

**REGULAR MEETING
OF THE MAYOR AND COUNCIL
MAY 24, 2021**

THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY, WAS HELD ON MAY 24, 2021 VIA ZOOM MEETING AT 7:00 P.M.

Join Zoom Meeting

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Meeting ID: 791 838 4106
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Dial by your location
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MAYOR RICHARD ONDERKO PRESIDED

The Borough Clerk announced that proper notice had been given by the posting of the Regular Meeting Notice and by providing adequate notice of the Regular Meeting to the Courier News and the Star Ledger.

ROLL CALL:

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

ALSO PRESENT:

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

SALUTE TO THE FLAG AND A MOMENT OF SILENCE

Mayor Onderko requested a motion to amend the agenda. Councilman Szabo seconded by Councilman Lukac made a motion to pull Resolution #2021-93 from the agenda and add Resolution #2021-102 to the agenda.

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

OEM Director Bentz provided an update regarding the mask mandate. He stated positive cases have remained in the single digits on a daily basis throughout the Borough. There are County wide vaccine sites and there may be a possibility of having a pop-up clinic at the schools.

PROCLAMATIONS

A/ Click It or Ticket 2021

Councilwoman Zamorski read the Proclamation for Click It or Ticket 2021 into the Public Record.

BOROUGH OF MANVILLE

Proclamation Supporting the *Click It or Ticket* Mobilization of May 24 – June 6, 2021

Whereas, there were 585 motor vehicle fatalities in New Jersey in 2020; and

Whereas, approximately 40% of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

Whereas, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 24 – June 6, 2021 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 90.23% to 93%; and

Whereas, a further increase in seat belt usage in New Jersey will save lives on our roadways;

NOW, THEREFORE, I, Richard M. Onderko, Mayor of the Borough of Manville, County of Somerset State of New Jersey along with the Borough Council do hereby declare our support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 24 – June 6, 2021 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Borough of Manville



Richard M. Onderko, Mayor

Councilman Joseph A. Lukac, III

Councilwoman Suzanne Maeder

Councilwoman Michele Magnani

Council President Ted Petrock III

Councilman Stephen Szabo

Councilwoman Patricia Zamorski

Read into Record: May 24, 2021

B/ DPW 2021

Councilman Lukac read the proclamation for Dept. of Public Works 2021 into the Public Record.

BOROUGH OF MANVILLE

National Public Works Week 2021 Proclamation

“Stronger Together”

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of **Borough of Manville**; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in **Borough of Manville** to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2021 marks the 61st annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

NOW, THEREFORE, I, Richard M. Onderko, Mayor of the Borough of Manville, County of Somerset State of New Jersey along with the Borough Council, do hereby designate the week May 16 – 22, 2021 as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association/Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

Borough of Manville



Richard M. Onderko, Mayor

Councilman Joseph A. Lukac, III

Councilwoman Suzanne Maeder

Councilwoman Michele Magnani

Council President Ted Petrock III

Councilman Stephen Szabo

Councilwoman Patricia Zamorski

Read into Record: May 24, 2021

ADOPTION OF 2021 BUDGET

Mayor Onderko requested a motion to adopt Resolution #2021-90. Councilman Szabo seconded by Councilman Lukac made a motion to adopt Resolution #2021-90.

ROLL CALL:

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

Borough of Manville
Resolution #2021-90
Adoption of 2021 Budget

BE IT RESOLVED By the Governing Body of the Borough of Manville, County of Somerset, that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purpose stated of the sums therein set forth as appropriations, and authorization of the amount of **\$14,912,568.78** for municipal purposes and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

1. <u>GENERAL REVENUES</u>	
Surplus Anticipated	\$1,650,000.00
Miscellaneous Revenue Anticipated	\$3,207,242.47
Receipts from Delinquent Taxes	\$400,000.00
2. <u>AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSE</u>	\$9,655,326.31
TOTAL REVENUES	\$14,912,568.78
3. <u>GENERAL APPROPRIATIONS WITHIN "CAPS"</u>	
Operations Including Contingent	\$10,899,142.40
Operations—Total Operations Excluded from "CAPS"	\$1,411,826.38
Capital Improvements	\$250,000.00
Municipal Debt Service	\$830,000.00
Total Deferred Charges	\$21,600.00
Reserve for Uncollected Taxes	\$1,500,000.00
TOTAL APPROPRIATIONS	\$14,912,568.78

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

APPROVAL OF MINUTES

Mayor Onderko requested a motion to approve the following minutes:

A/ Regular Meeting of May 10, 2021

Councilwoman Magnani seconded by Councilwoman Maeder made a motion to approve the minutes of the Regular Meeting of May 10, 2021

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

ORDINANCES- INTRODUCTION AND FIRST READING

Mayor Onderko read Ordinance #2021-1261 by title and requested a motion to introduce Ordinance #2021-1261. Council Petrock seconded by Councilman Lukac made a motion to introduce Ordinance #2021-1261.

