



Borough of Manville
325 North Main St.
Manville, NJ 08835

Borough Council Meeting Agenda

March 23, 2026

7:00PM

This is not an official document. It is the agenda to the extent known and is listed as a courtesy and attempt to inform the public of actions being considered by the Council of the Borough of Manville. There may be deletions prior to the Mayor and Council taking final action

Our mission for the Borough of Manville is to enrich the quality of life for all residents, to maintain an attractive, inviting, and secure Community. We pledge to work in partnership with our residents to foster community pride, to develop a vibrant, diverse economy, to plan for the future, and to preserve and enhance the beauty of our town.

CALL MEETING TO ORDER

Mayor Onderko called the meeting to order at 7:00PM

OPEN PUBLIC MEETINGS ACT STATEMENT

Borough Clerk Siboni stated "This meeting is being held in compliance with the 'OPEN PUBLIC MEETINGS ACT', because adequate notice of this meeting has been provided by notifying the Courier News and The Star Ledger, posting notice of such meetings in the Borough Hall on a bulletin board reserved for such announcements and by filing of said notice with the Borough Clerk of the Borough of Manville. Formal Action may be taken at this meeting."

ROLL CALL

Mayor and Council	Present	Professionals	Present
Mayor Richard Onderko	_____	Scott Salmon, Borough Attorney	_____
Council President Joseph Lukac, III	_____	Gabriella Siboni, Business Administrator, Borough Clerk	_____
Councilman Christopher Basista	_____	Maureen Ruane, Interim Administrator	_____
Councilwoman Dayna Camacho	_____		
Councilwoman Stefanie Sanchez	_____		
Councilwoman Jade Puia	_____		
Councilwoman Patrica Zamorski	_____		

SALUTE TO THE FLAG AND A MOMENT OF SILENCE

Mayor Onderko requested everyone to stand for a moment of silence and salute the flag.

PROCLAMATIONS

MINUTES

Minutes of Borough Council Meeting March 9, 2026 Meeting

Motion made by Councilperson		Second Made by Councilperson	
Council President	_____	Councilman	_____
Lukac	_____	Basista	_____
Councilwoman	_____	Councilwoman	_____
Puia	_____	Zamorski	_____
		Councilwoman	_____
		Camacho	_____
		Councilwoman	_____
		Sanchez	_____
		Mayor	_____
		Onderko	_____

ORDINANCES: INTRODUCTIONS AND FIRST READING

Ordinance Number	Title	Date Introduced	Scheduled Public Hearing
Ordinance 2026-1341	An Ordinance Amending Chapter 31 (Zoning) So As To Update Regulations On Multi-Family Uses		
Motion made by Councilperson		Second Made by Councilperson	
Council President	_____	Councilman	_____
Lukac	_____	Basista	_____
Councilwoman	_____	Councilwoman	_____
Puia	_____	Zamorski	_____
		Councilwoman	_____
		Camacho	_____
		Councilwoman	_____
		Sanchez	_____
		Mayor	_____
		Onderko	_____

ORDINANCES: PUBLIC HEARING AND FINAL ADOPTION

There are no ordinances for second reading.

PUBLIC PORTION ON RESOLUTIONS

Mayor Onderko requested a motion to open public comment

Motion made by Councilperson _____ Second Made by Councilperson _____ In Favor _____ Opposed _____

Mayor Onderko requested a motion to close public comment

Motion made by Councilperson _____ Second Made by Councilperson _____ In Favor _____ Opposed _____

RESOLUTIONS TAKEN SEPARATELY

Resolution 2026-102 Approval of Vouchers

Motion made by Councilperson	_____	Second Made by Councilperson	_____
Council President	Councilman	Councilwoman	Councilwoman
Lukac	Basista	Camacho	Sanchez
Councilwoman	Councilwoman		Mayor
Puia	Zamorski		Onderko

RESOLUTIONS BY CONSENT

Resolutions 2026-103 through 2026- were submitted to the Mayor and Council for review and may be adopted by one motion. Motion to adopt resolutions 2026-103 through 2026- followed by a Roll Call:

2026- 103 Authorizing The Submission Of The 2026 Community Development Block Grant (CDBG) Application For The Library Room

2026- 104 Approve Contract For NJ Community Solutions LLC To Provide Interim Administrator And Administrator Search Services

APPROVAL OF CONSENT AGENDA

Motion made by Councilperson	_____	Second Made by Councilperson	_____
Council President	Councilman	Councilwoman	Councilwoman
Lukac	Basista	Camacho	Sanchez
Councilwoman	Councilwoman		Mayor
Puia	Zamorski		Onderko

OFFICIAL REPORTS

Monthly Department Reports

NEW BUSINESS

COMMUNICATIONS

COMMITTEE REPORTS AND COUNCIL COMMENTS

- 1) Finance Committee
- 2) Progress and Development Committee
- 3) Policy, Planning and Personnel Committee
- 4) Public Safety
- 5) Public Works Committee
- 6) Buildings and Grounds Committee
- 7) Mayor Onderko

PUBLIC PORTION

Motion to open public comments on non-agenda items only.

Mayor Onderko requested a motion to open public comment

Motion made by Councilperson _____ Second Made by Councilperson _____ In Favor _____ Opposed _____

Mayor Onderko requested a motion to close public comment

Motion made by Councilperson _____ Second Made by Councilperson _____ In Favor _____ Opposed _____

CLOSED SESSION

2026- A Resolution Of The Borough Council Of The Borough Of Manville Authorizing The Discussion Of Matters In A Closed Session Pursuant To The Statutory Exclusions Of N.J.S.A. 10:4-12

Motion made by Councilperson

Second Made by Councilperson

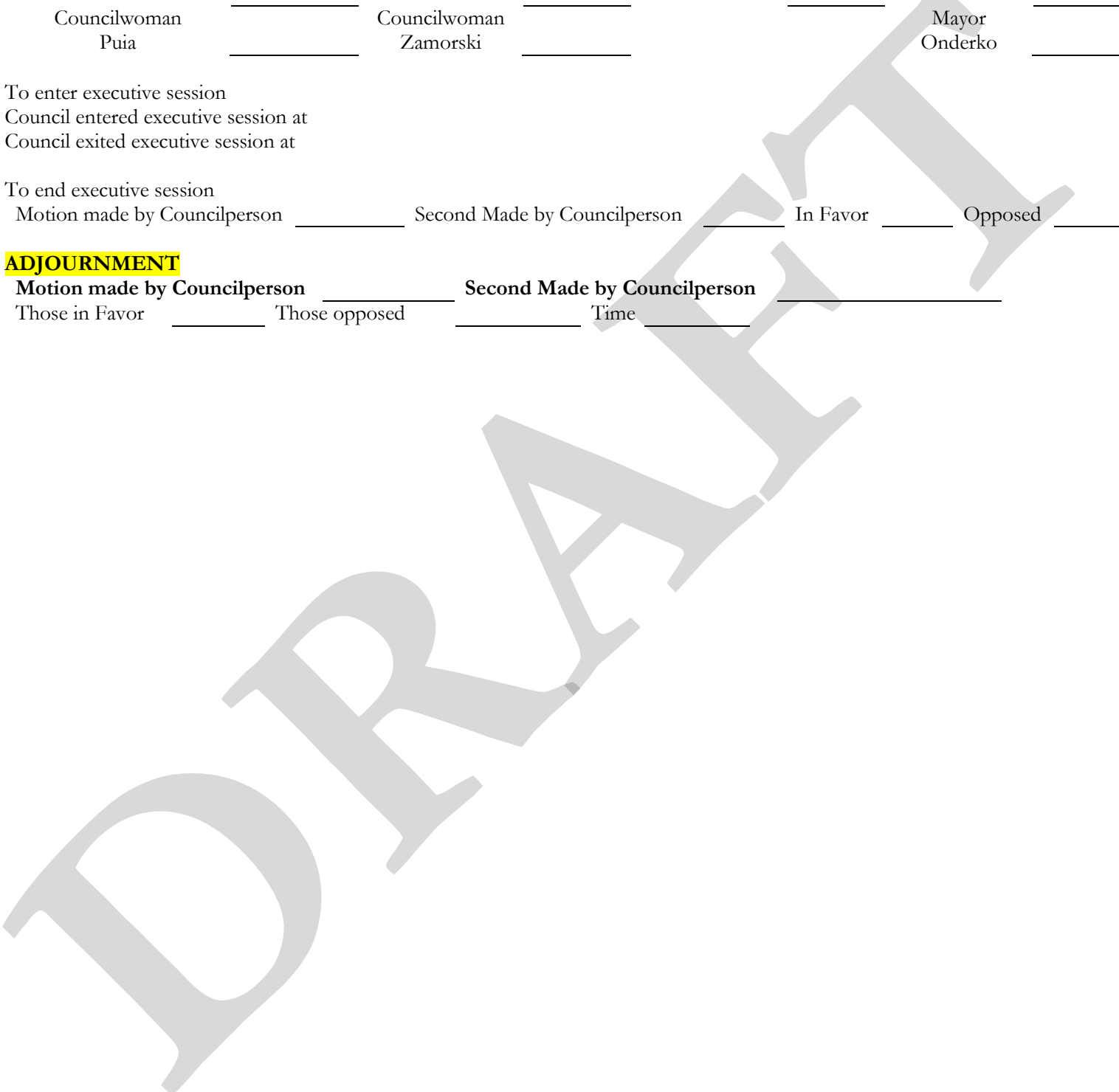
Council President	_____	Councilman	_____	Councilwoman	_____	Councilwoman	_____
Lukac	_____	Basista	_____	Camacho	_____	Sanchez	_____
Councilwoman	_____	Councilwoman	_____		_____	Mayor	_____
Puia	_____	Zamorski	_____		_____	Onderko	_____

