

Townhall
December 5, 2019

The Mannington Township Committee meeting was called to order by Mayor Asay at 7:00 PM. The following were in attendance: Asay, Patrick, Emel, Horner, Mitchell, Carmer, Bowman, Twp. residents: Patti Davis, Bethanne Patrick, Bill Fox, Marion Lafferty, and Alan Munyon. Joe Baumann arrived at 7:30 pm.

Clerk certified that this meeting had been advertised in accordance with the Sunshine Law.

Motion was made by Patrick, seconded by Emel, approving the attached bill list for payment. Roll call vote as follows:

Asay - yes
Patrick - yes
Emel - yes

Beginning with computer check number 16045, ending computer check number 16092. Beginning with payroll check number 6268, ending payroll check number 6304.

Community Healthcare Assoc.

12/5/19	ck#1041	\$ 522.00	William L. Horner, Esquire
12/5/19	ck#1042	2,528.00	McManimon, Scotland & Baumann

Capital

12/5/19	ck#1066	\$ 216.00	William L. Horner, Esquire
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Motion was made by Patrick, seconded by Emel, for the CFO to rollover the Certificate of Deposit with Franklin Bank. Roll call vote as follows:

Asay - yes
Patrick - yes
Emel - yes

CFO submitted a Summary Budget Status as of December 2, 2019 and a Report of Reconciled Cash Balances as of October 31, 2019.

Motion was made by Patrick, seconded by Emel, approving the minutes for the meeting held on November 7th & 25th, 2019. Motion carried.

PUBLIC COMMENT:

Motion was made by Asay, seconded by Emel opening the public portion of the meeting. Alan Munyon of Hawks Bridge Road reported that Verizon Fios has run the line down Hawks Bridge Road and they are waiting for installation.

Marion Lafferty of Hiresdale Avenue thanked the Committee for addressing the speeding issue. However, the placement of the speed bump has created another problem. Someone with a loud truck keeps revving it up at the speed bump at all times of the day and night. This is causing his wife distress and Lafferty asked that it be removed. Mayor Asay said the Public Works Department is going to remove them as soon as all the snow fence is installed.

Bill Fox of Hiresdale Avenue reported burning at the old Griscom farm on Old Kings Highway and wanted to know what was going on there with the new building. The Zoning Officer, Carmer reported that he has them in court proceedings and they have until February 13, 2020 to make application to the Planning Board, as per the Judge.

Public Comment portion was closed by regular motion.

ZONING REPORT:

Carmer gave a verbal and written report for November 2019.

BUSINESS:

Motion was made by Patrick, seconded by Emel, opening the Public Hearing for Ordinance #19-04. Motion carried. There being no comment, motion was made by Emel, seconded by Patrick, closing the hearing. Motion carried.

Motion was made by Patrick, seconded by Emel, adopting the following-named ordinance on second and final reading. Roll call vote as follows:

Asay - yes
Patrick - yes
Emel - yes

**MANNINGTON TOWNSHIP
ORDINANCE NO. 19-04**

**AN ORDINANCE AMENDING
MANNINGTON TOWNSHIP CODE CHAPTER 126 "TAXATION"
TO ADD ARTICLE II ENTITLED
"DISABLED VETERAN'S AND SURVIVING SPOUSE TAX EXEMPTION"**

Motion was made by Patrick, seconded by Emel, adopting the following resolution. Motion carried.

**MANNINGTON TOWNSHIP
RESOLUTION GRANTING MUNICIPAL CONSENT
FOR CONDUCT OF BINGO**

WHEREAS, TEAM (Together in Education at Mannington), has submitted a properly executed Application for License to operate a BINGO at the Mannington Township Elementary School located at 495 Route 45, in the Township of Mannington, and

WHEREAS, the Township Clerk has reviewed said Application and determined that the Applicant is qualified and that the members designated to conduct games are qualified, and

WHEREAS, the Township Clerk has determined that the games will be conducted according to the regulations of the Legalized Games of Chance Act.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mannington, hereby grants municipal consent to **TEAM (Together in Education at Mannington)** to conduct a BINGO on January 24, 2020 at the Mannington Elementary School and hereby waives any municipal fee.

Motion was made by Emel, seconded by Patrick, adopting the following resolution. Motion carried.

