL DONATE LIFE MONTH

WHEREAS, realizing the urgent need for organ and tissue donors across the Country, the **NATIONAL DONATE LIFE MONTH observance** promotes a greater Understanding about the life-saving benefits of donation and transplantation. Moreover, the need is increasing. NJ Sharing Network is committed to addressing that need through increased awareness; and

WHEREAS, the transplantation of organs and tissue is a miracle of modern medicine made possible through the compassion of organ and tissue donors, enabling surgeons to save thousands of lives every year. One organ donor can save eight lives and one tissue donor can restore health to over 75 others. People of all ages, ethnic backgrounds and religions are touched by donation and by the serious shortage of organ donors that exists. Currently, there are nearly 4,000 New Jersey residents and 115,000 Americans awaiting life-saving transplant operations; and

WHEREAS, every capable person should support this vital effort by registering as an organ and tissue donor, making their family aware of their wishes and being willing to give the precious gift of health, sight and life to people in need; and

WHEREAS, Registering as an organ and tissue donor at a local Motor Vehicle Agency\ or online at www.NJSharingNetwork.org signifies our fundamental human responsibility to help others; and

WHEREAS, As Mayor of the Borough of Manville, I recognize **NATIONAL DONATE LIFE MONTH** as an opportunity to join NJ Sharing Network in its life-saving mission.

NOW, THEREFORE, I, Richard M. Onderko, Mayor of the Borough of Manville, County of Somerset, State of New Jersey, on behalf of myself and the Borough Council **do proclaim April, 2019 as DONATE LIFE MONTH** In Manville, New Jersey, and I urge all residents to join me in promoting organ and tissue donor education throughout **NATIONAL DONATE LIFE MONTH**.

BOROUGH OF MANVILLE



Richard M. Onderko, Mayor

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

Councilman Ronald Skirkanish
Councilman Stephen Szabo
Councilwoman Patricia Zamorski

Read into Record: April 8, 2019

APPROVAL OF MINUTES

Mayor Onderko requested a motion to approve the following minutes:
A/Regular Meeting of March 25, 2019

Councilman Szabo, seconded by Council President Magnani made a motion to approve the minutes of March 25, 2019.

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

ABSTAIN: LUKAC

B/ Closed Session Meeting of March 25, 2019

Councilman Skirkanish seconded by Council President Magnani made a motion to approve the closed session minutes of March 25, 2019

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

BUDGET INTRODUCTION AND PRESENTATION

CFO Pitts thanked the Finance Committee, Mayor Onderko, the Council, Administrator Wardrop, and the Department heads for their hard work of preparation of the 2019 Municipal Budget. He explained the Budget kick off was in November, the Dept. Heads worked on their budgets in December and January, and the Finance Committee reviewed their budget requests in March. He stated that the Budget Hearing and Adoption will be May 13th. CFO Pitts stated there will be a 1.93% tax increase for 2019. He explained the current fund is set for a budget of \$13,467,923 and the amount to be raised by taxes will be \$9,356,753. The difference is closed by misc. revenue, state aid, permit fees, etc. He commented it was a good year for the Borough's debt service which is down approximately \$260,000.

Mayor Onderko requested a motion to introduce the 2019 Municipal Budget. Councilman Szabo, seconded by Council President Magnani made a motion to introduce the 2019 Municipal Budget.

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

ORDINANCES – PUBLIC HEARING

Mayor Onderko read the Ordinance by title.

Mayor Onderko requested a motion to open the Public Hearing on Ordinance #2019-1216.

Councilman Szabo, seconded by Councilman Lukac, made a motion to open the Public Hearing on Ordinance #2019-1216.

All present were in favor.

Mayor Onderko explained this Ordinance was significantly changed and will be re-introduced. Mayor Onderko requested a motion to close the Public Hearing on Ordinance #2019-1216. Council President Magnani seconded by Councilman Lukac made a motion to close the Public Hearing.

All present were in favor.