To enter executive session
Council entered executive session at
Council exited executive session at

To end executive session
Motion made by Councilperson _____ Second Made by Councilperson _____ In Favor _____ Opposed _____

ADJOURNMENT

Motion made by Councilperson _____ Second Made by Councilperson _____
Those in Favor _____ Those opposed _____ Time _____





**RESOLUTION 2026-103
APPROVAL OF VOUCHERS**

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

Fund 01 Current	\$ 347,938.86
Fund 04 Capital	\$ 5,707.96
Fund 12 Trust Other	\$ 328,191.46
Fund 15 Recreation	\$ 6,827.87
Grand Total	\$ 688,666.15

DRAFT

List of Bills - (011010100001) Current Checking - x283

Current Fund

Meeting Date: 03/23/2026 For bills from 03/06/2026 to 03/19/2026

Check#	Vendor	Description	Payment	Check Total
14780	2617 - CHIMNEY ROCK AUTOMOTIVE, INC	PO 20167 Repairs for Car 3	388.09	
		PO 20207 Repairs for Car 2	88.49	476.58
14781	2559 - CIOCCA FORD OF FLEMINGTON	PO 20198 Parts For Pick up Repair	39.52	39.52
14782	1121 - COMMUNICATIONS SPECIALISTS	PO 19958 Radio Lights and Hardware Trucks repair	750.00	750.00
14783	2726 - CONTINENTAL HARDWARE INC	PO 20168 Hardware and supplies	381.80	381.80
14784	2857 - DERRICK M. PELECH	PO 20173 Towing	1,400.00	1,400.00
14785	1231 - EAGLE FENCE & SUPPLY INC.	PO 20172 Fence repair supplies	42.00	42.00
14786	1297 - GALLS, LLC	PO 19485 Uniforms, equipment, gun cleaning suppli	3,880.62	
		PO 19612 New Hire Patrol Uniform	2,314.11	6,194.73
14787	2281 - GAMKA SALES CO. INC.	PO 20169 Parts and Service	98.78	98.78
14788	1340 - HOOVER TRUCK CENTERS, INC	PO 20193 Truck Repair	98.68	98.68
14789	2537 - I.W.S. TRANSFER SYSTEMS OF NJ, INC.	PO 20157 Municipal Waste and Bulk Disposal	31,343.88	31,343.88
14790	1375 - ISLAND TECH SERVICES	PO 19849 Removal and Install of Police Radio in P	749.00	749.00
14791	2789 - JARDIM, MEISNER, SALMON,	PO 20226 Feb. '26 Legal Counsel	10,001.00	10,001.00
14792	2650 - KOMATSU AMERICA CORP.	PO 20154 REPAIR PARTS / SUPPLIES - DPW VEHICLE MA	210.68	210.68
14793	2689 - KS STATEBANK	PO 20177 Feb. PD Vehicle Payments - 2025 Chevy an	5,009.96	
		PO 20178 Mar. PD Vehicle Payments - 2025 Chevy an	5,009.96	
		PO 20179 Apr. PD Vehicle Payments - 2025 Chevy an	5,009.96	15,029.88
14794	1432 - LANCE FLODEN	PO 20176 Email Accounts	57.50	57.50
14795	1414 - LAWSON PRODUCTS, INC.	PO 19947 Plow Parts	1,156.00	1,156.00
14796	1465 - MIKE'S TOWING AND RECOVERY	PO 20191 R-38 Tow	612.50	612.50
14797	1496 - MUNICIPAL CAPITAL CORPORATION	PO 20216 IMC6000 Copier Lease - #50 of60	351.52	351.52
14798	1572 - NATIONAL FUEL OIL, INC.	PO 20180 Diesel Fuel	7,440.09	7,440.09
14799	1557 - NEW JERSEY AMERICAN WATER	PO 20166 Feb. '26 Water Service - Various Locatio	27,728.93	27,728.93
14800	1556 - NIRO'S AUTO BODY	PO 19766 Vehicle Maintenance Car 6	425.00	425.00
14801	2832 - NJ COMMUNITY SOLUTIONS, LLC	PO 20225 Feb. '26 Consultant Interim BA	11,191.25	11,191.25
14802	1545 - NJ LEAGUE OF MUNICIPALITIES	PO 20049 Deputy Clerk Job Posting	160.00	160.00
14803	1127 - OPTIMUM	PO 20224 Police Cable/Internet Service - Police	288.60	288.60
14804	1601 - PDQ AUTO SUPPLY, INC.	PO 19854 Parts and Equipment	155.01	
		PO 20037 Blanket- Supplies and Auto parts	226.39	
		PO 20175 Wipers for Car 2	20.40	401.80
14805	1633 - POST HARDWARE	PO 20030 Tools / Supplies	272.93	272.93
14806	2157 - POWER PLACE	PO 20151 Parts and Equipment	332.19	
		PO 20152 Tools / Supplies	209.57	
		PO 20192 Plow Blades and Bolts	96.63	638.39
14807	1635 - POWERCO	PO 19878 Back-Ho Service	695.50	695.50
14808	1620 - PSE&G CO	PO 20229 Natural Gas & Electricity - 2/6 - 3/5/26	4,453.87	4,453.87
14809	1701 - ROBERT GRIGGS	PO 20158 Dpw Pipe Leak	437.41	437.41
14810	2177 - RUTGERS, THE STATE UNIVERSITY	PO 19536 Tree Pruning and Education class	1,080.00	1,080.00
14811	1426 - SITE ONE LANDSCAPING SUPPLY	PO 20156 Calcium Pellets	1,359.93	1,359.93
14812	1724 - SOMERSET COUNTY ROAD DIVISION	PO 20155 Road Salt	6,537.60	
		PO 20159 Salt	8,405.60	14,943.20
14813	1790 - SOMERSET SOLAR 1, LLC	PO 20228 Electricity - Library	48.00	48.00
14814	1746 - STATEWIDE INSURANCE FUND	PO 20227 Workers Compensation Insurance 2 of 4 20	186,411.25	186,411.25
14815	1738 - STEVE'S TIRE SERVICE.BY RICTEZ LLC	PO 19853 Vehicle Maintenance and Parts	724.40	724.40
14816	1740 - STORR TRACTOR COMPANY	PO 20197 Case Machine Repair	4,933.39	4,933.39
14817	2788 - TJOHNE PRODUCTIONS, INC.	PO 19822 Distracted Driving Assembly	3,000.00	3,000.00
14818	2555 - VAC-CON SERVICES INC	PO 20194 Vac Truck Service and Repair	3,636.59	3,636.59
14819	2415 - VERIZON	PO 20217 Telephone/Cable Services - DPW Internet/	143.22	
		PO 20220 Fire Companies Internet 2/24 - 3/23/26	554.97	
		PO 20221 DPW2 Internet Service	118.19	
		PO 20222 OEM Cable	118.18	934.56
14820	2400 - VERIZON	PO 20219 325 n main Phone Account 250-591-372-000	4,194.68	4,194.68
14821	1888 - VERIZON BUSINESS	PO 20223 Long Distance Service - Y2769440 - Feb.	42.65	42.65
14822	1885 - VERIZON WIRELESS SERVICE,LLC	PO 20218 BH Land Phones & PD/Fire Wireless 782557	2,675.43	2,675.43
14823	1909 - W.B. MASON, INC.	PO 20060 Fire prevention supplies	134.04	
		PO 20165 Supplies/Organization	223.81	357.85
14824	1902 - W.E.TIMMERMAN, CO, INC.	PO 20208 loader repair	33.66	33.66
14825	1903 - WELDON ASPHALT DIVISION	PO 20196 Asphalt	435.45	435.45
TOTAL				347,938.86

List of Bills - (0110101000001) Current Checking - x283 Current Fund

Meeting Date: 03/23/2026 For bills from 03/06/2026 to 03/19/2026

Check#	Vendor	Description	Payment	Check Total
--------	--------	-------------	---------	-------------