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

Borough of Manville
Ordinance #2021-1261

Bond Ordinance To Authorize The Making Of Various Public Improvements And The Acquisition Of New Additional Or Replacement Equipment And Machinery, New Communication And Signal Systems Equipment And New Automotive Vehicles, Including Original Apparatus And Equipment, In, By And For The Borough Of Manville, In The County Of Somerset, State Of New Jersey, To Appropriate The Sum Of \$1,000,000 To Pay The Cost Thereof, To Make A Down Payment, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds.

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

Section 1. The Borough of Manville, in the County of Somerset, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new communication and signal systems equipment and new automotive vehicles, including original apparatus and equipment, in, by and for said Borough, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking the Road Improvement Program at various locations in the Borough, including curb, sidewalk and drainage improvements, where necessary, as set forth on a list prepared by the Borough Engineer on file or to be placed on file with the Borough Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and

upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 264,500
Down Payment Appropriated	\$ 12,600
Bonds and Notes Authorized	\$ 251,900
Period of Usefulness	10 years

B. Crack-sealing various roads.

Appropriation and Estimated Cost	\$ 100,000
Down Payment Appropriated	\$ 5,000
Bonds and Notes Authorized	\$ 95,000
Period of Usefulness	5 years

C. Construction or replacement of curbs and gutters at various locations.

Appropriation and Estimated Cost	\$ 236,500
Down Payment Appropriated	\$ 11,270
Bonds and Notes Authorized	\$ 225,230
Period of Usefulness	10 years

D. Acquisition of new automotive vehicles, including original apparatus and equipment, for the use of the Department of Public Works ("DPW") consisting of (i) a roll-off truck and (ii) pickup trucks.

Appropriation and Estimated Cost	\$ 275,000
Down Payment Appropriated	\$ 13,750
Bonds and Notes Authorized	\$ 261,250
Period of Usefulness	5 years

E. Acquisition of new additional or replacement equipment and machinery consisting of a field grooming machine for the use of the DPW.

Appropriation and Estimated Cost	\$ 25,000
Down Payment Appropriated	\$ 1,200

	Bonds and Notes Authorized	\$ 23,800
	Period of Usefulness	15 years
F.	Acquisition of new communication and signal systems equipment consisting of a mobile radio for a vehicle for the use of the Office of Emergency Management.	
	Appropriation and Estimated Cost	\$ 9,000
	Down Payment Appropriated	\$ 430
	Bonds and Notes Authorized	\$ 8,570
	Period of Usefulness	10 years
G.	Acquisition of new additional or replacement equipment and machinery consisting of body cameras and related equipment for the use of the Police Department.	
	Appropriation and Estimated Cost	\$ 30,000
	Down Payment Appropriated	\$ 1,500
	Bonds and Notes Authorized	\$ 28,500
	Period of Usefulness	5 years
H.	Acquisition of a new automotive vehicle, including original apparatus and equipment, consisting of an SUV for the use of the Fire Department.	
	Appropriation and Estimated Cost	\$ 60,000
	Down Payment Appropriated	\$ 4,250
	Bonds and Notes Authorized	\$ 55,750
	Period of Usefulness	5 years

	Aggregate Appropriation and Estimated Cost	\$1,000,000
	Aggregate Down Payment Appropriated	\$ 50,000
	Aggregate Amount of Bonds and Notes Authorized	\$ 950,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$90,000 which is estimated to be necessary to finance the cost of such purposes, including architect's

fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$50,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$50,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$950,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$950,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 7.80 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$950,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Somerset, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 15. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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

Mayor Onderko read Ordinance #2021-1262 by title and requested a motion to introduce Ordinance #2021-1262. Councilman Szabo seconded by Councilman Lukac made a motion to introduce Ordinance #2021-1262.