Ordinance #2019-1216

**AN ORDINANCE AMENDING ORDINANCES #2008-1073 and #2017-1180,
TO REGULATE THE COLLECTION AND DISPOSAL OF BULK TRASH ITEMS,
GARBAGE, MUNICIPAL WASTE AND SOLID WASTE WITHIN THE BOROUGH OF
MANVILLE**

WHEREAS, there is a need to adjust the bulk waste sticker schedule that appears within Ordinance 2008-1073 to better match the actual cost to dispose of various bulk waste items. In addition, in an effort to promote sustainability within the Borough and promote a “greener” community, the Borough desires to encourage the recycling of bulk items whenever possible.

The schedule below accounts for the weight and size of the bulk waste items, in addition to considering the disposal fees incurred by the Borough of Manville for said items. This schedule shall replace Schedule B within Ordinance 2008-1073:

REVISED: March 2019

Accepted Bulk Items with # of stickers required:			
+	Appliances – Small	3	Kitchen Table (disassembled) 4
	Bath Tub (fiberglass)	6	Lamp – Table 2
	Bath Tub (porcelain)	8	Mattress 7
	Bicycle	3	Sink (porcelain) 6
	Box Spring	5	Sink (stainless) 3
	Carpet (10’ x 12’ section)	5	Sofa 6
	Chair – Folding	2	Sofa Bed 10
	Chair or Recliner	6	Stove 6
	Dishwasher	4	Table – End, Coffee, Folding 4
	Dresser	7	Toilet 4
	Exercise Equipment	4	Wall or Floor Unit 7
	File Cabinet	4	Washer 7
	Gas Grill (no tank)	4	Miscellaneous – Maximum 25# bag 3
	Hot Water Heater	7	

□

AND

WHEREAS, Ordinance #2017-1180, shall be amended as follows:

Section 13. VIOLATIONS AND PENALTIES:

- (A) Any person violating any provisions of this Article (Ordinance #2008-1073 and #2017-1180) shall first be sent a Notice of Violation via both

Regular and Certified Mail noticing said person to promptly abate the violation and giving notice of the penalties set forth in this Section; if the violation continues without abatement for **two (2) calendar days** after the mailing date of **said Notice**.

And the following shall be added under SECTION 13:

(4) **Method of Service** – The notice of violation shall be deemed to be properly served if a copy thereof is:

- a. Delivered in person; or
- b. Affixed to the front door of the property with 24-hour notice to abate and a photo of the notice affixed to the front door is taken; or
- c. Sent by certified or first-class mail addressed to the last-kwn address; or
- d. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

2. Except as amended or modified herein, Ordinance No. 2008-1073 shall remain in full force and effect.

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

4. Inconsistency with other Ordinances: Should any provision of this ordinance be inconsistent with the provisions of any other prior ordinances, the inconsistent

5. Effective Date: This ordinance shall be effective ten (10) days after final approval and publication in accordance with law.

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

ORDINANCE-INTRODUCTION & FIRST READING

Mayor Onderko read the Ordinance by title.

Mayor Onderko requested a motion to introduce Ordinance #2019-1217.

Councilman Szabo, seconded by Council President Magnani, made a motion to introduce Ordinance #2019-1217.

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

Ordinance #2019-1217

**An Ordinance Amending Ordinances #2008-1073 And #2017-1180, To Regulate
The Collection And Disposal Of Bulk Trash Items, Garbage, Municipal Waste And
Solid Waste Within The Borough Of Manville**

WHEREAS, there is a need to adjust the bulk waste sticker schedule that appears within Ordinance 2008-1073 to better match the actual cost to dispose of various bulk waste items. In addition, in an effort to promote sustainability within the Borough and promote a “greener” community, the Borough desires to encourage the recycling of bulk items whenever possible.

The schedule below accounts for the weight and size of the bulk waste items, in addition to considering the disposal fees incurred by the Borough of Manville for said items. This schedule shall replace Schedule B within Ordinance 2008-1073:

REVISED: April 2019			
Accepted Bulk Items with # of stickers required:			
	appliances - small	3	kitchen table (disassembled)
	bath tub (plastic, fiberglass)	6	miscellaneous (25# bag max)
	bath tub (porcelain)	8	box springs (twin or smaller)
	bicycle	3	mattress (twin or smaller)
	carpet/rug (10' x 12')	5	box springs (full, queen, king)
	chair - folding	2	mattress (full, queen, king)
	chair or recliner	5	pallet - wooden (cut in half)
	dishwasher	5	sink (stainless)
	dresser	6	sink (porcelain)
	dryer (clothes)	6	sofa
	exercise equipment	4	sofa bed
	file cabinet	4	stove
	gas grill (no gas tank)	4	table (end, coffee, folding)
	hot water heater	7	toilet
	loveseat or oversized stuffed chair	4	wall/floor unit/armoire
	lamp - table	2	washer

All mattresses will be fully wrapped with plastic wrapping or placed within an appropriately sized mattress plastic bag.

