

**REGULAR MEETING
OF THE MAYOR AND COUNCIL
SEPTEMBER 27 , 2021**

THE REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY, WAS HELD ON SEPTEMBER 27, 2021, IN THE MANVILLE MUNICIPAL COUNCIL MEETING ROOM, 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
COUNCILWOMAN SUZANNE MAEDER
COUNCILWOMAN MICHELE MAGNANI
COUNCILMAN STEPHEN SZABO
COUNCILWOMAN PATRICIA ZAMORSKI
COUNCIL PRESIDENT TED PETROCK

ALSO PRESENT:

THADDEUS R. MACIAG, BOROUGH ATTORNEY
GP CAMINITI, BOROUGH ADMINISTRATOR
WENDY BARRAS, BOROUGH CLERK

SALUTE TO THE FLAG AND A MOMENT OF SILENCE

PROCLAMATION- FIRST RESPONDERS APPRECIATION- HURRICANE IDA

Councilwoman Zamorski read the proclamation into the Public Record.

**PROCLAMATION
APPRECIATION FOR FIRST RESPONDERS DURING HURRICANE IDA**

WHEREAS, individuals, both career and volunteer, from Police, Fire, First Aid and Rescue Squad, and Office of Emergency Management come together as first responders to aid the Public in the event of an emergency within the Borough of Manville; and

WHEREAS, beginning on the evening of September 1, 2021 and continuing into the next day, the Borough of Manville was severely impacted by the remnants of Hurricane Ida; and

WHEREAS, the Police Dept., Fire Dept., First Aid and Rescue Squad, and Office of Emergency Management performed fast water rescues, calls for first aid emergencies, evacuations, structure explosions, and fires; and

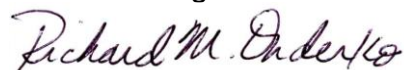
WHEREAS, their tireless dedication to serving the residents of Manville continued on even after the flood waters receded by providing necessary services to the residents whether it was pumping out

basements, providing cleaning supplies, providing security at check-points, or assisting with FEMA and the Red Cross ; and

WHEREAS, it is because of these heroic actions by Manville's First Responders there was no loss of life and very few medical emergencies within the Borough from the horrific storm and record-breaking flood waters.

NOW, THEREFORE, I Richard M. Onderko, Mayor of the Borough of Manville, County of Somerset, State of New Jersey along with the Council hereby commend the exemplary dedication and service of our Borough's First Responders displayed during Hurricane Ida just proving once again "*not all heroes wear capes*".

Borough of Manville



Richard M. Onderko, Mayor

Councilman Joseph A. Lukac,III Council President Ted Petrock III
Councilwoman Suzanne Maeder Councilman Stephen Szabo
Councilwoman Michele Magnani Councilwoman Patricia Zamorski
Read into Record: September 27, 2021

APPROVAL OF MINUTES

Mayor Onderko requested a motion to approve the following minutes:

A/ Regular Meeting of September 13, 2021

Councilman Szabo seconded by Councilwoman Magnani made a motion to approve the minutes of the Regular Meeting of September 13, 2021

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

B/ Closed Session Meeting of September 27, 2021

Councilman Szabo seconded by Councilman Lukac made a motion to approve the minutes of the Closed Session Meeting of September 13, 2021.

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

ORDINANCES- FINAL READING AND PUBLIC HEARING

Mayor Onderko requested a motion to open the Public Hearing on Ordinance #2021-1268. Councilman Szabo seconded by Councilman Lukac made a motion to open the Public Hearing on Ordinance #2021-1268.

All Present Were in Favor

Maria Janucik, 720 E. Frech Ave., Questioned if the diagrams were included at the time the Ordinance was introduced and from who would the easements would be needed.

Attorney Maciag answered her questions.

When no else wished to speak Mayor Onderko requested a motion to close the Public Hearing on Ordinance #2021-1268. Councilman Szabo seconded by Councilman Lukac made a motion to close the Public Hearing on Ordinance #2021-1268.

All Present Were in Favor

Mayor Onderko requested a motion to adopt Ordinance #2021-1268. Councilman Szabo seconded by Councilman Lukac made a motion to adopt Ordinance #2021-1268.

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

Borough of Manville
Ordinance # 2021-1268
**An Ordinance By The Borough Of Manville Authorizing The Acquisition
Of Temporary Construction Access Easements In Regard To The
Repaving Of Brooks Boulevard**

Statement of Purpose

The purpose of this Ordinance is to authorize the Borough of Manville to enter into Temporary Construction Access Easements in order to facilitate the Borough's removal, repairs and replacement of existing sidewalks and other related improvements in regard to the Repaving of Brooks Boulevard, including the installation of sidewalks compliant with the Americans with Disabilities Act.