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

Borough of Manville
Ordinance #2021-1262

An Ordinance By The Borough Of Manville In The County Of Somerset, State Of New Jersey, Providing For The Collection Of Affordable Housing Redevelopment Fees, Repealing And Replacing Ordinances #2007-1047 And #2009-1075

WHEREAS, the Mayor and Council of the Borough of Manville (the "Borough") finds that the creation of desirable affordable housing in the Borough serves the public interest; and

WHEREAS, in the case Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the Supreme Court of New Jersey determined that mandatory development fees are authorized by the Fair

Housing Act of 1985, N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to rules and regulations to be adopted; and

WHEREAS, the Borough previously adopted Ordinance #2007-1047 and Ordinance #2009-1075, establishing mandatory affordable housing development fees, thereby creating a dedicated revenue source for affordable housing; and

WHEREAS, said ordinance established standards for the collection, maintenance, and expenditure of development fees consistent with then applicable Council on Affordable Housing (“COAH”) rules and the Fair Housing Act of 1985, N.J.S.A. 52:27d-301 et seq.; and

WHEREAS, statutes, caselaw and regulations dealing with development fees have resulted in changes in the law since the adoption of Ordinances #2007-1047 and #2009-1075, and so it is necessary to revise the Borough’s development fee ordinance, as consistent with the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 40:55D-8.7);

NOW THEREFORE, BE IT ORDAINED, by the Mayor & Council of the Borough of Manville in the County of Somerset, State of New Jersey, Ordinances #2007-1747 and #2009-1075 shall be repealed, and replaced as follows:

Section 1. Purpose

- a) In Holmdel Builder’s Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985, N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing’s (COAH’s) adoption of rules. This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH’s rules. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH’s rules on development fees.

Section 2. Definitions

The following terms, as used in this ordinance, shall have the following meanings:

- (a) “Development Fee” means funds paid by an individual, person, partnership, association, company or corporation for the improvement of property as provided by this Ordinance.
- (b) “Equalized assessed value” means the value of a property determined by the municipal tax assessor through a process designed to ensure that all property in a municipality is assessed at the same assessment ratio or ratios required bylaw. Estimates at the time of issuance of a building permit may be obtained utilizing estimates for construction cost. Final equalized assessed value will be determined at project completion by the municipal tax assessor.

Section 3. Residential Development fees

Unless authorized by future changes in State law and adoption of a future Ordinance by the Mayor & Council of the Borough of Manville incorporating any such future changes, no affordable housing fees shall be imposed on Residential Development in the Borough

Section 4. Non-Residential Development fees

- (a) Developers within all zoning districts shall pay a fee of two and one-half percent (2.5%) percent of the equalized assessed value for all Non-Residential development .
- (b) If an increase in floor area ratio is approved pursuant to N.J.S.A. 40:55D-70d(4), then the additional floor area realized (above what is permitted by right under the existing zoning) will incur an additional development fee of two-and-one-half percent (thus 5% total) of the equalized assessed value for such increased floor ratio. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, then the base floor area for the purposes of calculating the bonus development fee shall be the highest floor area permitted by right during the two-year period preceding the filing of the variance application.
- ©) In addition to Non-Residential new construction, the 2.5% development fee shall be imposed and collected when an existing structure is expanded and the equalized assessed value is increased as a result of such expansion. The development fee of 2.5% shall not apply to an increase in equalized assessed value resulting from alterations, renovations and repairs within the existing footprint of the structure.
 - (d) The Non-Residential portion of a mixed-use inclusionary or market rate development shall be subject to the 2.5% development fee.
- (e) Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the preexisting Non-Residential land and improvements and the equalized assessed value of the Non-Residential portion of the newly improved structure, i.e., Non-Residential land and improvements, and such calculation shall be made at the time a final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the Non-Residential development fee shall be zero.

Section 5. Exemptions

- (a) Developments that have received preliminary or final approval prior to the imposition of a municipal development fee shall be exempt from development fees unless the developer seeks a substantial change in the approval.
- (b) All Non-Residential construction of buildings or structures on property used by churches, synagogues, mosques, and other houses of worship, and property used for educational purposes, which are tax-exempt pursuant to N.J.S.A. 54:4-3.6, shall be exempt from the imposition of a non-residential development fee pursuant to this section, provided that the

property continues to maintain its tax exempt status under that statute for a period of at least three years from the date of issuance of the certificate of occupancy.