“Bagsters” sold by big box stores may be used, but must be placed fully on the property of the resident purchasing the “bagster”. “Bagsters” may not be placed on sidewalks or on the street. All “bagsters” must be removed within 21 days. “Bagsters” not removed within 21 days will be noticed according to Section 13 of this Ordinance –VIOLATIONS AND PENALTIES.

WHEREAS, Ordinance #2017-1180, shall be amended as follows:

Section 13. VIOLATIONS AND PENALTIES:

- (A) Any person violating any provisions of this Article (Ordinance #2008-1073 and #2017-1180) shall first be sent a Notice of Violation noticing

said person to promptly abate the violation and giving notice of the penalties set forth in this Section; if the violation continues without abatement for **two (2) calendar days** after the mailing date of **said Notice**.

And the following shall be added under SECTION 13:

(4) **Method of Service of Notice** – The notice of violation shall be deemed to be properly served if a copy thereof is:

- a. Delivered in person; or
- b. Affixed to the front door of the property with 24-hour notice to abate and a photo of the notice affixed to the front door is taken; or
- c. Sent by certified or first-class mail addressed to the last-known address; or
- d. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

2. Except as amended or modified herein, Ordinance No. 2008-1073 shall remain in full force and effect.

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

4. Inconsistency with other Ordinances: Should any provision of this ordinance be inconsistent with the provisions of any other prior ordinances, the inconsistent

5. Effective Date: This ordinance shall be effective ten (10) days after final approval 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 #2019-77 through #2019-90.

Councilman Skirkanish, seconded by Councilman Szabo, made a motion to open the public portion on Resolutions #2019-77 through #2019-90.

All present were in favor.

Maria Janucik, 720 E. Frech Ave., inquired about Resolution #2019-81 and the necessity for a Human Resources Specialist.

Administrator Wardrop answered her questions.

Rudy Nowak, 100 Driscoll St., questioned Resolution #2019-81 and the need for and the anticipated salary of a Human Resource Specialist and also the need for a Borough Intern.

Mayor Onderko thanked him for his comments.

Kevin Liza, Manahawkin, Health Benefits Coordinator for NJ State PBA, commended CFO Pitts on the Budget Presentation and further expressed his concern regarding the structure and accuracy of Resolution #2019-87.

Mayor Onderko thanked him for his comments.

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 #2019-77.

Councilman Szabo, seconded by Council President Magnani made a motion to adopt Resolution #2019-70.

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

Resolution #2019-77

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

1. Current	\$1,417,141.34
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2. Dedicated Dog	\$123.60
3. Capital Checking	\$0.00
4. Sewer Checking	\$106,418.08
5. Sewer Capital Checking	\$0.00
6. Trust Checking	\$525.00
7. Lien Premium	\$0.00
8. Redemption Checking	\$0.00
9. Unemployment	\$0.00
10. Federal Asset	\$0.00
11. Developer's Escrow	\$ 1,668.00
12. Recreation Dedicated	\$3,803.76
TOTAL	\$1,529,679.78

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 wished to take any Resolution individually. Councilman Petrone requested to have Resolutions #2019-81, #2019-83, and #2019-87 pulled from Agenda and moved to a Special Meeting with a Closed Session. Mayor Onderko requested a motion to adopt Resolutions #2019-78 through #2019-80, #2019-82, #2019-84 through #2019-86, and #2019-88 through #2019-90. Councilman Szabo seconded by Councilman Skirkanish made a motion to adopt Resolutions #2019-78 through #2019-80, #2019-82, #2019-84 through #2019-86, and #2019-88 through #2019-90.