**MANNINGTON TOWNSHIP
RESOLUTION GRANTING MUNICIPAL CONSENT
FOR CONDUCT OF 50/50 ON PREMISE RAFFLE**

WHEREAS, TEAM (Together in Education at Mannington), has submitted a properly executed Application for License to operate a 50/50 ON PREMISE DRAW RAFFLE at the Mannington Township Elementary School located at 495 Route 45, in the Township of Mannington, and

WHEREAS, the Township Clerk has reviewed said Application and determined that the Applicant is qualified and that the members designated to conduct games are qualified, and

WHEREAS, the Township Clerk has determined that the games will be conducted according to the regulations of the Legalized Games of Chance Act.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mannington, hereby grants municipal consent to **TEAM (Together in Education at Mannington)** to conduct a 50/50 ON PREMISE DRAW RAFFLE on January 24, 2020 at the Mannington Elementary School and hereby waives any municipal fee.

Motion was made by Patrick, seconded by Emel, adopting the following resolution. Motion carried.

MANNINGTON TOWNSHIP

Resolution Calling for Study Commission to Review the Open Public Records Act

WHEREAS, the Township of Mannington strongly believes in and supports open transparent government, and that citizens and residents have the right to be informed about the workings of government in order to best participate in a democracy; and

WHEREAS, on January 8, 2002 then Acting Governor DiFrancesco signed into law the Open Public Records Act (OPRA) which mandates that government records shall be available, with limited exceptions, for public access and simplifying the procedures for requesting such specific records; and

WHEREAS, the intent of the law was to provide the public with easy access to government records with an uncomplicated process for obtaining the records and eliminating bureaucratic red tape; and

WHEREAS, over the course of 18 years OPRA has been a positive light, but it has also been fraught with abuse and misuse, and has become an unanticipated financial cost to the taxpayers of New Jersey; and

WHEREAS, the Township of Mannington has labored under a well-intended law that has spiraled out of control, due to the volume and nature of requests, the cost to taxpayers in responding to the requests, and the potential liability in having to pay disproportionate prevailing party attorney's fees should the requests turn into litigated matters, as well as the liability in determining which documents shall be released, with or without redaction, while attempting to maintain individual privacy; and

WHEREAS, it is not only the volume of OPRA requests that challenge our resources, but it is also the cost associated with reviewing, retrieving, and processing the OPRA request(s) by public entity personnel and counsel and possibly defending our action(s) before the Government Records Council or in Superior Court; and

WHEREAS, with limited exceptions OPRA has not been amended to address the clear and apparent advancement in technology that has changed the way government records are created, stored, and/or transmitted; the various interpretive decisions; privacy concerns; abuse for commercial gain; and/or the ever-increasing cost to taxpayers; and

WHEREAS, as the current law approaches its twentieth (20th) anniversary it has outgrown its original intended use and has become ripe for comprehensive review and reform;

NOW, THEREFORE BE IT RESOLVED that the governing body of the Township of Mannington appeals to the legislature to form a Commission comprised of Mayors, Municipal Clerks, Municipal Managers, Attorneys, Police Chiefs, open government advocates, privacy experts, members of the media, citizens and other appropriate stakeholders, to review and examine the effects of OPRA on local government and the needs to be fulfilled by the law, and use the Commission's findings to perform a comprehensive reform of OPRA; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Senator Stephen M. Sweeney, Assemblyman John J. Burzichelli, Assemblyman Adam J. Taliaferro, Assembly Speaker Craig Coughlin, Senate President Stephen Sweeney, Senator Loretta Weinberg, Executive Director of the Government Records Council Frank F. Caruso, NJ State Governor Phil Murphy, the Municipal Clerks Association of New Jersey and New Jersey State League of Municipalities.

Motion was made by Patrick, seconded by Emel, approving of the 2020 Mid Salem County Municipal Court Memorandum of Understanding.

Roll call as follows:

Asay - yes
Patrick - yes
Emel - yes

Emel reported on the annual Coalition meeting. He stated the biggest problem is the recycling portion. The 2020 cost will be \$69,076.00, which is lower than 2019, but it does not include recycle costs. They were also discussing a new truck.

Horner had nothing to report concerning the GWP bond as the company has not contacted him back as of yet.