- (c) In addition, any property exempted by State law, including as set forth at N.J.S.A. 40:55D-8.4, may be exempt from the imposition of a Non-Residential development fee, as specified in Form N-RDF, "State of New Jersey Non-Residential Development Certification/Exemption", or such other forms or regulations as may be applicable. Any exemption claimed by a developer shall be substantiated by that developer.
- (d) A developer of a non-residential development exempted from the non-residential development fee pursuant to this section shall be subject to it at such time the basis for the exemption set forth in this subsection no longer applies (by way of example, if a previously-exempt building is no longer used for a religious or educational purpose), and shall make the payment of the non-residential development fee within six months of such event, or prior to the issuance of the final certificate of occupancy of such non-residential development.
- (e) Any exemption claimed by a developer pursuant shall be substantiated by that developer, who shall have the burden of proof in showing entitlement to the claimed exemption.

Section 7. Collection of Fees

- (a) Prior to requesting a building permit, the developer shall submit to the Tax Assessor a request for a calculation of the development fee amount. The amount of the development fee shall be calculated based upon the difference in the equalized assessed value of the property before and after the development activity which is subject to the development fee.
- (b) Fifty percent (50%) of the development fee must be paid prior to the issuance of the building permit, and the balance prior to the issuance of a Certificate of Occupancy ("CO). Payment shall be made directly to the "Treasurer, State of New Jersey" as set forth in Section 8 of this Ordinance. The amount of the development fee shall be based initially on an estimate by the Tax Assessor of the increase in equalized assessed value attributable to the improvements to be constructed.
- (c) The remaining portion of the development fee must be paid prior to the issuance of the CO, . At that time the Tax Assessor shall calculate the actual equalized assessed value, which may differ from the estimate provided prior to the issuance of the building permit. The amount of the fee will at that time be recalculated, and the developer shall be responsible for paying the difference between the development free amount and the amount paid prior to issuance of the building permit.
- (d) No building permit or certificate of occupancy shall be issued unless or until such development fee, as set forth above, has been paid to the Treasurer, State of New Jersey in accord with Section 8 of this Ordinance, and a Receipt of Payment provided to the Borough.

Section 8. Collection Procedures

- (a) Upon the granting of a preliminary, final or other applicable approval for a development, the approving authority or entity shall notify or direct its staff to notify the Construction Official responsible for the issuance of a construction permit.
- (b) The developer shall also be provided with a copy of Form N-RDF, State of New Jersey Non-Residential Development Certification/Exemption, to be completed as per the instructions provided. The developer of a nonresidential development shall complete Form N-RDF as per the instructions provided. The Construction Official shall verify the information submitted by the nonresidential developer as per the instructions provided in the Form N-RDF. The Tax Assessor shall verify any exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- (c) The Construction Official responsible for the issuance of a construction permit shall notify the Township Tax Assessor of the issuance of the first construction permit for a development which is subject to a development fee.
- (d) Within 90 days of receipt of such notification, the Township Tax Assessor shall prepare an estimate of the equalized assessed value of the development based on the plans filed.
- (e) The Construction Official responsible for the issuance of a final certificate of occupancy shall notify the Township Tax Assessor of any and all requests for the scheduling of a final inspection on a property which is subject to a development fee.
- (f) Within ten (10) business days of a request for the scheduling of a final inspection, the Township Tax Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- (g) Should the Borough fail to determine or notify the developer of the amount of the development fee within ten (10) business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b of Section 37 of P.L. 2008, c. 46 (N.J.S.A. 40:55D-8.6).
- (h) Prior to the issuance of a building permit, the developer shall pay 50% of the calculated development fee, by payment of same to the "Treasurer, State of New Jersey" and submitting same to the Office of Local Planning Services, N.J. Department of Community Affairs for deposit into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L. 1985, c.222 (N.J.S.A. 52:27D-320) in accord with Form N-RDF, and obtaining from the State a receipt of payment of same. When preparing the building permit, the Construction Official is to compare the Developer's Receipt of Payment from the "New Jersey Affordable Trust Fund" to the copy of the form N-RDF in the Construction Permit File, and if the sums match, then issue the building permit. A non-residential developer may deposit with the State Treasurer the development fees as

calculated by the municipality under protest, and the local code enforcement official shall thereafter issue the certificate of occupancy provided that the construction is otherwise eligible for a certificate of occupancy.

- (i) A final Certificate of Occupancy (“CO”) shall not be issued for any nonresidential development until such time as the fee imposed pursuant to this section has been paid by the developer. The developer shall be responsible for paying to the "New Jersey Affordable Housing Trust Fund", the difference between the fee calculated upon issuance of the building permit and the final fee upon the issuance of the CO. Prior to the issuance of a CO, the developer shall pay the balance of the development fee, by payment of same to the “Treasurer, State of New Jersey” and submitting same to the Office of Local Planning Services, N.J. Department of Community Affairs for deposit into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L. 1985, c.222 (N.J.S.A. 52:27D-320) in accord with Form N-RDF, and obtaining from the State a receipt of payment of same prior to the issuance of a CO. When preparing the CO, the Construction Official is to compare the Developer’s Receipt of Payment from the “New Jersey Affordable Trust Fund” to the copy of the final form N-RDF in the Construction Permit File, and if the sums match, then issue the Certificate of Occupancy.