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

Councilman Petrone seconded by Councilwoman Zamorski made a motion to pull Resolutions #2019-81, #2019-83, and #2019-87 from the agenda.

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

Mayor Onderko stated those above resolutions will be pulled from the agenda until the next meeting of the Mayor and Council.

**Resolution #2019-78
Temporary Budget Appropriations**

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:

Current Fund Account Name	Account Type	Amount
Administration	S/W	\$15,000.00
Municipal Clerk	S/W	\$3,500.00
Planning Board	O/E	\$2,000.00
Police	S/W	\$360,000.00
Uniform Fire Safety	S/W	\$4,000.00
Public Works	S/W	\$170,000.00
Public Works	O/E	\$50,000.00
Recreation	S/W	\$10,000.00
Public Health	S/W	\$2,000.00
Total		\$616,500.00

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

**Resolution #2019-79
Tax Collector Adjustment-Lien Redemptions**

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>
38	34	Cichon, J	\$9147.02	\$0.00	Manville Boro
63	66	Horner, G & M	\$870.45	\$0.00	Martella

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

**Resolution #2019-80
Authorization To Advertise-Seasonal Department of Public Works Positions**

WHEREAS, the Borough of Manville utilizes seasonal employees in the Department of Public Works; and

WHEREAS, there exists the need to advertise for two temporary seasonal employees for the Department of Public Works; and

WHEREAS, it has been determined that there is the need for two seasonal employees by the Department of Public Works and PPP Committees.

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 Borough Administrator is authorized to advertise for two (2) temporary seasonal Department of Public Works employees.

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

Resolution #2019-81--PULLED

**Resolution Authorizing The Borough Administrator To Advertise And Conduct A
Job Search For A Human Resource Specialist**

WHEREAS, the Borough of Manville does not have an in-house Human Resource (HR) professional to assist the Borough Administrator with personnel related issues to ensure new employment laws and practices are followed and to administer the daily tasks within the Borough related to the human resources field including assisting the Borough Administrator and Department Heads in employment searches, termination and resignation activities, State reporting, pension reporting and more; and

WHEREAS, the Borough Administrator and CFO informed the Finance and PPP Committees of the need for a Human Resource Specialist to replace the Finance Assistant that will be retiring in May 2019 with a professional certified and educated in the Human Resources field; and

WHEREAS, the 2019 Budget being introduced includes funding for a Human Resource Specialist following approval by the Finance and PPP Committees; and

WHEREAS, the Borough Administrator and CFO wish to begin the advertisement and employment search process for the Human Resource professional immediately.

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 Borough Administrator is authorized to advertise and conduct an employment search for a Human Resource Specialist beginning April 9, 2019.

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

**Resolution #2019-82
Authorization To Advertise-Technical Assistant Position**

WHEREAS, there is a pending vacancy in the Code Enforcement Department for a full-time Technical Assistant following the resignation of Ms. Danielle Stashek, effective April 19, 2019; and

WHEREAS, there exists the need to immediately fill said vacancy in the Code Enforcement Office; and

WHEREAS, this position is part of the Teamster's Clerical Collective Bargaining Unit.

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 Borough Administrator is authorized to advertise for a full-time Technical Assistant employee on the NJ League of Municipalities and further via other means of advertisement as appropriate.

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

Resolution #2019-83--PULLED

Resolution Authorizing The Borough Administrator To Advertise And Conduct A Job Search For An Intern To The Borough Administrator

WHEREAS, the current Intern to the Borough Administrator announced that she will be taking a new internship this summer and has announced her last day will be May 3, 2019; and

WHEREAS, the Borough Administrator has a need for an Intern to assist with various projects during the course of the year and fully supports mentoring a young person in the day to day operations of municipal government; and

WHEREAS, the Borough Administrator seeks a college student in his/her 3rd year or higher in a public policy, political science or public administration curriculum with excellent grades, computer and writing skills to assist with grant writing, report writing and other written projects; and

WHEREAS, the PPP Committee was advised by the Borough Administrator of the need to advertise for an Intern to begin working this summer and into the 2019/2020 school year if the Intern’s schedule allows and fully supported the Administrator’s need for an Intern.