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-101-01-000-001	Current Checking - x283			0.00	347,938.86
01-201-20-100-200	Administrative & Executive - Other Expen	11,542.77			
01-201-20-120-200	Municipal Clerk - Other Expenses	160.00			
01-201-20-155-200	Legal Services - Other Expenses	10,001.00			
01-201-22-195-200	Construction Code Office - Other Expense	223.81			
01-201-23-210-200	Liability Insurance - Other Expense	101,549.25			
01-201-23-215-200	Worker Compensation Insurance - Other Ex	84,862.00			
01-201-25-240-200	Police Department - Other Expenses	19,774.49			
01-201-25-267-200	Uniform Fire Safety Act - O/E	134.04			
01-201-26-290-200	Public Works - Other Expenses	62,523.14			
01-201-26-310-200	Building & Grounds - Other Expenses	2,221.14			
01-201-31-430-243	Electricity	2,934.37			
01-201-31-440-241	Telephone	7,576.60			
01-201-31-444-244	Fire Hydrants	26,669.34			
01-201-31-445-244	Water	1,059.59			
01-201-31-446-242	Heating & Gas	1,567.50			
01-201-31-460-245	Gasoline & Diesel	7,440.09			
01-203-25-240-200	(2025) Police Department - Other Expenses		6,619.73		
01-203-26-313-200	(2025) Shade Tree - Other Expenses		1,080.00		
TOTALS FOR		340,239.13	7,699.73	0.00	347,938.86

Total to be paid from Fund 01 Current Fund	347,938.86	

	347,938.86	

List of Bills - (0410101000001) Capital Checking - x 3152
Capital

Meeting Date: 03/23/2026 For bills from 03/06/2026 to 03/19/2026

Check#	Vendor	Description	Payment	Check Total
2232	1000 - ABSOLUTE FIRE PROTECTION CO.	PO 19354 Vista Monitor for Tower 42	5,707.96	5,707.96
	TOTAL			5,707.96

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
04-101-01-000-001	Capital Checking - x 3152			0.00	5,707.96
04-215-55-901-132-3	Ord. 24-1323 - Fire Truck			5,707.96	
TOTALS FOR	Capital	0.00	0.00	5,707.96	5,707.96

Total to be paid from Fund 04 Capital

5,707.96

=====

5,707.96



**List of Bills - (1210101000004) Developers Escrow x5850
Trust - Other**

Meeting Date: 03/23/2026 For bills from 03/06/2026 to 03/19/2026

Check#	Vendor	Description	Payment	Check Total
236	1731 - SOMERSET RARITAN VALLEY	PO 20170 S.R.V.S.A -March 2026	125,373.74	
		PO 20171 S.R.V.S.A -February 2026	125,373.74	250,747.48
	TOTAL			250,747.48

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
12-101-01-000-004	Developers Escrow x5850			0.00	250,747.48
12-288-56-820	Reserve - Developers/ Engineering Escrow			250,747.48	
TOTALS FOR	Trust - Other	0.00	0.00	250,747.48	250,747.48

Total to be paid from Fund 12 Trust - Other

250,747.48
=====

250,747.48



List of Bills - (1210101000008) Lien Premium x86687

Trust - Other

Meeting Date: 03/23/2026 For bills from 03/06/2026 to 03/19/2026

Check#	Vendor	Description	Payment	Check Total
1530	2593 - PROCAP 8 FBO FIRSTTRUST BANK	PO 20102 TSC#25-00035 block 137 lot 14 223 So 1	14,600.00	
		PO 20150 TSC#25-00013 block 63 lot 72 66 no 19t	1,200.00	15,800.00
1531	2801 - RTLF NJ II LLC	PO 20146 TSC#25-00018 block 77 lot 22.01 412 No	35,700.00	35,700.00
1532	2420 - TRYSTONE CAPITAL ASSETS LLC	PO 20148 TSC#24-00004 block 11 lot 27 313 north	900.00	900.00
TOTAL				52,400.00

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
12-101-01-000-008	Lien Premium x86687			0.00	52,400.00
12-288-56-850	Reserve - Lien Premium			52,400.00	
TOTALS FOR	Trust - Other	0.00	0.00	52,400.00	52,400.00

Total to be paid from Fund 12 Trust - Other

52,400.00

=====

52,400.00



List of Bills - (1210101000009) Redemption Checking x35462

Trust - Other

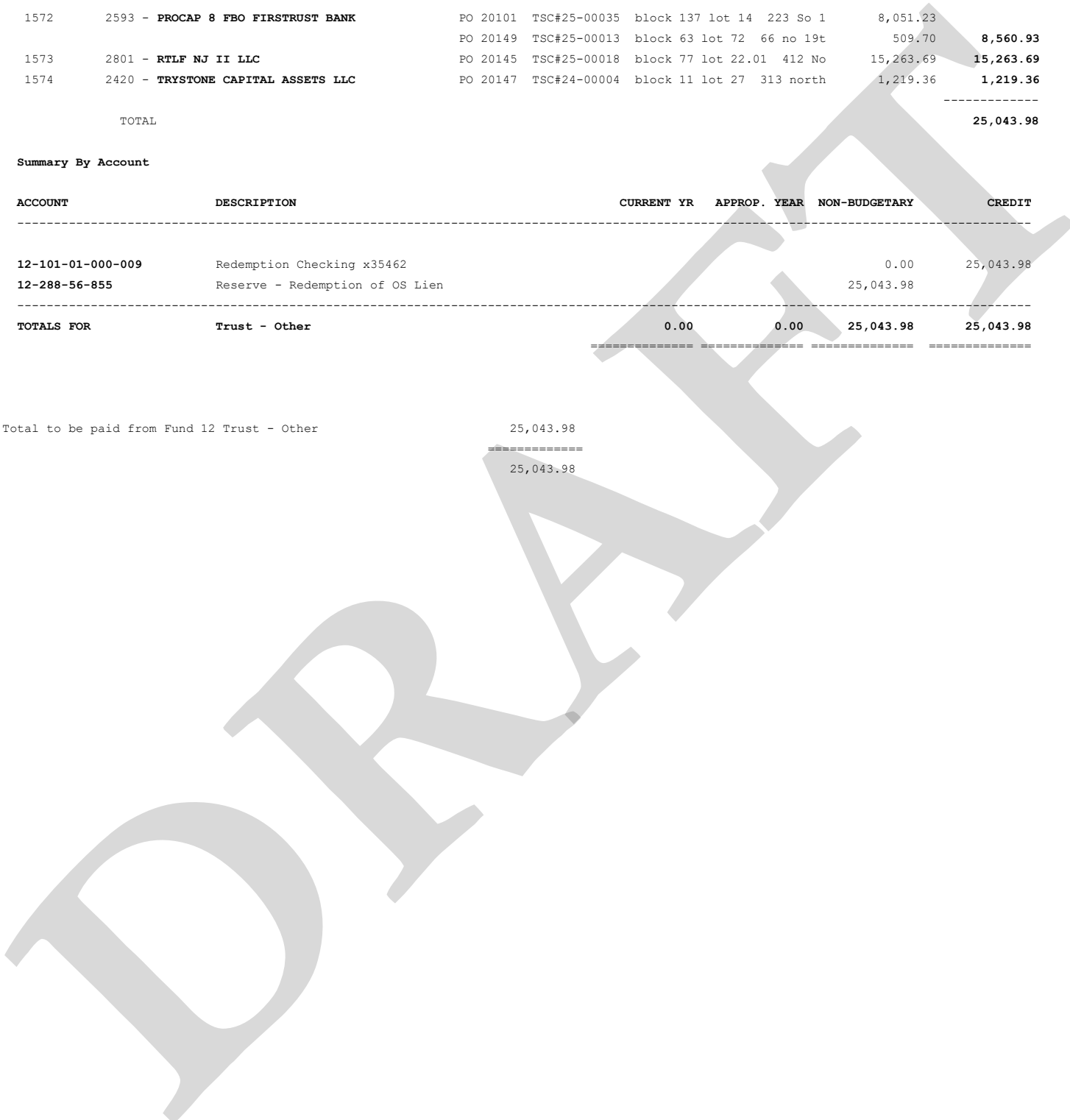
Meeting Date: 03/23/2026 For bills from 03/06/2026 to 03/19/2026

Check#	Vendor	Description	Payment	Check Total
1572	2593 - PROCAP 8 FBO FIRSTTRUST BANK	PO 20101 TSC#25-00035 block 137 lot 14 223 So 1	8,051.23	
		PO 20149 TSC#25-00013 block 63 lot 72 66 no 19t	509.70	8,560.93
1573	2801 - RTLF NJ II LLC	PO 20145 TSC#25-00018 block 77 lot 22.01 412 No	15,263.69	15,263.69
1574	2420 - TRYSTONE CAPITAL ASSETS LLC	PO 20147 TSC#24-00004 block 11 lot 27 313 north	1,219.36	1,219.36
TOTAL				25,043.98

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
12-101-01-000-009	Redemption Checking x35462			0.00	25,043.98
12-288-56-855	Reserve - Redemption of OS Lien			25,043.98	
TOTALS FOR	Trust - Other	0.00	0.00	25,043.98	25,043.98