Reorganization Meeting was scheduled for January 2, 2020, beginning at 6:30 pm with a regular Township Committee meeting immediately following.

Asay gave a review on the latest Agricultural Advisory Farm Ranking. He and the Committee discussed how many farms should be sent in for preservation in 2020.

Motion was made by Emel, seconded by Patrick, to send the first two farms listed on the ranking, being Block 4, Lot 12.01 (21.2 acres) and Block 40, Lot 10.01 (13.03 acres). Roll call vote as follows:

Asay - yes
Patrick - yes
Emel - yes

Two quotes for a new website were received and reviewed.

1. Green Technologies - one-time cost of \$3,000.00 for the initial set-up of new website. Recurring monthly fee of \$104.99. Includes, all additional website design, maintenance and hosting, plus the posting of all updates as they become available. 2. Edmunds GovTech/Business Automation Services, Inc., - one-time cost of \$4,000.00 for the initial set-up of new website. Recurring monthly fee of \$100.00 includes annual maintenance, hosting, support, and security updates. Training provided for the purpose of posting updates.

Motion was made by Patrick, seconded by Emel, to contract with Green Technologies. Roll call vote as follows:

Asay - yes
Patrick - yes
Emel - yes

CORRESPONDENCE:

1. An Itemized Expenditures & Income Report covering the period of August 31, 2018 to September 1, 2019 was received from Mannington Fire Company. Report filed.

2. Baron & Brennan Law Offices sent correspondence asking for an interpretation of a deed restriction on Block 10, Lot 1, Pierson Road. This small portion of the plot of land is in Mannington with the remaining and majority of owned land being in Pilesgrove Twp. The Committee approved for Horner to work with the law firm on this matter.

3. The Salem County Agricultural Development Board sent an email inquiring if the Township had any interest any additional right-of-way along the Earl Moore, Jr., and Robert Moore property being Block 4, Lot 12, Black Road. Farmland Preservation was applied for on this property. The Township Committee consented that they had no interest on any additional right-of-way other than what is already in place.

Motion was made by Patrick to open the public hearing on Ordinance #19-05, seconded by Emel. Motion carried.

There being no comments, motion was made by Emel, seconded by Patrick, closing the hearing. Motion carried

Motion was made by Patrick, seconded by Emel, adopting the following-named ordinance of second and final reading. Roll call vote as follows:

Asay - yes
Patrick - yes
Emel - yes

**MANNINGTON TOWNSHIP
ORDINANCE NO. 19-05**

AN ORDINANCE APPROVING AN APPLICATION FOR A LONG-TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH 310 WOODSTOWN URBAN RENEWAL, LLC

Motion was made by Patrick, seconded by Emel, adopting the following resolution. Roll call vote as follows:

Asay - yes
Patrick - yes
Emel - yes

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANNINGTON, IN THE COUNTY OF SALEM, NEW JERSEY DESIGNATING A REDEVELOPER AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT FOR THE PROPERTY KNOWN AS BLOCK 53, LOTS 4 AND 23 ON THE TAX MAPS OF THE TOWNSHIP

WHEREAS, the Township Committee of the Township of Mannington, in the County of Salem, New Jersey (the "**Township Committee**"), pursuant to the provisions of the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 et seq. (the "**Redevelopment Law**"), and based upon the report and recommendation of the Township of Mannington Planning Board (the "**Planning Board**"), adopted a resolution on September 6, 2018 designating that certain property identified on the official tax maps of the Township as Block 53, Lots 4 and 23 as a non-condemnation area in need of redevelopment (the "**Property**"); and

WHEREAS, pursuant to *N.J.S.A.* 40A:12A-7, on January 22, 2019, the Township Committee, in accordance with the applicable provisions and requirements of the Redevelopment Law, adopted Ordinance No. 19-03 enacting a redevelopment plan for the Property entitled "Memorial Hospital Redevelopment Plan" dated January 15, 2019 (as may be amended and supplemented from time to time, the "**Redevelopment Plan**") for the redevelopment of the Property; and

WHEREAS, 310 Woodstown Urban Renewal, LLC (the “**Redeveloper**”) seeks to be designated as the “redeveloper” (as defined in the Redevelopment Law) of the Property, so as to redevelop the Property in accordance with the terms of the Redevelopment Plan and the Redevelopment Law; and

WHEREAS, in order to effectuate the Redevelopment Plan and the redevelopment of the Property, the Township of Mannington (the “**Township**”) desires to designate Redeveloper as the redeveloper of the Property and to authorize the execution of a redevelopment agreement with the Redeveloper (in the form attached hereto as Exhibit A, the “**Redevelopment Agreement**”).

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANNINGTON, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Redeveloper is hereby designated as the “redeveloper” of the Property pursuant to the Redevelopment Law.

Section 3. The Mayor of the Township is hereby authorized and directed to execute the Redevelopment Agreement, in the form attached hereto as Exhibit A, with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the Township’s redevelopment counsel, planning consultant and other professionals, and the Township Clerk is hereby authorized and directed to attest to the signature of the Mayor and to affix the seal of the Township to the Redevelopment Agreement, if applicable.

Section 4. This Resolution shall take effect immediately.

PUBLIC WORKS REPORT :

Patrick gave a verbal report. All snow fence has been installed with the exception of Black and Warner Roads. Patrick obtained a quote from Central Jersey Equipment for a new John Deere Z915E Z Trac lawn mower in the amount of \$7,214.13 and asked CFO to transfer funds if needed. Patrick asked the Clerk’s Office to order the Lazy Boy Conference chairs from Staples at the price of \$199.99 each.

OTHER BUSINESS :

Horner is working on amending the regular trash/recycle agreement to add Omni charges and the process between LAC Township and Mannington Township.

Emel asked if Close-Out meeting scheduled for December 16th can be changed from 5:30 pm to 4:00 pm as he has another engagement that night. Clerk will send the proper Sunshine Notice to the paper and post it.

Before leaving the meeting, Joe Baumann told the Mayor he will contact him with the date and time to meet with the NJ Local Finance Board and that he would get hem a "cheat sheet" on his rights and obligations relating to the Financial Agreement for the Salem Medical Center.

Motion was made by Patrick, seconded by Emel, passing the following resolution. Motion carried.

RESOLUTION FOR CLOSED SESSION

WHEREAS, the Mannington Township Committee will now conduct a closed session for discussions from which the public may be lawfully excluded pursuant to the Open Public Meetings Act (*N.J.S.A. 10:4-6, et seq.*);

NOW, THEREFORE, BE IT RESOLVED, by the Mannington Township Committee, as follows:

1. The public shall be excluded from the closed session discussions which are the subject of this resolution.
2. The general nature of the subjects to be discussed during the closed session is as follows: **Matters falling within the attorney/client privilege, and pending or anticipated contract negotiations, relating to the upcoming Salary Ordinance amendment.**
3. The discussions conducted during the closed session will be disclosed to the public as follows:
 - a. with respect to matters involving pending or anticipated litigation, after such matters have been resolved and any periods of appeal have expired;
 - b. with respect to other matters, when the need for confidentiality no longer exists.
4. No action will be taken during the closed session, but action may be taken following the closed session.

The meeting was opened to the public.

Motion was made by Patrick, seconded by Emel, adopting the following-named ordinance on first reading. Roll call vote as follows:

Asay - yes
Patrick - yes
Emel - yes

ORDINANCE NO. 19-06

AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ENTITLED "AN ORDINANCE FIXING AND CONFIRMING THE SALARIES AND COMPENSATIONS OF CERTAIN APPOINTIVE AND ELECTIVE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MANNINGTON IN THE COUNTY OF SALEM, NEW JERSEY BEGINNING JANUARY 1, 1968", ADOPTED FEBRUARY 22, 1968 AND THE AMENDMENTS AND SUPPLEMENTS TO SAID ORDINANCE

A hearing on Ordinance No. 19-06 was scheduled for December 30, 2019 at 1:00 pm.

REPORTS:

The following reports were filed:

Tax Collector reported receipts for November in the amount of \$669,260.03.

Mid-Salem County Court submitted a check in the amount of \$3,291.48 for fines received in November.

Registrar's receipts for November totaled \$1,573.00.

Three (3) dog licenses were issued in November with receipts totaling \$117.00.

Finance reported receipts of \$708,123.38 for the month of November.

There being no further business to transact, the Mayor adjourned the meeting by regular motion at approximately 9:00 PM.

Respectfully Submitted,

Esther A. Mitchell, Clerk