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 Borough Administrator is authorized to advertise and conduct an employment search for an Intern to the Borough Administrator for the summer of 2019 and the 2019/2020 college school year.

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

**Resolution #2019-84
Temporary Seasonal Employee-Recreation**

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

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

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

Name	Title	Length of Service	Pay Rate
Kerrigan Johnston	Instructional Soccer Assistant	4-12-19 to 6-14-19	\$15.00 per hour
Bob Wanagiel	Softball Umpire	4-22-19 to 6-14-19	\$50.00 per game

BE IT FURTHER RESOLVED that the Recreation Director will have the authority to replace any staff member that leaves during the season in order to maintain the health, safety, and welfare of the public, with the approval of the Borough Administrator.

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

**Resolution #2019-85
One Seat Ride Raritan Valley Ride**

WHEREAS, the Raritan Valley Line (RVL) trains currently terminate in Newark Penn Station and riders destined for midtown Manhattan and Penn Station must transfer platforms and trains; and,

WHEREAS, RVL is one of the busiest and fastest growing lines of NJ Transit with more than 23,000 weekday passengers and no midtown direct, one-seat ride in and out of NY; and,

WHEREAS, RVL did get some off-peak hour one-seat service in 2014 and 2015 that provided relief and on average a 30 minute reduction in commuting time each way; and,

WHEREAS, the off-peak one-seat service on RVL, Atlantic City and Princeton Lines were suspended in 2018 because of Positive Train Control installation; and,

WHEREAS, Atlantic City and Princeton trains will be restored on May 24, 2019, there is no confirmation that service will be restored on the RVL; and,

WHEREAS, the Borough of Manville and the Raritan Valley Line Mayors Alliance of 32 Mayors in Union, Somerset, Hunterdon and Middlesex Counties, organized in 2018 by Fanwood Mayor Colleen Mahr, Westfield Mayor Shelley Brindle and Bound Brook Mayor Robert Fazen, are committed advocates for equitable service for RVL; and,

WHEREAS, 23,000 commuters and approximately 400,000 residents in towns served by the RVL deserve to know when the suspended off-peak morning and evening direct trains into New York will be back on schedule; and,

WHEREAS, midtown direct train service, known as “one-seat ride” has a positive impact on Manville, quality of life for our residents, home values and business growth;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Manville urge Governor Phil Murphy, DOT Commissioner Gutierrez and our State Legislators to support the immediate restoration of the off-peak hour “one seat ride” to NY Penn Station.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Governor Murphy, the Borough of Manville’s Legislative Delegation and NJ Transit.

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

Resolution #2019-86

Resolution in Support of Path to Progress Recommendations made by New Jersey Economic and Fiscal Policy Workgroup

WHEREAS, New Jersey faces a daunting fiscal crisis; and

WHEREAS, for two decades, while county and municipal governments made the proper pension payments, New Jersey governors from both parties severely underfunded the pension system for teachers and State government workers; and

WHEREAS, while local government pension systems are funded at the national average, the State’s unfunded liability for pensions and retiree health benefits now tops \$150 billion – four times the size of the State budget; and

WHEREAS, actuaries project the State will have to increase its pension contribution from \$3.2 billion in this year’s budget to \$6.7 billion to reach the Actuarially Required Contribution (ARC) by FY 2023; and

WHEREAS, health care costs continue to rise, and New Jersey and its local governments cannot sustain the unparalleled platinum-level benefits that they provide to their employees; and

WHEREAS, municipalities cannot address other major cost drivers, such as career-end sick leave payouts in excess of \$100,000, without relief from State government; and

WHEREAS, the State must bring pension and health care costs under control before they crowd out all other important spending needs, such as reinvestment in NJ Transit, making higher education more affordable and properly funding state aid to school districts to hold down property taxes.

NOW, THEREFORE BE IT RESOLVED that the Mayor & Council of the Borough of Manville expresses its support for the recommendations of the Path to Progress report issued by the New Jersey Economic and Fiscal Policy Workgroup; and

BE IT FURTHER RESOLVED, that a copy of this Resolution is to be forwarded to Assemblyman Andrew Zwicker and Assemblyman Roy Freiman, Senator Christopher “Kip” Bateman, Senate President Sweeney, Assembly Speaker Coughlin, Senator Paul Sarlo, Senator Steve Oroho, Assembly Majority Leader Greenwald, Assemblywoman Eliana Pintor-Marin, Senator Tony Bucco, Senator Troy Singleton, Senator Dawn Addiego, the Governor of State of New Jersey, the New Jersey Association of Counties, and the New Jersey State League of Municipalities.