Total to be paid from Fund 12 Trust - Other 25,043.98
=====
25,043.98



List of Bills - (1510101000001) Recreation Dedicated - x5358 Recreation

Meeting Date: 03/23/2026 For bills from 03/06/2026 to 03/19/2026

Check#	Vendor	Description	Payment	Check Total
3128	2358 - AMAZON CAPITAL SERVICES, INC.	PO 20187 Bleacher Caps for Ball Field Stands	82.98	82.98
3129	2895 - BRACKETT, DARA	PO 20204 2026 Spring Softball Refund	90.00	90.00
3130	2931 - DEJESUS, ERIN	PO 20206 2026 Spring Softball Refund	90.00	90.00
3131	2669 - KENNETH FERRARE	PO 20199 2026 Winter Instructional Basketball Ins	3,150.00	3,150.00
3132	1633 - POST HARDWARE	PO 20189 REL PO#19919 for 2026 Field Maintenance	35.98	
		PO 20190 REL PO#19919 for 2026 Field Maintenance	89.31	125.29
3133	2839 - PROTHERO, RUTH	PO 20205 Senior Chair Aerobics Fitness Instructor	270.00	270.00
3134	1426 - SITE ONE LANDSCAPING SUPPLY	PO 20182 2026 Spring Field Maintenance	2,774.60	2,774.60
3135	2553 - UNITED SITE SERVICES, INC.	PO 20188 2026 Port-A-John Rentals	245.00	245.00
TOTAL				6,827.87

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
15-101-01-000-001	Recreation Dedicated - x5358			0.00	6,827.87
15-288-56	Reserve for Recreation Expenditure			6,827.87	
TOTALS FOR Recreation		0.00	0.00	6,827.87	6,827.87

Total to be paid from Fund 15 Recreation

6,827.87
=====

6,827.87





RESOLUTION 2026-103
AUTHORIZING THE SUBMISSION OF THE 2026 COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) APPLICATION FOR THE LIBRARY ROOM

WHEREAS, the Borough of Manville is eligible to apply for funding through the Community Development Block Grant (CDBG) Program that is administered by Somerset County, and;

WHEREAS, the Mayor and Council of the Borough of Manville wishes to apply for funding from the Somerset County Community Development Block Grant program, and;

WHEREAS, a public hearing for this application was held on March 23, 2026 during a Regular Meeting of the Governing Body of the Borough of Manville, County of Somerset, State of New Jersey, and;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Manville authorizes the application for and use of requested funds from the Somerset County Community Development Block Grant (CDBG) for the Library Improvements project which seeks to repair aging infrastructure that has caused leaks and water damage.

BE IT FURTHER RESOLVED, that if awarded, the Borough of Manville shall implement the activities in a manner to ensure compliance with all applicable federal, state, and local laws and regulations.



RESOLUTION 2026-104
APPROVE CONTRACT FOR NJ COMMUNITY SOLUTIONS LLC TO PROVIDE
INTERIM ADMINISTRATOR AND ADMINISTRATOR SEARCH SERVICES

WHEREAS, the Manville Borough Council determines it is in the best interests of the Borough to engage a consulting firm for Interim Administrator services

WHEREAS, the Borough is authorized pursuant to the Local Public Contracts Law, *N.J.S.A.* 40A:111 *et seq.* to contract for “professional services” as it may require; and

WHEREAS, New Jersey Community Solutions, LLC and its President, Matthew U. Watkins, have an excellent reputation and extensive experience in the area of municipal administration; and

WHEREAS, New Jersey Community Solutions shall provide a consultant to serve in lieu of an Interim Administrator to provide consulting service to aid in the search for a permanent Administrator, commencing March 3, 2025.

WHEREAS, prior to the execution of the Services Contract, the Consultant will have completed and submitted a Business Registration Certificate and a Business Entity Disclosure Certification, which certifies that no individual with a ten percent (10.0%) interest or larger in the Consultant has made any reportable contributions to a political or candidate committee of the Borough Council in the previous year, and that the Services Contract will prohibit an individual with a ten percent (10.0%) interest or larger in the Consultant from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A.* 19:44A-20.5, *et seq.*; and

WHEREAS, the Services Contract is not awarded through a “fair and open process” pursuant to *N.J.S.A.* 19:44A-20.5, *et seq.*; and

WHEREAS, the services under the Services Contract may include, but are not limited to, municipal administration services; and

WHEREAS, compensation for the Consultant’s services included under the Services Contract shall be rendered at a rate of \$175.00 per hour at an estimated 24 hours per week, including evening meetings, plus such hours the Consultant spends on recruitment, and all not to exceed \$260,400.00; and

WHEREAS, the Local Contracts Law requires that contracts awarded without a competitive bid be authorized by resolution of the municipal governing body, and that notice of the award of such contract be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council, of the Borough of Manville, County of Somerset, State of New Jersey, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute a Contract with New Jersey Community Solutions for Interim Administrator and Administrator Search services subject to a satisfactory background check and satisfactory references.

3. The Services Contract is awarded without competitive bidding as a “professional service” under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because the services in question are of a specialized, technical and professional nature.
4. A certificate showing the availability of funds for the Services Contract authorized hereby has been provided by the Chief Financial Officer of the Borough and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget, for a period of time up to two (2) months, as set forth herein.
5. No payments in excess of the “not-to-exceed” amount of \$260,400.00 without further resolution of the Governing Body.
6. Any other modification to the Services Contract shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.
7. The Services Contract shall, for all purposes, be deemed a New Jersey contract and the provisions of the Services Contract shall be governed and interpreted according to the laws of the State of New Jersey.
8. The Consultant shall not be an employee of the Borough, shall not appear on the payroll and shall not receive health insurance or other benefits.

This Resolution shall take effect immediately, subject to satisfactory background check and satisfactory references.

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Borough has certified the availability of funds in the amount of \$11,200.00 for Interim Administrator and Administrator Search Services in account 01-201-20-100-254.



Ordinance 2026-1341

AN ORDINANCE AMENDING CHAPTER 31 (ZONING) SO AS TO UPDATE REGULATIONS ON MULTI-FAMILY USE

WHEREAS, the Borough's Zoning Ordinance, Chapter 31, guides the appropriate use and development of all lands in a manner which will promote the public health, safety, morals and general welfare and reflects the Borough's desired control of parcels within the municipality; and

WHEREAS, on May 20, 2024, following the Borough Planning Board's adoption of a periodic master plan re-examination report pursuant to N.J.S.A. 40:55D-89, the Borough adopted Ordinance No. 2024-1317 which enacted an amended zoning map and portions of an amended zoning ordinance; and

WHEREAS, that Ordinance consolidated existing residential zones into one, comprehensive Residential zoning district, with the exception of residential properties now subject to the Borough's 4th Round Housing Element in Fair Share Plan with residential uses relating to affordable housing permitted in the new M- Municipal zone consistent with the Rustic Mall Redevelopment Plan and South Main Street Rehabilitation Plan; and

WHEREAS, this comprehensive residential zone permitted duplexes/two-family uses and townhouses on lots exceeding 8,000 square feet conditioned upon the development complying with applicable regulations relating to parking and impervious coverage; and

WHEREAS, the Borough has encountered safety and public health issues inconsistent with that of sound zoning to permit multi-family uses on lots of that size and also has experienced enforcement issues as they relate to determining compliance with other applicable bulk regulations; and

WHEREAS, this amendment to the zoning ordinance has been cleared by the Borough professionals and administration and found to be in furtherance of the purposes of zoning;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Manville, County of Somerset, State of New Jersey, that Chapter 31 entitled "Zoning" is hereby amended as follows:

SECTION I.

Section 31-601 entitled "R – Residential" is hereby amended as follows (struck through portions to be removed, bolded and underlined portions to be added):

31-601.1 – Intent:

The purpose of this zone is for residential use **with appropriate densities, number of vehicles, and impervious coverage limitations appropriate for the Borough of Manville.** The schedule of regulations controlling this zone are intended to be flexible based on the size of the lot. ~~The majority of the zone is intended for single-family residential dwelling, however duplexes and townhouses may be permitted provided all of the criteria of the bulk schedule are met, including parking requirements as established by the Residential Site Improvement Standards (R.S.I.S.) and impervious coverage is not exceeded. Parking is always intended to be accommodated on-site, however impervious coverage should always be minimized over this requirement if sufficient street parking is available.~~

31-601.2 – Permitted Uses:

- a. Single-family dwelling.
- b. ~~Two-family dwelling (where parking is fully accommodated on-site and no impervious coverage variances are required, on lots greater than 8,000 square feet).~~
- c. ~~Townhouses (where parking is fully accommodated on-site and no impervious coverage variances are required, on lots greater than 8,000 square feet).~~
- d. A home professional office for a person residing on the premises, provided that no more than one-half of the floor area of one story of the dwelling be devoted to such use.
- e. Temporary buildings for uses incidental to construction work, provided such buildings are removed upon completion or abandonment of the construction work.

SECTION II.

Attachment 1 to the Zoning Ordinance, the Borough of Manville Bulk Schedule, also referred to above as the Bulk "Table" shall be amended to remove footnote #1 from that refers to the R – Residential zone, and the phrase "1. For Residential lots 8,000 square feet and greater, duplexes and townhouses are permitted no variances are required for impervious coverage and parking counts. For these lots, the height is permitted to extend to 3 stories or 40 feet" shall be removed.

SECTION III.

If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

SECTION V.

Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION VI.

The Clerk shall cause a copy of this ordinance as adopted to be filed with the County Planning Board pursuant to N.J.S.A. 40:55D-16 and a summary published as required by N.J.S.A. 40:49-2.1.

SECTION VII.

Prior to adoption, the Clerk shall forward a copy of this ordinance for a consistency review by the Borough Land Use Board pursuant to N.J.S.A. 40:55D-26.

SECTION VIII.

All Borough of Manville ordinances or parts of ordinance inconsistent with enactment are hereby repealed to the extent of such inconsistency.

SECTION IX.

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law.



Ordinance 2026-1342

AN ORDINANCE REPEALING ORDINANCES #2013-1135 AND #2014-1143 AND TO ENACT THE UNIFORM FIRE SAFETY ACT (P.L. 1983, C. 383) WITHIN THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY AND ESTABLISHING CERTAIN REGISTRATION AND PERMIT FEES IN ACCORDANCE WITH SAID CODE.

WHEREAS, the Uniform Fire Safety Act, (P.L. 1983, c.383) was enacted for the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey; and

WHEREAS, the New Jersey Department of Community Affairs has promulgated minimum fire safety standards which have been made part of the Uniform Fire Code (N.J.A.C. 5:70.1 et seq.).

WHEREAS, the Uniform Fire Safety Act authorizes municipalities to provide for local enforcement of these standards and to establish local enforcement agencies for that purpose; and

WHEREAS, it is in the best interest of the Borough of Manville to have the Uniform Fire Code enforced locally; and

WHEREAS, the local fire service has agreed to the plan, which is set forth herein, for the administration and enforcement of the Uniform Fire Code.

NOW, THEREFORE BE IT ORDAINED by the governing body of the Borough of Manville in the County of Somerset and the State of New Jersey, as follows:

Section 1. LOCAL ENFORCEMENT

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983 c. 383), the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 et seq.) shall be locally enforced in the Borough of Manville.

Section 2. AGENCY DESIGNATION

The local enforcing agency shall be the Borough of Manville through its Bureau of Fire Safety, which is hereby created therein. The Bureau of Fire Safety shall hereinafter be known as the local enforcing agency.

Section 3. DUTIES

(A) The local enforcing agency shall enforce the Uniform Fire Code in all buildings, structures, and premises within the established boundaries of the Borough of Manville other than one- and two-family owner-occupied dwellings used exclusively for dwelling purposes and buildings, structures, and premises owned or operated by Federal Government, Interstate Agencies or the State.

(B) The local enforcing agency shall faithfully comply with all the pertinent requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

Section 4. ORGANIZATION

(A) The Bureau of Fire Safety established by Section 2 of this ordinance shall be under the direct supervision and control of the Fire Marshal who shall report to the Manville Borough Administrator.

(B) When the need requires, the Bureau of Fire Safety shall have Fire Inspectors, who shall report to the

Fire Marshal.

(C) The Fire Marshal and Inspector(s) shall be members of the Borough of Manville Fire Department, and shall cover insurance requirements in the performance of their duties, in cooperation with the Borough of Manville.

Section 5. APPOINTMENTS, QUALIFICATIONS, TERM OF OFFICE, REMOVAL

(A) Appointment and Qualifications of the Fire Marshal.

The Fire Marshal shall be certified by the State of New Jersey Division of Fire Safety and appointed by the Mayor with consent of the council upon recommendation of the Policy, Planning, and Personnel Committee.

(B) Appointment and Qualifications of Inspectors and Other Employees.

The governing body upon recommendation of the Fire Marshal shall appoint Fire Inspectors and other employees of the enforcing agency. The Fire Inspector(s) shall be certified by the State of New Jersey Division of Fire Safety.

(C) Appointment of Legal Counsel.

The governing body shall specifically appoint legal counsel to assist the agency in enforcing the Uniform Fire Code.

(D) Term of Office.

The Fire Marshal shall serve for a term of a minimum of (3) three years commencing January 1.

Fire Inspectors, when appointed per section 5(b), shall serve the same term.

(E) Removal from Office.

The Fire Marshal, Fire Inspectors and other employees of the agency shall be subject to removal by the Mayor and Council for just cause. Before removal from office, all persons shall be afforded an opportunity to be heard by the appointing authority or hearing officer designated by the same.

Section 6. LIFE HAZARD USES

The Bureau of Fire Safety established by Section 2 of this ordinance shall carry out a periodic inspection of life hazard uses inspections required by the Uniform Fire Code on behalf of the Commissioner of the New Jersey Department of Community Affairs.

Section 7. NON-LIFE HAZARD USES

(A) In addition to the registrations required by the Uniform Fire Code, the following non-life hazard uses shall register with the Bureau of Fire Safety. These uses shall be inspected in a cyclical program established by the Borough of Manville Bureau of Fire Safety and pay a registration fee.

(B) Registration: All businesses, non-owner occupied one- and two-family dwellings and multiple family dwellings in the Borough of Manville are required to register with the Borough of Manville Bureau of Fire Safety, within 30 days from receipt of notice. Failure to register is subject to a \$500.00 fine.

(C) Fees: The owner of each business, office, storefronts, common area, basements, place of assembly, non-owner occupied one- and two-family dwelling & multiple dwelling, not already a state LHU, shall pay to the Borough of Manville Bureau of Fire Safety an annual registration fee. The fees shall be as follows (Note: square footage based upon gross floor area including basements.)

The Borough of Manville registration fee schedule for non-life hazard use businesses are as follows:

- Class I: under 500 sq. ft. – \$ 55.00
- Class II: 501 - 1000 sq. ft.- \$ 75.00
- Class III: 1,001 – 3000 sq. ft.- \$ 100.00
- Class IV: 3,001 – 5000 sq. ft. - \$ 150.00
- Class V: 5,001 – 7,999 sq. ft. - \$ 200.00
- Class VI: 8,000 – 11,999 sq. ft. - \$ 250.00
- Class VII: 12,000 – 14,999 sq. ft. - \$ 300.00
- Class VIII: 15,000 sq. ft. and over - \$ 375.00
- Class IX: Retail or commercial common area - \$ 100.00
- Class X: Eating & Drinking establishments with less than 50 occupants in which no alcoholic beverages are consumed shall be \$100.00

Non-owner occupied one- and two-family dwellings and multiple family dwellings Fire Registration fees as LEA (Local Enforcement Agency) of New Jersey State Fire Code are as follows (payment of these fees shall be the responsibility of the owner of the premises):

- Non-owner occupied 1 & 2 family dwelling - \$50.00
- MD- 1: 3 - 5 units - \$100.00
- MD- 2: 6 - 9 units - \$200.00
- MD- 3: 10 - 12 units - \$300.00
- MD- 4: 13 - 15 units - \$400.00
- MD- 5: 16 - 18 units - \$540.00
- MD- 6: 19 - 21 units - \$630.00
- MD- 7: 22 units or more - \$660.00 + \$30.00 for each additional unit above 22 units
- MD- 8: Multiple family dwelling common area - \$50.00

(D) Failure to pay registration fees: It shall be unlawful to refuse to pay a registration fee after being given notice do to so as per the established fee schedule of this ordinance in Section # 7(C), pursuant to the Uniform Fire Safety Act N.J.S.A. 52:27D-192 et.seq, section N.J.S.A. 52:27D-210. Any penalties assessed are in addition to other previously assessed; full payment shall be made in full within 30 days after notice was issued. If payment is not received in 30 days the matter will be referred to the Borough Attorney for Summary Collection pursuant to the Penalty Enforcement Law (N.J.S.A 2A: 58-10 et. seq).

Section 8. PERMITS AND CERTIFICATE OF FIRE CODE STATUS

(A) The application fees for the permits listed in the New Jersey Uniform Fire Code N.J.A.C. 5:70-2.7(a) of the current adoption code version as provided by State regulation.

- **5:70-2.9(c)** The application fee for a permit shall be as follows:
 1. Type 1--\$ 54.00;
 2. Type 2--\$ 214.00;
 3. Type 3--\$ 427.00;
 4. Type 4--\$ 641.00.
 - i. Exception: There shall be no fee for Type 4 permits for storage or activity at a premises registered as a life hazard use in accordance with this subchapter.

- 5. (Reserved)

The fee schedule shall be modified within this ordinance to reflect changes listed in the New Jersey Uniform Fire Code N.J.A.C. 5:70-2.9(c).

(B) The cost for the issuance of a Certificate of Fire Code Status (5:70-2.2(e)) seventy-five dollars (\$75.00)

Section 9. FILE INFORMATION REQUESTS

A fee of twenty-five dollars (\$25.00) shall be required for all requests for fire investigation reports. All other file information requests shall be charged at the photocopy rate of seventy-five (.75) cents per page. A fee of thirty dollars (\$30.00) shall be required for all requests for fire investigation photos.

Section 10. EXEMPTION AND WAIVER OF FEE SCHEDULE

(A) Any property owned by the Borough of Manville is exempt from payment of any fees set forth in this ordinance.

(B) Any non-profit organization, when conducting an event, may request a refund of application fees and costs for the issuance of a Permit and Certification of Fire Code Status as set forth in Section 8 above. The request for a refund shall be made after conclusion of the event and shall be submitted to the Borough Council along with proof of the organization's non-profit status as well that the event for which the permit was obtained is not a fund-raising event. Upon receipt of such proof, the Borough Council shall authorize reimbursement of the application fees and costs to the non-profit organization.

Section 11. TECHNICAL AMENDMENTS

"Reserved"

Section 12. BOARD OF APPEALS

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act and N.J. Uniform Fire Code N.J.A.C. 5:70-2.19, any person aggrieved by any action of the local enforcing agency shall have the right to appeal to the Construction Board of Appeals of the County of Somerset.

Section 13. ENFORCEMENT, VIOLATIONS, AND PENALTIES

Enforcement, violations, and penalties shall be managed in conformity with the Uniform Fire Safety Act, the Uniform Fire Code and all other laws of the State of New Jersey.

(A) Registration

Whenever the Fire Marshal shall have cause to believe that a building or use would require an annual inspection as outlined in subsection B, the Fire Marshal or designee shall complete a registration of the building or use. It shall be a violation of section 7(B) for an owner to fail to provide information necessary to complete registration within 30 days. The owner of the business, office, place of assembly or multiple dwelling shall provide the Fire Marshal the necessary information to complete the registration. Each registration shall include, but not be limited to, the following information:

- (1) The name, address and telephone number of the building or use,
- (2) Name, address, telephone number and email address of the owner of the business or use,
- (3) Where the applicant is a corporation, the name, address, telephone number and email address of the agent for service of process,

- (4) Description of the use being applied for, including:
 - (a) Geographical location, including street address and tax block and lot numbers,
 - (b) Height for the building in which the use is located,
 - (c) Location of the use in the building,
 - (d) Floor area of the use,
 - (e) Description of the business.
- (5) Where the owner of the use and the owner of the building in which the use is located are not the same, then the application shall include the same information for the owner of the building as is herein required for the owner of the use.
- (6) The name, address, physical location, telephone number and email address of the person responsible for the maintenance of the premises.

(B) Additional Inspections

In addition to the inspection required pursuant to the Uniform Fire Safety Act, the codes and regulations adopted under the authority thereof, the Uniform Fire Code and the regulations of the Department of Community Affairs, all buildings or portions thereof, except owner occupied one- and two-family structures used exclusively for dwelling purposes.

The annual inspection and initial reinspection shall be included in the annual registration fee. Additional reinspections, beginning with the second reinspection, shall be assessed a \$35.00 reinspection fee.

Section 14. CERTIFICATION OF SMOKE DETECTOR COMPLIANCE

(A) Before any use group R-3 or R-4 (residential) structure is sold, leased, rented or otherwise made subject to Change of Occupancy for residential purpose, the owner of the residence shall obtain a Certificate of Smoke Alarm, Carbon Monoxide Alarm, and Portable Fire Extinguisher Compliance (CSACMAPFEC), evidencing compliance with N.J.A.C. 5:70-2.9 (d) and N.J.A.C. 5:70-4.19.

(B) The owner or authorized agent of the owner shall apply for a CSACMAPFEC inspection by an application provided by the Bureau of Fire Safety.

(C) A CSACMAPFEC shall not be transferable. If a change of occupancy does not occur within six (6) months, a new application and certificate shall be required.

Fees: The application fees for the CSACMAPFEC as listed in the New Jersey Uniform Fire Code N.J.A.C. 5:70-2.9(d) of the current adoption code version as provided by State regulation.

The application fee for a certificate of smoke alarm, carbon monoxide alarm, and portable fire extinguisher compliance (CSACMAPFEC), as required by N.J.A.C. 5:70-2.3, shall be based upon the amount of time remaining before the change of occupant is expected, as follows:

1. Requests for a CSACMAPFEC received more than 10 business days prior to the change of occupant: \$ 45.00;
2. Requests for a CSACMAPFEC received four to 10 business days prior to the change of occupant: \$ 90.00;
3. Requests for a CSACMAPFEC received fewer than four business days prior to the change of occupant: \$161.00.
4. Re-inspection fee for a CSACMAPFEC shall be \$ 35.00.

5. Changing ownership of a property or tenant change of a rental unit before a CSACMAPFEC inspection is completed will result in a penalty, and any false statements will result in the revocation of the certificate(s) and may result in the issuance of penalties up to \$500.00 in accordance with N.J.A.C. 5:70-2.12 and pursuant to N.J. Penalty Enforcement Law (N.J.S.A. 2A:58-1 et seq.)

Section 15. FIRE EXTINGUISHER INSPECTION PART OF CSACMAPFEC

Borough of Manville requires all R-3 Residential one & two family structures being sold shall have a 2A:10-B:C fire extinguisher within 10 feet of the kitchen(s), brackets or hangers supplied shall be used, extinguisher shall not be blocked by furniture, storage or other items; extinguisher(s) shall be near a room exit or travel path that provides an escape route to the exterior, all owner's manual or written information regarding the operations, inspection and maintenance of extinguisher shall be attached to fire extinguisher.

Section 15(a). Fire Extinguishers required in Apartment Buildings

Borough of Manville requires all R-2 Residential Multiple Dwellings structures shall have a 2A:10-B:C fire extinguisher within 10 feet of the kitchen(s), brackets or hangers supplied shall be used, extinguisher shall not be blocked by furniture, storage or other items; extinguisher(s) shall be near a room exit or travel path that provides an escape route to the exterior, all owner's manual or written information regarding the operations, inspection and maintenance of extinguisher shall be attached to fire extinguisher.

Section 16. FIRE ALARMS AND REPORTING

(A). The Fire Marshal shall investigate, or cause to be investigated, the activation of any fire alarms, fire detector or fire protection system occurring within the jurisdiction to determine the cause for such activation and to determine if the device and /or equipment have been properly restored to full service.

(B). Failure to report: It shall be a violation of this code for any person or persons, having knowledge of same, to fail to report to the Borough Fire Marshal and/or Fire Department the activation of any fire protection system or device or to fail to report the occurrence of any fire or any attempted arson or to fail to report the spill or leakage of any flammable or combustible liquid or gas or of any hazardous material immediately upon gaining such knowledge.

(C). Penalties for failure to report: Failure to report occurrences listed in Section 16(B) may result in the issuance of penalties as listed in N.J.A.C. 5:70-2.12 and N.J.A.C. 5:70-2.13.

Section 17. FIRE LANES AND FIRE ZONES

(A). Designation of Fire Lanes and Fire Zones

1. Certain areas shall be designated as fire lanes to provide clear access to buildings for the firefighting equipment in the event of an emergency call. Fire hydrants and water connection devices located on local, County, State and private roads shall be designated as fire zones.
2. Fire lanes/fire zones may be located on public or private property.
3. Fire lanes/fire zones shall be established by the Borough Fire Marshal, and drawings of properties delineating fire lanes/fire zones shall be kept on file with the Bureau of Fire Safety.

(B). Notice to Affected Property owners:

1. Notice that a property requires the posting of signs or painting of fire lanes/fire zones shall be sent to the property owner by Bureau of Fire Safety whether by personal delivery, email or certified mail.
2. Within thirty (30) days of receipt of notice, said property owner shall install required signs and paint required stripes.

(C). Intervention by the Borough for failure to comply:

In the event that a property owner fails to comply with the requirements of this Section, the Bureau of Fire Safety will assess penalties until compliance is met, with a starting amount of \$500.00 to a maximum of \$5,000.00.

(D). Parking, Stopping or Standing of Vehicles Prohibited

No person shall park, stop or leave standing any vehicle, whether attended or unattended, in any designated fire lane or fire zone or obstruct any designated fire lane or fire zone.

(E). No person shall park, stop or leave standing any vehicle, whether attended or unattended, within fifteen (15') feet of any fire hydrant or other Fire Department Connection water connection device.

(F). Restrictions for Loading Zones

In loading zones designated herein, attended vehicles may stop solely for the purpose of loading or unloading and only for the time necessary to accomplish such loading or unloading.

(G). Installation of Signs, Painting of Lines

1. Markings: The owner shall, within thirty (30) days of being given notice to do so by the Fire Marshal, mark the lanes as follows:

(a). Signs, with minimum dimensions of twelve inches by eighteen (12"x 18") inches constructed of metal with raised red letters a minimum of two (2") inches in size on a white background shall be posted at a level of at least seven (7) feet above grade, indicating "NO PARKING AT ANYTIME". Immediately under these signs shall be another sign, with minimum dimensions of twelve inches by six (12" x 6") saying "FIRE ZONE" or "FIRE LANE". The spacing of signs shall be even with a minimum of one (1) sign for every fifty (50) feet of fire lane or part thereof, or as ordered by the Fire Marshal. All signs and markings must be unobstructed and visible for a distance of at least one hundred (100') feet when viewed from a position approximately five (5) feet above the ground while in the fire lane.

2. Diagonal yellow lines shall be painted on the pavement along the length of the fire lane/ fire zone. Fire lanes or Fire Zones shall have a minimum width of eighteen (18') feet with (2') High letters stating:

FIRE ZONE	FIRE LANE
NO PARKING	NO PARKING

3. Fire zones associated with fire hydrants and water connection devices shall be identified with yellow paint extending fifteen (15) feet in both directions on the curb and/or pavement where possible.

4. All curbing within the fire lane or fire zone shall be painted yellow.

(H). Enforcement Agencies for the Parking in Fire Lanes / Fire Zone will be the Borough of Manville Bureau of Fire Safety and the Manville Police Department and shall have full jurisdiction in policing and issuing parking summons.

(I). Penalties.

1. Property owners failing to install signs or paint pavement within thirty (30) days of receipt of notice shall be subject to a fine not to exceed five hundred (\$500) dollars in accordance with the requirements of the New Jersey Fire Safety Code.

2. Violators who park illegally in a fire lane or fire zone blocking emergency services, obstruct fire hydrants from use, or obstruct fire department connections from use by emergency services during an emergency incident, shall be subject to a fine: (1) In a place of public assembly or education--a maximum of \$5,000 per occurrence; (2) In any other place--a maximum of \$1,000 per occurrence (N.J.A.C. 5:70-2.12(b)4ii). Said fine shall be imposed on complaint.

3. Violators who park illegally in a fire lane or fire zone, obstruct fire hydrants from use, or obstruct fire department connections from emergency services, shall be subject to a fine of One Hundred (\$100.00) dollars. Said fine shall be imposed on complaint.

4. All fines and penalties shall be paid to the Borough of Manville Bureau of Fire Safety.

Section 18. CONSTRUCTION ACTIVITIES

(A). Combustible refuse, rubbish and debris shall be cleaned up and deposited in a noncombustible refuse container. All refuse container(s) shall be located a minimum of ten (10) feet from any building, structure, and lot line or combustible material storage location.

Section 19. FIRE DEPARTMENT/FIREFIGHTING ACCESS

(A). Fire Department access shall be provided and maintained to all structures in the Borough, fire access roadways shall be capable of providing emergency vehicle access at all times.

(B). Access to a structure for the purpose of firefighting shall be provided. Obstructions to hydrants, fire department connections shall be prohibited.

(C). Penalty for violations shall be subject to a fine of Five hundred (\$500.00) dollars. Said fine shall be imposed on complaint.

Section 20. MUNICIPAL COOKING ORDINANCE

(A). New Jersey State Uniform Fire Code adopted under N.J.A.C. 5:70-3, et seq., is hereby supplemented by the following provisions:

(1). Except for detached one and two family owner occupied residential dwellings structures of R-3 Use Classification: No cooking equipment, including but not limited to barbecue grills, charcoal grills, hibachi grills, propane and other gas-fueled grills, shall be stored or used on any porch, balcony, deck or other similar portion of a building or under any building overhang and shall be placed at least 10 feet from any combustible landscaping or ground covering.

(2). No outdoor cooking equipment, including those specifically listed above, shall be used within any room or space of a building, within five (5) feet of any combustible exterior wall, or within five (5) feet vertically or horizontally of an opening in any wall.

(3). There shall be no storage of propane or any fuel on any porch, balcony, deck or similar portion of a building, within any room or space of a building, within five (5) feet vertically or horizontally of an opening in any wall.

(B). Penalty for violations.

Any person, firm or corporation violating any of the provisions of the code or failing to comply with any order issued pursuant to any section thereof, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars, (\$1,000) or by imprisonment in the County Jail for not exceeding ninety (90) days or any combination of the above.

Section 21. FIRE HYDRANT SPACING

(A). All fire hydrant locations in the Borough of Manville shall have 300 feet spacing between hydrants.

(B). Obstructing or blocking a public or private fire hydrant, fire department connection, etc. is prohibited, any person, firm or corporation violating this provision of the code or failing to comply, shall be punished by a fine not exceeding one hundred dollars (\$100.00).

Section 22. POSTING OF ADDRESS NUMBERS ON STRUCTURES

(A) All structures in the Borough of Manville shall have an address number visible from the roadway, to assist emergency service workers responding to the aid of an emergency call. The numbers used shall be contrasting color to the surface on which it is mounted and of sufficient size to be legible from the street.

(B) Penalty for violation shall be subject to a fine of fifty (\$50.00) dollars. Said fine shall be imposed on complaint and conviction in the municipal court of the Borough of Manville.

Section 23. OPEN BURNING/OPEN FIRES

(A) General: A person shall not cause or allow open burning unless approved in accordance with this code and N.J.A.C. 5:70-307.

(B) Definitions: For the purpose of this section, the following definitions shall apply:

Chiminea, outdoor fireplace shall mean as defined by the manufacturers, approved containers for open burning.

Firewood shall mean trunks and branches of trees, shall not include leaves, needles, and vines or brush.

Nuisance shall mean any odor, emission, or event that prevents the reasonable use and enjoyment of one's property.

Open burning shall mean the burning of any materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudge-pots and similar devices associated with safety or occupational uses typically considered open flames, *recreational fires* or use of portable outdoor fireplaces. For the purpose of this definition, a chamber shall be regarded as enclosed, when during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

Portable Outdoor Fireplace: A portable, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other non-combustible material. A portable outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top.

Recreational Fire: An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

Treated lumber shall mean dry wood which had been milled and dried and has been treated or combined with any petroleum product, glue, chemical, preservative, adhesive, stain, paint or other substance.

Untreated lumber shall mean dry wood which has been milled and dried, but which has not been treated or combined with any petroleum product, glue, chemical, preservative, adhesive, stain, paint or other substance.

(C) Open Burning Regulations:

(a) Allowable burning: Open burning in approved containers shall be allowed with prior notification and approval of the Borough Fire Marshal for outdoor fireplace, portable outdoor fireplace, recreational fires and similar occupational needs.

(b) Fires shall be limited to a maximum three (3) foot diameter and two (2) foot height and must be contained in a noncombustible chiminea or outdoor fireplace, or as approved by the Borough Fire Marshal.

(c) All openings in the container must be covered with wire mesh or other screening materials that will prevent the passage of sparks or embers.

(d) Fires must be kept at least fifteen (15) feet from any structure or combustible exterior wall and shall not be used within any building or dwelling unit, or on any combustible porch, balcony or any other combustible

portion of a building. They shall not be placed under any building overhang and shall be placed at least fifteen (15) feet from any combustible landscaping or ground covering.

(e) Fires must be constantly attended, and a fire extinguisher or water hose shall be placed in the area of open burning, which includes fire in containers.

(f) Agricultural burning of herbaceous or infected plant life, the burning of orchard pruning and cutting, prescribed burnings and clearing of agricultural land by burning are prohibited.

(g) Yard waste, leaves, brush, vines, evergreen needles, branches smaller than three (3) inches in diameter, treated lumber, garbage, paper products, furniture, building material or anything other than firewood as set forth herein is prohibited

(h) All open fires, as set forth herein shall be extinguished no later than 12:00 a.m., which includes chiminea and outdoor fireplaces.

(i) The Fire Marshal shall order any open fire, or use of a chiminea, outdoor fireplaces or fire pit which creates a nuisance, to be extinguished immediately.

- 1) Failure to comply with the Fire Marshal's order to extinguish the fire will result in the issuance of a penalty/summons in the amount of \$100.00 and appearance in Municipal Court will be required. Extinguishment of the fire will be completed by the Municipal Fire Department.

(m). Portable outdoor fireplace shall not be used:

- 1) Within any building or dwelling unit.
- 2) On any combustible porch, balcony or any other combustible portion of a building.
- 3) Within 15 feet of any combustible exterior wall;
- 4) Within 15 feet of vertically or horizontally, of an opening in any wall;
- 5) Under any building overhang;
- 6) Within 15 feet of any combustible landscaping or ground covering.

(m) Permits required:

- 1) State Forest Fire Service in the New Jersey Department of environmental protection N.J.A.C. 7:27-2 and/or,
- 2) Permit issued by the Borough Fire Marshal

(n) Liability: A person utilizing or maintaining an outdoor fire shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire.

(o) Right of Entry and Inspection: The Fire Marshal or any authorized officer, agent, employee or representative of the Borough of Manville who presents credentials may inspect any property for the purpose of ascertaining compliance with the provisions of this ordinance.

Section 23A. Enforcement and Penalties:

(A). The Fire Marshal or any authorized agent of the Borough of Manville is authorized to enforce the provisions of this ordinance.

(B). Any person, firm or corporation, violating any of the provisions of this ordinance, or fails to comply with a duly authorized order issued pursuant to this ordinance shall be deemed to be responsible for a municipal civil infraction which shall be punishable by civil fine of no less than \$250.00 and no more than \$1,000.00 or imprisonment not exceeding ninety days, or both.

Section 24. Lithium Ion batteries and E-Mobility Devices.

- A. Li-Battery mobility devices shall not be operated, charged or stored in any building.
 Exceptions:
 - Owner occupied one-and two-family or attached single family structures used exclusively for dwelling purposes.
 - In buildings of use group S or use group M approved for the storage or sale of new, in manufacturers packaging, batteries or devices
- B. Damaged or discarded Li-Batteries shall not be stored in any building.
 Exceptions:
 - Owner occupied one-and two-family or attached single family structures used exclusively for dwelling purposes.
 - Damaged or discarded Li-batteries that are stored in a container approved for the storage of Li-batteries. Storage containers must be certified to UL standard 1487. Approved containers must be located a minimum of twenty (20) feet from any means of egress.
- C. Sale of second use Lithium-Ion batteries and Lithium Polymer batteries are prohibited.
 It shall be unlawful to assemble or re-condition a lithium-ion battery and / or using cells removed from used storage batteries.
 It shall be unlawful to sell or offer for sale lithium-ion batteries that uses cells removed from used battery packs.
- D. Disposal of Lithium-Ion batteries
 Disposal of lithium-ion batteries shall be in accordance with State and local regulations.
 Lithium-ion batteries are prohibited from being disposed of in regular trash.
- E. Definitions

E-MOBILITY DEVICE- A stand-up or ride on eScooter, eBike, eSBscooter (self-balancing), front –face e-Unicycle, e-Skateboard and other hybrid products that are battery-powered by Lithium-Ion batteries or other similar stored energy battery or battery pack.

LITHIUM-ION BATTERY- A storage battery in which an electric current is generated by lithium-ions embedded in a carbon graphite or nickel metal-oxide substrate placed in a high-viscosity carbonate mixture or gelled polymer electrolyte.

SECOND-USE LITHIUM-ION BATTERY- A Lithium-Ion battery that has been assembled, repurposed, reconditioned or renewed using cells removed from used batteries.

Section 25. FIRE ALARM MONITORING SYSTEM PERMIT

(A). Installation:

Every “alarm business” shall be certified by the New Jersey Division of fire safety as a Certified Fire Protection Contractor and licensed by the Electrical Board of Examiners as Fire Alarm/Burglar Alarm Contractor.

All alarm systems must be installed in compliance with the Ordinance, Uniform Construction Code and the International Fire Code of the State of New Jersey.

(B). Instruction:

All alarm system owners should receive proper instruction on the operation of their system from their alarm system service contractor.

(C). Registration:

All alarm systems shall be initially registered with the Borough of Manville Fire Marshal's Office. The alarm user shall complete and file an alarm system registration information with the business/property registration.

(D). Information Change:

If a change occurs in the information previously submitted, the permittee shall forward the corrected information to the Borough of Manville Fire Marshal within ten (10) days of the change.

(E). Reporting Alarm Activation:

All alarm activations should be reported to the Borough of Manville Police Department or Somerset County Communication Center. When the alarm is being initially reported to the dispatcher, the caller (homeowner, business owner, employee, Alarm system monitoring company operator, etc.) shall provide all known information regarding the alarm activation.

Should an alarm user accidentally activate their alarm system, the user should immediately notify the Borough of Manville Police Department or Somerset County Communication Center and their alarm business/monitoring company of the occurrence.

(F). False Alarms:

Investigations: In the case where false alarms warrant an investigation, the Borough of Manville Fire Marshal shall investigate or cause to be investigated any medical, fire, fire Sprinkler/water flow, temperature, or high water alarm, as required by New Jersey State Fire Code.

(G). Penalties:

1. First False Alarm- Verbal/Written warning
2. Second false alarm- \$150.00 penalty
3. Third false alarm-\$300.00 penalty
4. Fourth False alarm and subsequent false alarms after - \$500.00 per occurrence

(H). Fire Department Lock Boxes (KNOX BOX):

The installation of a Fire Department Lock Box (Knox box) shall be required when any fire alarm or fire suppression system is installed at the location of business, for immediate access for life-saving or firefighting purposes. Location of the installation of the Knox box shall be determined by the Fire Marshal.

Section 26. FIRE WATCH DUTIES

(A). No fire alarm or fire sprinkler system shall remain out of service for any period of time without notification of the Borough Fire Marshal. The Fire Marshal shall determine whether a fire watch is deemed necessary. In no case shall a required and/or installed fire alarm or fire sprinkler system be rendered inoperable in an attempt to eliminate preventable alarms without the written consent of the fire official. In the event system found not operating, provisions for constantly attending fire watch shall be posted in the building or premise on which the alarm is located. Any alarm found to be out of service without the written consent of the Fire Marshal shall be subject to penalties described in the New Jersey Uniform Fire Code.

(B). Fire Watch Defined – A Fire Watch is a physical inspection conducted when a building's fire alarm, sprinkler or other suppression systems, are temporarily out of service. Posting of a Fire Watch is the responsibility of the building owner or their designated representative, which may include tenants or construction superintendents. Fire Watch personnel are required to continually patrol the facility for

evidence of smoke, fire, or any abnormal conditions. Whenever a life-threatening situation is discovered, the fire watch personnel must immediately contact emergency personnel, and then alert the occupants and assist in the orderly evacuation of the facility.

(C). Fire Watch Personnel – Competent, responsible, and able bodied individuals shall be selected to conduct Fire Watches, as approved by the Fire Marshal. Fire Watch personnel shall have that sole duty and not perform any other duty other than Fire Watch. A representative of the Borough of Manville Fire Service or New Jersey State Certified Firefighter(s) or Federally Certified Firefighter(s), shall be acceptable but must be approved by the Fire Marshal, and shall be allowed to provide [d] and perform a fire watch at the cost listed in the section entitled, Fire Watch Fees Established of this section. Fire Watch shall continue to be conducted by a fire department representative(s) until a fire protections system has been deemed in operation standards, as approved by the Fire Marshal. Where special circumstances exist, such as the presence of exceptional hazards or large areas, additional Fire Watch Personnel may be required by the Fire Marshal. The Borough of Manville Fire Service shall include fire personnel of Borough of Manville Fire Department.

(D). Fire Watch Log – A separate log identifying each building, area, under the Fire Watch by name and address shall be kept. Log entries shall be made hourly at the completion of each round. Log entries shall consist of the date, the time the round was completed, a summary of what was observed, and the name and signature of the individual conducting the fire watch. The Fire Watch Log shall be kept readily accessible for review by the Fire Marshal.

(E). Duties for Fire Watch Personnel – Individuals who are selected for Fire Watch details shall be briefed to have a thorough understanding of the purpose and responsibilities of their assignment. Procedures and instructions shall also have a basic understanding of the location, function, and normal status of the fire alarm and sprinkler systems, including fire pumps. Fire Watch personnel shall conduct hourly rounds by walking throughout the entire building or affected area, looking for evidence of smoke, fire, or any abnormal conditions. The specific route shall be laid out so that the Fire Watch person is required to pass through the entire area to be covered. Where special circumstances exist, such as the presence of exceptional hazards or large areas, additional patrols may be required by the Fire Marshal. Individuals selected shall know the location and operation of all portable fire extinguishers on site.

(F). Emergency Communications – The individual conducting the Fire Watch shall be equipped with a cell phone for prompt notification of emergency services (via 9-1-1) in the case of an emergency. Alternate methods of communication are acceptable by the Borough Fire Marshal shall be the use of fire service portable radio.

(G). Written Notification - Written notification of intention to post a Fire Watch when planned, or the actual posting of a Fire Watch necessitated by an unplanned event, shall be forwarded to Fire Marshal. This correspondence shall be put on the official letterhead of the business, general contractor, or subcontractor assuming responsibility for the detail. The letter shall specify the business name and address; the buildings or portions thereof affected; the purpose of the Fire Watch (i.e. fire alarm, sprinkler, or other suppression systems out of service); the dates and times these systems will be nonfunctional and the Fire Watch will be in effect; the qualifications of the individual(s) selected; and the specific type of communication device they will have immediately available (i.e. cell phone or portable radio).

(H). Fire Watch Fees Established – When a representative of the Manville Fire Service or a New Jersey State Certified Firefighter or a Federally Certified Firefighter used for the Fire Watch, the following fee schedule shall be enforced. The Owner of the structure shall make payment to the Borough of Manville for conducting the fire watch, the amount established by these fees.

- (1) Hourly rate for each individual up to 12 hours: \$50.00 per hour.
- (2) Hourly rate for each individual beyond 12 hours: \$65.00 per hour.
- (3) Use of fire apparatus (Engine) up to 12 hours: \$ 125.00 per hour.
- (4) Use of fire apparatus (Engine) beyond 12 hours: \$ 175.00 per hour.
- (5) Use of fire apparatus (Ladder) up to 12 hours: \$ 175.00 per hour.
- (6) Use of fire apparatus (Ladder) beyond 12 hours \$ 200.00 per hour.

(I). Any member of the Manville Volunteer Fire Department accepting the Fire Watch Duties shall be paid \$35.00 per hour for services rendered.

Section 27. RELATIONSHIP WITH STATE FIRE PREVENTION CODE

The provisions of this ordinance shall be read in conjunction with the provisions of Fire Safety Code of the Borough of Manville. If any inconsistencies exist between the contents of this ordinance and the N.J. Uniform Fire Code, the N.J. Uniform Fire Code shall take precedence and be entitled to full effect.

Section 28. REPEAL OF PREVIOUS ORDINANCES

Ordinances #607, #2009-1076, #2013-1135, #2014-1143 and 2023-1306 are hereby repealed in their entirety and all other ordinances or parts thereof inconsistent with this ordinance shall be and the same are hereby repealed.

Section 29. SEVERABILITY

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 30. EFFECTIVE DATE

This ordinance shall take effect immediately upon final passage and publication as required by law.