Section 9. Contested fees; Appeals

If the fee imposed is being contested, the payment must equal the estimated amount as calculated by the Borough, prior to a CO being issued. If payment does not match the final or the estimated fee, a CO will not be issued. A Developer may challenge Non-Residential Development Fees imposed pursuant to N.J.S.A. 40:55D-8.1 et seq. by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by the State of New Jersey. Appeals from a determination of the Director may be made to the Tax Court of New Jersey in accordance with the provisions of the State Uniform Tax Procedure Law, N.J.S.A. 54:48-1et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party

Section 10. Monitoring

The Borough of Manville shall complete and return to the State of New Jersey, Office Local Planning Services, N.J. Department of Community Affairs an annual monitoring report summarizing the collection of development fees from Non-Residential developers. All monitoring reports shall be completed on forms designed by COAH.

Section 11. Repealer

Repealer: Any prior Ordinance of the Borough of Manville, or any article, section, paragraph, subsection, clause, or other provision of any such prior Ordinance, which is inconsistent with the provisions of this Ordinance, is hereby repealed to the extent of such inconsistency.

Section 12. Severability

Severability: In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by any Court of competent jurisdiction, or is found to be inconsistent with or precluded by any overriding State Statute or Regulation, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective; such holding shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

Section 14. Inconsistency with other Ordinances

Inconsistency with other Ordinances: Should any provision of this ordinance be inconsistent with the provisions of any other prior ordinances, or shall be inconsistent with any article, section, paragraph, subsection, clause, or other provision of any prior ordinances, the inconsistent provisions of such other prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

Section 15. Effective Date

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

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

PUBLIC PORTION ON RESOLUTIONS

Mayor Onderko requested a motion to open the public portion on Resolutions #2021-90 through #2021-102. Councilman Szabo seconded by Councilman Lukac, made a motion to open the public portion on Resolutions #2021-90 through #2021-102.

All present were in favor.

Maria Janucik, 720 E. Frech Ave., Asked for an explanation on Resolutions #2021-94, #2021-95, and #2021-100.

CFO Pitts 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. Councilwoman Magnani seconded by Councilman Lukac made a motion to close the Public Portion on Resolution #2021-90 through #2021-102.

All present were in favor.

RESOLUTIONS- TAKEN SEPARATELY

Mayor Onderko requested a motion to adopt Resolution #2021-91. Councilman Szabo seconded by Councilman Lukac made a motion to adopt Resolution #2021-91.

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

Borough of Manville
Resolution #2021-91
Approval of Vouchers

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

1. Current	\$321,132.23
2. Sewer Checking	\$129,931.75
3. Developer's Escrow	\$4,877.50
4. Trust Checking	\$55,144.66
5. Lien Premium	\$1,500.00
6. Redemption Checking	\$52,479.33
7. Recreation Dedicated	\$4,594.75
TOTAL	\$569,660.22

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

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

RESOLUTIONS-BY CONSENT

Mayor Onderko asked if any Council member would like to take any resolution individually. When no one from Council responded, Mayor Onderko requested a motion to adopt Resolutions #2021-92 and Resolutions #2021-94 through 2021-102. Councilwoman Magnani seconded by Councilman Lukac made a motion to adopt Resolution #2021-92 and Resolutions #2021-94 through #2021-102.

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

Borough of Manville
Resolution #2021-92
Resolution to Authorize Abatement and Lien on Nuisance Properties

WHEREAS, in accordance with Ordinance #2012-1109, "An Ordinance to Regulate Unsafe Buildings" and Ordinance #2019-1223, "An Ordinance Repealing Ordinance No. 2001-960 And Adopting, As Per The State Of New Jersey Regulations That Are Currently Adopted By State Statute, The Most Recent Version Of The *International Property Maintenance Code*, As Sections Thereof Are Revised And Deleted Herein, As A New Property Maintenance Code Of And For The Borough Of Manville ", the Property Maintenance Officer has determined nuisances such as overgrown grass, weeds, and plant growth higher than 6" and rodent harborage in the way of trash and abandoned items in the yard exists at certain properties; and

WHEREAS, the Property Maintenance Officer has sent numerous notices to certain properties to abate high grass and rodent harborage nuisances, and those nuisances have not been abated to date; and

WHEREAS, Ordinance #2012-1109, **Section 8. Abatement of nuisance; correction of defect; lien against premises**, states:

The Borough Council, by resolution of its governing body, may abate a nuisance, correct a defect or put the premises in proper condition so as to comply with the requirements of any municipal ordinance or state law applicable thereto, at the cost of the owner or lessor, and expend municipal funds for such purpose and charge the same against the premises, and the amount thereof as determined by the governing body of the municipality shall be a lien against the premises.