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

Resolution #2019-87--PULLED

Resolution Authorizing The Borough to Follow the State of New Jersey State Health Benefit Plan Program Offerings for Active Employees beginning with the 2020 Plan Year and Forward

WHEREAS, the State of New Jersey, in an effort to control the costs associated with health care, has adjusted its health care plan offerings to the State employees; and

WHEREAS, health care costs continue to rise, and New Jersey and its local governments cannot sustain the unparalleled platinum-level benefits that they provide to their employees; and

WHEREAS, the State of New Jersey State Health Benefits Program Plan Year 2019 Rate Renewal Recommendations Report published September 2018 removed the Horizon 10 PPO

and Aetna 10 PPO plan offerings for Active Employees; and

WHEREAS, the Borough of Manville wishes to follow the State of New Jersey health plan offerings to all active employees eligible to receive health benefits in order to help the Borough better control health care costs beginning with the 2020 plan year. The Borough of Manville intends to offer the following plans for the 2020 open enrollment period in the fall of 2019: NJ Horizon 15 PPO, Aetna 15 PPO, NJ Horizon 1525 PPO, Aetna 1525 PPO, Horizon HMO (15), Aetna HMO (15), Horizon Omnia Tiered Network and the Aetna Liberty Tiered Network.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Manville, Somerset County, State of New Jersey, authorize the Borough Administrator to follow the State of New Jersey Health Care Plan Offerings for all Active Employees for the 2020 plan year and year going forward in an effort to better control the Borough's health care costs.

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

Resolution #2019-88 Emergency Management Agency Assistance

Authorization to participate in Sub Award FY18 Grant Program

FFY18-EMPG-EMAA-1811

WHEREAS, the Borough of Manville Office of Emergency Management has been awarded the Emergency Management Agency Assistance Sub grant Program ("EMAA") from the New Jersey State Police Office of Emergency Management Agency available for successful applicants funded through the FY2018 Emergency Management Performance Grant for the dates of July 1, 2018 through June 30, 2019; and

WHEREAS, the Sub grant, consisting of a total amount of up to **\$20,060.96**, including up to **\$10,000.00** Federal Award and up to **\$10,060.96** Local Matching Funds is for the purpose of enhancing the Borough's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies;

WHEREAS, the funds will be used for salary, wages, and fringe benefits.

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 Borough Administrator, the Chief Financial Officer and the Coordinator of the Office of Emergency Management for the Borough of Manville are hereby authorized to accept and sign the required Grant Applications/ Sub grant Award Documents with the New Jersey State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED, that copies of this Resolution shall be forwarded to the New Jersey State Police Office of Emergency Management, the Somerset County Office of Emergency Management; the Director of the Division of Local Government

Services; and the Office of Emergency Management, the Borough Administrator, and the Chief Financial Officer of the Borough of Manville.

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

Resolution #2019-89
Police Vehicles/Equipment to County Auction

WHEREAS, the Police Department has deemed that certain vehicles and equipment is no longer needed for Department use; 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 vehicles and equipment is specified below:

2004 Ford Expedition with Grill Lights	VIN 1FMPU16L14LB34347
2005 Ford Expedition with Grill Lights	VIN 1 FMFU16545LA93498
(2) Ford Expedition Front Vector Light Bar	(disposed of-broken beyond repair)
(1)Ford Expedition Rear Signal Master Light Bar	(turned over to DPW)

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset, New Jersey, that the above mentioned vehicles and equipment is no longer needed for public use and will be forwarded to Somerset County Vehicle Maintenance Department for auction.

BE IT FURTHER RESOLVED the Chief of Police may arrange for the disposition of this vehicle as indicated above.

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

Resolution #2019-90
Authorization to Suspend Tow License - Stewart's Towing

WHEREAS, Stewart's Towing is currently a licensed Towing contractor in the Borough of Manville; and

WHEREAS, the Police Department has requested that the license of Stewart's Towing be suspended for failing to provide employee information which is necessary to complete the required background check.