WHEREAS, the Mayor & Council of the Borough of Manville previously approved, by Resolution #2021-40, an Agreement for the Repaving of Brooks Boulevard; and

WHEREAS, N.J.S.A. 40A:12-4 authorizes a municipality to acquire easements; and

WHEREAS, N.J.S.A. 40A:12-5 requires that the acquisition of easements by municipalities be accomplished by ordinance; and

WHEREAS, the Borough Engineer has recommended that the Borough of Manville enter into Temporary Construction Access Easements in order to facilitate the Borough's removal and replacement of existing sidewalks and other related improvements in regard to the Repaving of Brooks Boulevard; and

WHEREAS, the Borough Attorney and Borough Engineer have reviewed the proposed form of Temporary Construction Access Easements and recommend that said easements be acquired by the Borough of Manville,

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

SECTION 1: The Borough of Manville hereby approves and authorizes the acquisition, at a cost not to exceed \$10.00 (ten dollars) per easement, of Temporary Construction Access Easements in the form annexed to this Ordinance as Exhibit A hereto, for such properties located along Brooks Boulevard as the Borough Engineer may recommend, including but not limited to the following properties along Brooks Boulevard, as indicated on the construction surveys listed as Sheets 4 through 11, as attached to this Ordinance at Exhibit B hereto, and as identified by the following Lots and Blocks:

Sheet 04:
Block 64, Lot 75
Sheet 05:
Block 66, Lot 1
Block 64, Lot 69
Sheet 06:
Block 68, Lot 1
Block 69, Lot 161
Block 68, Lot 1
Sheet 07:
Block 71, Lot 1
Block 71, Lot 55
Sheet 08:
Block 74, Lot 46
Block 53.01 Lot 52

Block 53.01 Lot 54
Block 53.01 Lot 56
Sheet 09:
Block 57, Lot 53
Block 57, Lot 56
Sheet 10:
Block 59, Lot 12
Block 82 Lot 1
Block 82, Lot 3
Sheet 11:
Block 36, Lot 72
Block 36, Lot 75
Block 36, Lot 79
Block 82, Lot 43
Block 82, Lot 3

SECTION 2. The Mayor, Borough Administrator, and Borough Clerk, in consultation with the Borough Engineer and the Borough Attorney, are hereby authorized and directed to take such steps as are necessary to effectuate the purposes of this Ordinance, and to execute on behalf of the Borough such documents as are necessary to effectuate the purposes of this Ordinance. The Borough further ordains, authorizes and approves any non-substantive modifications to the annexed form of easement as may be recommended and approved by the Borough Engineer or Borough Attorney prior to final execution of same.

SECTION 3: Repealer. Any prior Ordinance of the Borough of Manville, or any article, section, paragraph, subsection, clause, or other provision of any such prior Ordinance, which is inconsistent with the provisions of this Ordinance, is hereby repealed to the extent of such inconsistency.

SECTION 4: Severability. In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by any Court of competent jurisdiction, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective; such holding shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

SECTION 5: Inconsistency with other Ordinances. Should any provision of this ordinance be inconsistent with the provisions of any other prior ordinances, or shall be inconsistent with any article, section, paragraph, subsection, clause, or other provision of any prior ordinances, the inconsistent provisions of such other prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

SECTION 6: Effective Date. This ordinance shall be effective immediately after final adoption and publication in accordance with law.

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

Mayor Onderko requested a motion to open the Public Hearing on Ordinance #2021-1269. Councilman Szabo seconded by Councilwoman Magnani made a motion to open the Public Hearing on Ordinance #2021-1269.

All Present Were in Favor.

When no one wished to comment, Mayor Onderko requested a motion to close the Public Hearing on Ordinance #2021-1269. Councilman Szabo seconded by Councilman Lukac made a motion to close the Public Hearing.

All Present Were in Favor.

Mayor Onderko requested a motion to adopt Ordinance #2021-1269. Councilman Szabo seconded by Councilwoman Magnani made a motion to adopt Ordinance #2021-1269.

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

Borough of Manville
Ordinance # 2021-1269

**An Ordinance By The Borough Of Manville Authorizing The Temporary
Waiver Of Certain Construction Permits As A Result Of Damage By Hurricane Ida**

Statement of Purpose

The purpose of this Ordinance is to authorize the Borough of Manville to waive Construction Permit Fees for borough residents who suffered damage to electrical, plumbing, hot water, HVAC, and furnace equipment in their homes, as a result of Hurricane Ida.

WHEREAS, flooding and storm damage occurred in the Borough of Manville from Hurricane Ida leaving Borough home owners with damaged electrical, plumbing, hot water, HVAC and furnace equipment in their homes; and

WHEREAS, the Mayor & Council believe it to be in the best interest of the Borough to afford victims of Hurricane Ida with emergency relief from the cost of some construction permit fees for repair and recovery efforts from Hurricane Ida;

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

SECTION 1: Notwithstanding any other Borough Ordinances or Borough Code to the contrary, all permit fees for this six-month period from September 1, 2021 through March 1, 2022, for flood damaged homes, for, for hot water heater, electrical panel, plumbing, HVAC, furnaces, and related electrical work being performed, shall, upon the signing and filing with the Borough Clerk of a Certification of Flood Damage by the Applicant certifying that such construction work is a result of Hurricane Ida damage, be waived for the period

September 1, 2021 through March 1, 2022; that six-month time period may be further extended by further Resolution of the Mayor & Council.

SECTION 2: Any resident or applicant who has already paid a permit fee for such work due and paid between September 1, 2021 and the Effective Date of this adopted Ordinance, shall, upon the signing

and filing with the Borough Clerk of a Certification of Flood Damage by the Applicant certifying that such construction work is a result of Hurricane Ida damage, be issued a refund for any such fees due and paid on or after September 1, 2021.

SECTION 3: The Ordinance does NOT relax any requirements to apply for and obtain all required construction permits, inspections and approvals; the intent of this Ordinance is only to waive the fees, and there is no relaxation or waiver of the requirement to obtain all necessary permits, inspections and approvals.

SECTION 4: All other Fees for matters other than hot water heater, electrical panel, plumbing, HVAC, furnaces, and related electrical work, are NOT waived by this Ordinance, and shall remain in full force and effect, including but not limited to fees for Zoning, Fire Safety inspections, Fire Safety, home sales, and housing inspections.

SECTION 5. The Mayor, Borough Administrator, and Borough Clerk are hereby authorized and directed to take such steps as are necessary to effectuate the purposes of this Ordinance.

SECTION 6: 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, or temporarily repealed as applicable, to the extent of such inconsistency.

SECTION 7: Severability. In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by any Court of competent jurisdiction, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective; such holding shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

SECTION 8: 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 9: Effective Date. This ordinance shall be effective immediately after final adoption and publication in accordance with law.

SECTION 10: Termination Date. The waiver of fees as provided herein shall expire on March 1, 2022, unless such date is extended by further Resolution of the Mayor & Council.

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

PUBLIC PORTION ON RESOLUTIONS

Mayor Onderko requested a motion to open the public portion on Resolutions #2021-170 through #2021-174. Councilman Szabo seconded by Council President Petrock made a motion to open the public portion on Resolutions #2021-170 through #2021-174.

All present were in favor.

Maria Janucik, 720 E. Frech Ave., Questioned the total amount for the lien redemption in #2021-170 and the cost the insurance would be reimbursing the Borough for the two damaged police vehicles.

Mayor Onderko answered her questions.

When no one else wished to comment, 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.

RESOLUTIONS-BY CONSENT

Mayor Onderko asked the Council if anyone wanted to take any resolution separately. When no one responded, Mayor Onderko requested a motion to adopt Resolutions #2021-170 through #2021-174. Councilman Szabo seconded by Councilman Lukac made a motion to adopt Resolutions #2021-170 through #2021-174.

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

Borough of Manville
Resolution #2021-170
Tax Collector Adjustment- Lien Redemption

WHEREAS, two 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.

Block	Lot	Name of Owner	Amount	Premium	Lienholder
195	20	Bias, M & K	\$501.87	\$1,200.00	Actlien
195	21	Willard, R	\$23,026.18	\$25,900.00	FNA DZ LLC

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

Borough of Manville
Resolution #2021-171
Authorizing Acceptance of Television Donation to Police Department from Walmart

WHEREAS, the Police Department is need of two televisions for police use in the police station; and

WHEREAS, the Walmart store in Manville has graciously offered to donate one television to the Manville Police Department; and

WHEREAS, the television that is to be donated is a Roku Smart YV, 32' screen-Model # 1000012589, the cost as advertised is \$168.00.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Manville, County of Somerset, State of New Jersey the Police Department is permitted to accept a donation of a Roku Smart YV, 32' television from the Walmart Store in Manville.

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

Borough of Manville
Resolution #2021-172
Approval of Fire Department Member- Michael Cano

WHEREAS, Michael Cano 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 Michael Cano is approved as a member of the Manville Fire Department.

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

Borough of Manville
Resolution #2021-174

Authorizing Shared Services Agreement Between The Borough Of Manville And The County Of Somerset For Emergency Debris Management And Removal Related To Tropical Storm Ida

WHEREAS, the Borough of Manville and the County of Somerset desire a contract with one another whereby the County of Somerset shall furnish to the Borough of Manville emergency debris management and removal services related to Tropical Storm Ida of a technical and professional nature as hereinafter set forth in consideration of payment as hereinafter provided all according to N.J.S.A. §40A:65-1 et seq. (the "Uniform Shared Services and Consolidation Act") and other applicable statutes and regulations.

WHEREAS, the entire County of Somerset has been declared a disaster area by the State of New Jersey and the Federal Emergency Management Administration (FEMA); and

WHEREAS, as a result of Tropical Storm Ida, the Borough of Manville experienced unprecedented damage to residential and governmental property from flooding; and

WHEREAS, the Borough of Manville's resources are unable to handle the demands for clean-up and debris removal caused by the extensive flooding; and

WHEREAS, the County of Somerset has contracts with various vendors to provide emergency debris management and removal services related to Tropical Storm Ida; and

WHEREAS, as a result of the widespread damage within the County of Somerset and the entire state there exists a need to have a temporary debris management area (“TDMA”) that is approved by the State of New Jersey Department of Environmental Protection; and

WHEREAS, the County of Somerset has an approved TDMA that is capable of storing and managing the related storm debris; and

WHEREAS, the County of Somerset has agreed to collect storm related debris from the Borough of Manville , store the debris at the approved TDMA, and transfer the debris to an approved transfer station or land fill.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Borough of Manville, County of Somerset, and State of New Jersey that the attached SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF SOMERSET AND THE BOROUGH OF MANVILLE FOR THE MANAGEMENT AND REMOVAL OF DEBRIS RELATED TO TROPICAL STORM IDA is hereby approved on the terms and conditions as set forth in this attached agreement; and be it

FURTHER RESOLVED that the attached Agreement shall be effective upon approval by the governing bodies of both the Borough of Manville and the County of Somerset; and be it

FURTHER RESOLVED that the Mayor, Borough Administrator, Borough Engineer, Borough Attorney, and Borough Finance Officer are authorized to take such actions and sign such documents, as are necessary to effectuate the intent of this Resolution and the attached Agreement.

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

OFFICIAL REPORTS

A/ Clerk’s Report- August, 2021

B/ Registrar’s Report-August, 2021

Mayor Onderko stated the above reports on are file in the Clerk’s Office.

NEW BUSINESS

A/ Request from Boy Scout Troop #193 to use Royce Brook Field for camping on October 8-10, 2021.

Mayor Onderko stated New Business has been accepted.

COMMUNICATIONS

There were no communications to review.

COMMITTEE REPORTS AND COUNCIL COMMENTS

Mayor Onderko stated there will be a town hall FEMA meeting this Wednesday, September 29th. The Borough along with the flood mitigation consultant, Cleighton Smith, has been working on substantial damage reports for the AE Flood Zone. He explained the Flood Damage Prevention Ordinance.

Administrator Caminiti stated it was an honor to be here. The restoration company is mainly completed with remediating the first floor of Borough Hall.

Councilwoman Zamorski, as Chairperson of the Public Safety Committee stated the Committee met with Chief Herbst and OEM Director Bentz and discussed the updating the reverse 911 call system and Manville radio station. The committee decided there needs to be additional sirens for all residents to be able to hear in the event of an emergency.

Councilman Lukac, as Chairperson of Department of Public Works Committee stated the Committee met on September 22nd and the removal of flood debris and the conditions of the sewer system was discussed. The shared service agreement with Somerset County was completed on September 24th. The Dept. of Public Works will continue to pick up flood debris until October 15th. Normal bulk waste pick up will resume on October 19th.

Councilwoman Maeder, as Chairperson of the Building and Grounds Committee reported the committee had met on September 27th. The main topic of their discussion was the list of damages incurred to each Borough owned building from Hurricane Ida. RFQ's will need to be advertised to contract for the necessary services to repair the buildings. The new generator for the library is set to be installed and operational by the end of the month.

Council President Petrock, as Chairperson of the Finance Committee stated the committee and CFO Pitts are still compiling all the damage estimates and as of today's meeting don't have a definite amount for reimbursements and costs. He reported it is his understanding the Borough will be reimbursed 75% through FEMA.

Councilwoman Magnani, as Chairperson of Policy, Planning, and Personnel Committee reported the Committee met on September 27th and discussed allocations from the America Cares Act and the possibility of hiring an additional full time DPW employee and a part time clerical floater.

Councilman Szabo, as Chairperson of Progress and Development stated work is still continuing on Valerie Dr.

PUBLIC PORTION

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

All present were in favor.

Phil Petrone, 7 N. 11th Ave., Commented on a statement reported to be said by the Mayor.

Mayor Onderko acknowledged his comment.

Maria Janucik, 720 E. Frech Ave., Commented on necessary permits for the Sherman Tract project being built in Hillsborough.

Mayor Onderko stated he would look into the matter.

Mayor Onderko requested a motion to adjourn the meeting. Councilwoman Magnani seconded by Council President Petrock made a motion to adjourn the meeting.

All present were in favor.

The meeting was adjourned at approximately 8:01 pm.

ATTEST:

A handwritten signature in cursive script, appearing to read "Wendy Barras".

Wendy Barras
Borough Clerk