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 properties:

Address	Block	Lot
104 South 18 th Ave	92	10.02
532 Boesel Ave.	305	16
949 Haran Ave.	255	42

have failed to abate nuisances on the property, despite being properly noticed by the Property Maintenance Officer to abate said nuisances; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorize the Public Works Director to abate the nuisances at the listed property and to provide the cost of such minimal abatement to the Tax Collector, which shall be a lien against that property on the tax records.

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

Borough of Manville
Resolution #2021-94

A Resolution Of Borough Of Manville (Cap & Trans Pass-Through) Authorizing The Purchase Of Electricity Supply Services For Public Use On An Online Auction Website

WHEREAS, Borough of Manville (CAP & TRANS pass-through) has determined to move forward with the EMEX Reverse Auction in order procure electricity for Borough of Manville (CAP & TRANS pass-through); and

WHEREAS, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) (the “Act”) authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

WHEREAS, Borough of Manville (CAP & TRANS pass-through) will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and

WHEREAS, if the auction achieves a price of \$0.053/[kWh/therm] or less for a 12 month term, a price of \$0.054/[kWh/therm] or less for an 18 month term, a price of \$0.052/[kWh/therm] or less for a 24 month term; Borough of Manville (CAP & TRANS pass-through) may award a contract to the winning supplier for the selected term.

NOW, THEREFORE BE IT RESOLVED that the Borough Council, of the Borough of Manville, County of Somerset, State of New Jersey, hereby authorizes the Administrator of the Borough of Manville to execute on behalf of the Borough of Manville (CAP & TRANS pass-through) any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.053/[kWh/therm] or less for a 12 month term, a price of \$0.054/[kWh/therm] or less for an 18 month term, a price of \$0.052/[kWh/therm] or less for a 24 month term; Borough of Manville (CAP & TRANS pass-through) may award a contract to the winning supplier for the selected term.

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

Borough of Manville
Resolution #2021-95

A Resolution Of Borough Of Manville Authorizing The Purchase Of Natural Gas Supply Services For Public Use On An Online Auction Website

WHEREAS, Borough of Manville has determined to move forward with the EMEX Reverse Auction in order to procure natural gas for Borough of Manville; and

WHEREAS, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) (the "Act") authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

WHEREAS, Borough of Manville will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and

WHEREAS, if the auction achieves a price of \$0.55/therm or less for a 12 month term, a price of \$0.56/therm or less for an 18 month term, a price of \$0.54/therm or less for a 24 month term, a price of \$0.53/therm or less for a 36 month term; Borough of Manville may award a contract to the winning supplier for the selected term.

NOW THEREFORE BE IT RESOLVED, that the Borough Council, of the Borough of Manville, County of Somerset, State of New Jersey, hereby authorizes the Borough Administrator to execute on behalf of the Borough of Manville any natural gas contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.55/therm or less for a 12 month term, a price of \$0.56/therm or less for an 18 month term, a price of \$0.54/therm or less for a 24 month term, a price of \$0.53/therm or less for a 36 month term; Borough of Manville may award a contract to the winning supplier for the selected term.

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

Borough of Manville
Resolution #2021-96

Dept. of Public Works Employee Promotion

WHEREAS, Shawn Willis, currently holds the position of New Hire/Laborer at \$23.50 per hour in the Department of Public Works, and

WHEREAS, Department of Public Works Director, Vince Lomedico recommends that Mr. Willis be promoted to the position of Road Maintenance program step 1 at the 2021 hourly rate of \$26.11,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset and State of New Jersey that Shawn Willis be hereby moved into the road maintenance Program Step 1 at the 2021 rate of \$26.11 per hour effective June 1, 2021.

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

Borough of Manville
Resolution #2021-97

Approval of Fire Department Member- Dominick DeSanto

WHEREAS, Dominick DeSanto has applied to become a member of the Manville Fire Department; and

WHEREAS, all required criminal history background checks and fingerprinting has been completed; and

WHEREAS, in accordance with Ordinance #2014-1153, the Mayor and Council must approve, by Resolution, membership to the Fire Department.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey that Dominick DeSanto is approved as a member of the Manville Fire Department.

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

Borough of Manville
Resolution #2021-98

Temporary Seasonal Employees- 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:

First Name	Last Name	Title	Salary
Bruce	Perrone	Softball Umpire	\$50 per game
Dave	Fritenger	Softball Umpire	\$50 per game

Kaylee	Pfeiffer	Camp Director	\$17.00
Sarah	Colucci	Art Director	\$15.00
Emme	Vornlocker	Lead Counselor	\$13.00
Jason	Brennan	Camp Counselor	\$12.00
Michael	Danysh	Camp Counselor	\$12.00
Emma	Heywood	Camp Counselor	\$12.00
Grace	Perun	Camp Counselor	\$12.00
Isabelle	Pfeiffer	Camp Counselor	\$12.00
Angelina	Sanchez	Camp Counselor	\$12.00
Cami	Toth	Camp Counselor	\$12.00
Jackie	Zuza	Camp Counselor	\$12.00
Giavanna	Barras	Camp Counselor	\$12.00
Zamiya	Pridgen	Camp Counselor	\$12.00
Anthony	Barras	Camp Counselor	\$12.00
Maggie	Colucci	Camp Counselor	\$12.00
Caitlin	Brennan	Camp Counselor	\$12.00
Garrett	Stewart	Certified Lifeguard Supervisor, 6+ Years	\$17.00
Elizabeth	Roche	Certified Lifeguard Supervisor, 6+ Years	\$17.00
Rachel	Janes	Certified Lifeguard Supervisor, 6+ Years	\$13.00
Emme	Vornlocker	Certified Lifeguard, 3 Years	\$13.00
Emma	Heywood	Certified Lifeguard, 2 Years	\$12.00
Giavanna	Barras	Certified Lifeguard, 2 Years	\$12.00
Holly	Cornelson	Certified Lifeguard, 2 Years	\$12.00
Nicholas	Bentz	Guard/Badge Checker?	\$12.00

Geoffrey	Mathis	Guard/Badge Checker?	\$12.00
Nicholas	Rindgen	Guard/Badge Checker?	\$12.00
Michael	Vornlocker	Guard/Badge Checker?	\$12.00
Anthony	Barras	Guard/Badge Checker?	\$12.00
Destiny	Garcia	Guard/Badge Checker?	\$12.00

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

Borough of Manville
Resolution #2021-99

Resolution amending The Execution of an Agreement to Participate in the PSEG Direct Install Program at Manville Borough Hall Sponsored by the New Jersey Board of Public Utilities Through the Office of Clean Energy.

WHEREAS, Resolution #2020-180 authorized the execution of an agreement to participate in the PSE& G Direct Install Program for Manville Borough Hall, and

WHEREAS, it was determined that there were items/accessories that are outside of the initial scope of what was covered by the PSEG Direct Install Program, and

WHEREAS, those additional items are identified in the agreement which is attached hereto and made a part hereof this resolution,

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 Administrator is hereby authorized to enter into an agreement with Sander Mechanical Services, 55 Columbia Road, Branchburg, NJ 08876 in the amount of \$3,205.00 for the purposes of upgrading the HVAC System at Borough Hall

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

Borough of Manville
Resolution #2021-100

A Resolution authorizing the execution of a Discharge of Mortgage for a Property Rehabilitation Mortgage for 915 Lincoln Avenue.

WHEREAS, a Property Rehabilitation Mortgage was executed on February 7, 2002, for 915 Lincoln Avenue between the Borough of Manville and Antonia Antonelli, and

WHEREAS, paragraph 8 of said mortgage stipulates that the mortgage shall be satisfied and be released by the Lender on the 1st day of March 2007, and

WHEREAS, a title search revealed that said mortgage was never cancelled of record in the office of the Somerset County Clerk,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Manville that the Mayor and or Borough Administrator is hereby authorized to execute the Discharge of Property Rehabilitation Mortgage for 915 Lincoln Avenue Recorded in Book 5187 Page 249-252 in the office of the Somerset County Clerk, said discharge is attached hereto and made a part of this resolution.

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

Borough of Manville
Resolution #2021-101
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 Lot</u>	<u>Name of Owner</u>	<u>Amount</u>	<u>Premium</u>	<u>Lienholder</u>
81 25	Marin, C	\$161.90	\$0.00	Alpa Tax Group
279 14	Lando Inc.	\$477.75	\$100.00	NJSL 301 LLC

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

Borough of Manville
Resolution #2021-102
Amending Resolution #2019-152 to Reflect Change in Fee Schedule to Bridgewater Resources, Inc

WHEREAS, the Borough Council adopted Resolution #2019-152 on July 15, 2019 awarding a Contract to Bridgewater Resources for an amount not to exceed \$240,000; and

WHEREAS, effective April 19, 2021 Bridgewater Resources Inc. in conjunction with Somerset County has instituted a \$1.00 per ton County Host fee for disposal at Bridgewater Resources; and

WHEREAS, the amended fee schedule to reflect the new fee is as follows:

1. 01/01/2021-04/18/2021 \$80.95 per ton
2. 04/19/2021-07/31/2021 \$81.95 per ton
3. 08/01/2021-12/31/2021 \$83.45 per ton
4. 01/01/2022-07/31/2022 \$83.45 per ton

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey, that the fee schedule is amended to reflect the additional

charge to Bridgewater Resources Inc., 15 Polhemus Lane, Bridgewater, NJ 08807 for an amount not to exceed \$315,000 for 2021.

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

OFFICIAL REPORTS

A/ Manville Municipal Court Report- April, 2021

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

NEW BUSINESS

There was no New Business presented before the Mayor and Council to take action.

COMMUNICATIONS

There was no Communications presented before the Mayor and Council to acknowledge.

COMMITTEE REPORTS AND COUNCIL COMMENTS

Councilwoman Zamorski, as Chairperson of the Public Safety Committee, reported the body worn cameras for the Police Department will be in soon and training should commence by late June. Digital speed signs have been placed around town and PD believes it is helping with speed control. She commended the officers involved in the recent incident in town. Councilwoman Zamorski thanked DPW and Borough Hall employees.

Councilman Lukac, as Chairperson of the Department of Public Works Committee stated the Committee met on May 17th and the following items were discussed: an employee matter; synopsis of projects to be completed: high grass ordinance; and an autistic child sign to be installed. The pools are being prepped for the season. There was a discussion regarding a shared service agreement with Raritan for equipment sharing to lower costs. The committee is also researching a program for street signs that utilizes the State Prison System.

Councilwoman Magnani, as Chairperson of Policy, Planning, and Personnel Committee stated the Committee met that evening. The committee discussed the high grass Ordinance and decided the maximum height should be 8 inches and a property owner will have 72 hours to abate the violation.

Council President Petrock, as Chairperson of the Finance Committee thanked the Police Department for their outstanding work on a recent incident. He thanked the Mayor, CFO Pitts, Council, and Administrator Radi for passing the budget.

Councilwoman Maeder, as Chairperson of the Building and Grounds Committee stated the Committee met on May 17th and reviewed the process of opening the pools. Improvements to the lighting and HVAC will be done at Borough Hall. The generator for the library is currently on back order. A grant in the amount of \$147 thousand was recently submitted for improvements to the Papawick Park. Board of Health met on May 18th and the availability of vaccines in the County was discussed. Registration for Weston Camp opened for K-2nd grade. The Recreation Dept. is anticipating on having swim lessons this summer for older children.

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

Administrator Radi discussed the Governor's order regarding the mask mandate and lifting the restrictions in place. A mask will still be required in Borough Hall as it is a government building. He stated the award contract for design services will be awarded at the June 14th meeting. He reported the Borough has received final approval from Somerset County and the funding is in place.

Mayor Onderko thanked the Police Department for the apprehension of the alleged criminals. He stated the Main St Road Diet is on schedule and should commence in March of 2022. Somerset County will need to have right of entry easements to approximately 40 businesses along Main St. He wished the residents a Happy Memorial Day and encouraged residents to attend the Memorial Day Parade.

PUBLIC PORTION

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

All present were in favor.

Maria Janucik, 720 E. Frech Ave., Questioned the recent conceptual design plan for the Rustic Mall and the proposed parking deck that would need to be built. She also questioned Ordinance #2021-1262 and Manville's Affordable Housing obligation.

Mayor Onderko thanked her for her comments.

Eva Janucik, 720 E. Frech Ave., Asked for an explanation of the Road Diet for Main St.

Mayor Onderko answered her question.

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

All present were in favor.

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

All present were in favor.

The meeting was adjourned at approximately 7:53 pm.

ATTEST:



Wendy Barras
Borough Clerk