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 towing license of Stewart's Towing is hereby suspended until further notice.

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

OFFICIAL REPORTS

- A/ Clerk's Report—March, 2019
- B/ Hillsborough, Manville, & Montgomery Municipal Court—February, 2019
- C//Board of Health Report—March, 2019
- D/Board of Health Report, Animal Control—March, 2019
- E/Board of Health Report, Registrar—March, 2019

NEW BUSINESS

- A/ Application for Vendor Licenses – Power Home Remodeling
(Smith & Lasoski)

Council President Magnani stated the Council should review this Company before issuing a Vendor License. Councilman Petrone seconded by Councilman Szabo made a motion to pull this item from New Business.

All present were in favor

COMMUNICATIONS

- A/ Somerset County Democratic LGBT Caucus
- B/ Senator Bateman's office notifying the Borough of Manville has received a Municipal Aid Program Grant for Brooks Boulevard-Phase 1 in the amount of \$375,000.00
- C/ Invitation from Shade Tree Commission to attend Arbor Day Celebration

.COMMITTEE REPORTS AND COUNCIL COMMENTS

Councilman Petrone, as Chairperson of the Building and Grounds asked Administrator Wardrop if there was any progress with the land diversion project. She stated it is being worked on by Engineer Schrek. He questioned if it included the property belong to the Gustella family. He stated he would like to set up a meeting with Property Maintenance Officer Renaldi to discuss a few issues not being addressed. There will be a pre construction meeting for the Kiddie pool at Memorial Park. They will be looking for bids for pavers around the pool. Councilman Petrone stated he and Mayor Onderko met with Bob Barringer from Cornerstone Architecture regarding state grant for library rehabilitation. Shade Tree Commission will be meeting on April 10th and its Arbor Day Celebration will be April 16th at Roosevelt School. Mayor Onderko stated he had spoke with a representative from NJ Blue Acres Program and they have received 62 interested responses as of now.

Councilman Szabo, as Chairperson of the Progress and Development Committee stated the Committee met on March 18th and Borough Planner Angela Knowles

presented the need for the area in need of redevelopment study to be present to Planning Board.

Councilman Skirkanish as Chairperson of Finance Committee commended CFO Pitts on a well done presentation of the budget. Mayor Onderko thanked the members of Council for working to present a fiscal responsible budget

Council President Magnani, as Chairperson of Policy, Planning, and Personnel Committee stated the Committee met on April 1st. The committee discussed requests to recommend advertising for several open positions including 2 seasonal DPW workers, a technical assistant, a Human Resource specialist, and an intern for the Borough Administrator. The committee decided the Administrator could write the resolutions to advertise and also to conduct a job search. The Police Captain's promotion was discussed and issues regarding such. The committee stated the Borough needs to control the healthcare costs associated with employee health benefits and the Borough would like to eliminate two plans for next year. Lastly Council President Magnani discussed a few housekeeping rules during the meeting.

Councilman Lukac as Chairperson of the Department of Public Works Committee, stated the DPW continue to prepare and service all mower equipment in preparation for grass cutting season. All parks are being cleaned and the ball fields are being lined as needed. Reflective stripping has been added to pedestrian signs to make drivers more cognizant of pedestrians. Sewers on Cooper St, Lincoln Ave, and North 7th Ave have been jetted and cleaned. Councilman Lukac reminded the public Community Clean Up Day is April 13th.

Councilwoman Zamorski as Chairperson of the Public Safety stated the Committee will meet on April 15th. Manville Police Dept. in conjunction with the DEA will be sponsoring Operation Take Back on April 27th for residents to turn in their unwanted prescription medication. There have been 5 fire calls for April, 14 for March and year to date 63 fire calls.

Administrator Wardrop stated she has continued to work with the Borough and Redevelopment Attorneys on the redevelopment plan and how best to move forward with such. The finance committee met with CFO Pitts and Auditor Robert Swisher to discuss the 2019 Budget. Administrator Wardrop attended a Somerset County Planning meeting regarding the Walk, Hike, Bike Plan and there will be a positive impact for the residents of the Borough. 250 sapling trees are being purchased through a grant from the Nature Conservancy. There has been continued work on the voluminous amount of OPRA Requests the Borough has received. The final review of the Community Rating System was presented to the field officer and results should be available in May or June. Administrator Wardrop would like to see the Borough receive a 6 which allow residents to receive a 20% on their flood insurance. The next standing Committee meetings will be held on April 15th.

Mayor Onderko discussed how the Borough will be entering into a new Street Smart Campaign on Main Street in May to bring a focus to pedestrian crossings in various locations. The Borough will be trying to obtain grant money to install and improve sidewalks around the schools. Mayor Onderko stated the Borough will be displaying hometown hero banners for the Memorial Day Parade recognizing Manville's veterans. Councilman Petrone questioned Mayor Onderko about property on Angle Ave. regarding a zoning issue.

PUBLIC PORTION

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

All present were in favor.

Maria Janucik, 720 E. Frech Ave., inquired about not being able to receive 5 minutes of public comment time from others, questioned the Professional Service Agreement for Borough Attorney Linnus in 2014 and also questioned the status of application for Mark Manville LLC and if there was approval from Somerset County Planning Board.

Mayor Onderko answered her questions.

Mary Marsicano, 235 South 14th Ave., discussed a property maintenance issue on South 12th.

Mayor Onderko answered her questions.

Ruth Slovik, 1321 Green St., questioned what an OPRA is and commented on signs for emergency parking during snow removal on her street.

Mayor Onderko answered her questions.

Rudy Nowak, 100 Driscoll St., questioned the \$500,000 sewer treatment increase.

Mayor Onderko answered his question.

Jeff Petrone, 21 Richard Ave, commended DPW Director and the department regarding a water leak on his street. He questioned the results from the Farmer's Market Survey and the need to change the location and questioned the salary of non-contractual employee's and the issue of a stipend as well as the compensation time cap.

Administrator Wardrop and Mayor Onderko answered his questions.

Eva Janucik, 720 E. Frech Ave., questioned the communication from Senator Bateman's office regarding the grant on Brooks Blvd., as well as the residency issue of a council member previously discussed at the Reorganization Meeting.

Mayor Onderko answered her questions.

When no else from the public wished to speak, Mayor Onderko requested a motion to close the public portion.

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

All present were in favor.

RESOLUTION- To Be Taken Separately

Councilman Szabo seconded by Councilwoman Zamorski made a motion to adopt Resolution #2019-91 to go into Closed Session.

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

#2019-91 Closed Session

Resolution #2019-91

BE IT RESOLVED by the Mayor and Council of The Borough of Manville, that an Executive Session of the Mayor and Council, from which the public will be excluded will be held upon adoption of this resolution for the purpose of discussing:

- Personnel Issue

Exclusion of the public for this purpose (s) stated is expressly permitted by the provisions of the "OPEN PUBLIC MEETINGS ACT", N.J.S.A. 10:4-6, et. seq. It is not anticipated that the contents of the discussion will be made known until it has been determined that disclosure of the subject matter will not adversely affect the public interest and until the Mayor and Council have adopted a Resolution so concluding.

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

At 8:51 p.m. the meeting will go into Closed Session.

At 9:18 p.m Mayor Onderko requested a motion to come out of Closed Session.

Councilman Szabo seconded by Councilman Lukac made a motion to come out Closed Session.

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

Mayor Onderko made the appointment to name Lt. John Crater to the position of Capitan.

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

Mayor Onderko stated the appointment failed 3 to 1.

Mayor Onderko made the appointment to name Lt. Thomas Herbst to the position of Capitan.

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

Mayor Onderko announced the appointment carried with a 3-1 vote.

Mayor Onderko requested a motion to open the Public Portion to comment on the appointment. Councilman Szabo seconded by Councilman Skirkanish made a motion to open the Public Portion on the appointment.

All present were in favor.

When no one wished to speak Mayor Onderko requested a motion to close the Public Portion. Councilman Szabo seconded by Councilman Skirkanish made a motion to close the Public Portion.

All present were in favor.

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

All present were in favor.

The meeting was adjourned at approximately 9:21 pm.

ATTEST:

