

Townhall
May 7, 2020

The Mannington Township Committee remote meeting (due to the coronavirus pandemic) was called to order by Mayor Asay at 5:00 PM. The following were in attendance: Asay, Patrick, Emel, Horner, Carmer, Bowman, Mitchell, Davis, and Township Auditor, Fred Caltabiano.

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

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

Asay - yes
Patrick - yes
Emel - yes

Beginning with computer check number 16256, ending computer check number 16292. Beginning with payroll check number 6460, ending payroll check number 6496.

Community Healthcare Assoc.

05/07/20 ck#1047 \$ 1,164.00 McManimon, Scotland & Baumann

Storm Recovery Trust

05/07/20 ck#1059 \$ 260.00 Fisher's Roofing & Gutters
05/07/20 ck#1060 \$ 599.90 William's Auto Parts

CFO submitted a Report of Reconciled Cash Balances for month ending April 22, 2020 and a Summary Budget Status for 2019 and 2020 as of May 4, 2020.

Motion was made by Asay, seconded by Patrick, approving the minutes for the meetings held on 4/2/2020. Motion carried with Emel abstaining.

ZONING REPORT:

Carmer gave a verbal and written report for April 2020 and left the meeting at 5:10 pm.

OLD BUSINESS:

A copy of a site investigation report from First Environmental was received from the Salem County Emergency Operating Center, on behalf of the NJDEP. The report contained results from the oil spill on Compromise Road involving the Carney's Point Public Works Department trash truck. All test results showed positive results closing the case.

NEW BUSINESS:

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

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

**MANNINGTON TOWNSHIP
RESOLUTION**

WHEREAS, *N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183* requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended, 42 U.S.C. § 2000e et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Mannington, hereby states that it has complied with *N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183*, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

Asay - yes
Patrick - yes
Emel - yes

MANNINGTON TOWNSHIP
RESOLUTION FOR LOCAL EXAMINATION

WHEREAS, *N.J.S.A. 40A:4-78b* has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, *N.J.A.C. 5:30-7* was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to *N.J.A.C. 5:30-7.2 thru 7.5* the Township of Mannington has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township of Mannington meets the necessary conditions to participate in the program for the 2020 budget year, so now therefore

BE IT RESOLVED, by the Township Committee of the Township of Mannington that in accordance with *N.J.A.C. 5:30-7.6a & b* and based upon the Chief Financial Officers certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve of uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to *N.J.S.A. 40A:4-45.2* and appropriations for exceptions to limits on appropriations found at *40A:4-45.3 et seq.* are fully met (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and *N.J.A.C. 5:30-4* and *5:30-5*.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated,
 - b. Items of appropriation are properly set forth,
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of *N.J.S.A. 40A:4-5* shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE Director of the Division of Local Government Services.

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

Asay - yes
Patrick - yes
Emel - yes

MANNINGTON TOWNSHIP
RESOLUTION TO READ BUDGET BY TITLE ONLY

WHEREAS, *N.J.S. 40A:4-8, as amended by L.2015, c. 95, § 14, 2015*, provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection, and has been made available to each person upon request; and

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED, that the budget shall be read by title only.

After opening the 2020 Municipal Budget hearing, Mayor Asay invited Fred Caltabiano, Township Auditor, to make any comments regarding the budget. Auditor stated the local tax rate will remain at 28 cents and that the rate has been that for a number of years. He went on to say that every municipality and county in NJ are in the same situation with the COVID 19 Pandemic going on and if things don't pick up by the end of the year, every municipality could be having some difficulty where a reactive measure will be taken. Municipal Auditors and Elected & Appointed Officials will know more once more guidance is available. As there were no further public comments, motion was made by Patrick, seconded by Emel, closing the hearing. Motion carried.

Mayor read the 2020 Municipal Budget Resolution on page 42 of the budget document. Motion was made by Patrick, seconded by Asay, adopting the 2020 Municipal Budget on second and last reading. Roll call vote as follows:

Asay - yes
Patrick - yes
Emel - yes

A copy of the adopted 2020 Budget will be available on the Township's website and at the clerk's office.

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

Asay - yes
Patrick - yes
Emel - yes

MANNINGTON TOWNSHIP

**EXTENSION OF N.J.S.A. 54:4-67(a) GRACE PERIOD FOR
SECOND QUARTER 2020 TAXES PURSUANT TO
GOVERNOR PHILIP D. MURPHY EXECUTIVE ORDER NO. 130
(COVID-19 PUBLIC HEALTH EMERGENCY)**

WHEREAS, on April 28, 2020, as part of a series of Executive Orders to protect the public health, safety, and welfare against the emergency created by Coronavirus disease 2019 ("COVID-19") under authority of the New Jersey Civilian Defense and Disaster Control Act and the Emergency Health Powers Act, Governor Philip D. Murphy issued Executive Order No. 130 authorizing any New Jersey municipality with a calendar year budget cycle to adopt a resolution instituting a grace period concluding on a date no later than June 1, 2020 for the payment of second-quarter property taxes; and

WHEREAS, *N.J.S.A. 54:4-67(a)* provides, in pertinent part, that "[t]he governing body may...fix the rate of interest to be charged for the nonpayment of taxes...on or before the date when they would become delinquent, and may provide that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became payable"; and

WHEREAS, Executive Order No. 130 provides, in pertinent part, that "[a]ny governing body of a municipality with a calendar year budget cycle may adopt a resolution instituting a grace period concluding on a date no later than June 1, 2020 for the payment of second-quarter property taxes"; and

WHEREAS, Mannington Township is a New Jersey municipality with a calendar year budget cycle, with second quarter 2020 property taxes due and payable on May 1, 2020; and

WHEREAS, at its April 2, 2020 regular meeting, the Mannington Township Committee determined that, due to the COVID-19 emergency, it would be in the best interest of the public health, safety, and welfare of Mannington Township to extend the ten-day *N.J.S.A. 54:4-67(a)* grace period as permitted by the Governor's then-anticipated Executive Order; and

WHEREAS, on April 2, 2020, based on the above determination, the Mannington Township Committee voted unanimously to extend the grace period for second quarter 2020 Mannington Township property taxes to the extent permitted by the then-anticipated Executive Order;

NOW, THEREFORE, BE IT RESOLVED, that the Mannington Township Committee hereby institutes an extended grace period for payment of second quarter 2020 property taxes pursuant to Executive Order No. 130 so that no interest will be charged for late payment of

second quarter 2020 Mannington Township property taxes if payment is made on or before June 1, 2020; and

BE IT FURTHER RESOLVED, that the Mannington Township Clerk is hereby directed to notify the Director of the Division of Local Government Services in the Department of Community Affairs of the adoption of this resolution, as required by Executive Order No. 130, by sending the Director a certified copy of this resolution on or before Tuesday, May 12, 2020 (i.e., the third business day next following the Township Committee's adoption of the resolution); and

BE IT FURTHER RESOLVED, that the Mannington Township Clerk is hereby directed to send certified copies of this resolution to the Mannington Township Tax Collector and Chief Financial Officer within the aforesaid deadline.

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

Asay - yes
Patrick - yes
Emel - yes

**RESOLUTION AUTHORIZING WASTE DISPOSAL AGREEMENT WITH
SALEM COUNTY IMPROVEMENT AUTHORITY
(2020-2021)**

WHEREAS, the Salem County Improvement Authority is the owner and operator of the Salem County landfill, and

WHEREAS, Mannington Township is a member of the trash/recycling coalition with Lower Alloways Creek, Elsinboro and Oldmans Townships that disposes of solid waste and other materials at the Salem County landfill, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk of Mannington Township are hereby authorized to execute the approved **2020-2021 Waste Disposal Agreement** with the Salem County Improvement Authority for disposal of solid waste and other materials at the landfill in accordance with the provisions thereof.

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

**MANNINGTON TOWNSHIP
RESOLUTION AUTHORIZING THE CANCELLATION OF
A PORTION OF SECOND, THIRD, AND FOURTH QUARTER 2020 TAXES FOR
A TOTAL DISABLED VETERAN
(N.J.S.A. 54:4-3.30, et seq.; N.J.A.C. 18:28-1.1, et seq.)
Block 53, Lot 2 (Romeo, John G.)**

WHEREAS, THE TAX ASSESSOR OF MANNINGTON TOWNSHIP, Salem County, has certified by letter dated April 27, 2020 (a copy of which is attached to this resolution), that the above-referenced total disabled veteran taxpayer has been approved for tax exempt status as of April 17, 2020, the date the total disabled veteran taxpayer acquired the above referenced subject property; therefore, a portion of the second, third, and fourth quarter 2020 taxes for the subject property should be cancelled and/or refunded; and

WHEREAS, the subject property consists of approximately 16.54 acres of land (according to deeds of record), part of which is farmland, part of which is improved with a single-family dwelling house and related structures, and part of which is vacant and not farmed; and

WHEREAS, the subject property was formerly designated as Block 53, Lots 2 and 3, which lots have been consolidated and are now designated and assessed together as Block 53, Lot 2; and

WHEREAS, approximately 6.5 acres of the 16.54-acre subject property are currently assessed as farmland pursuant to the "Farmland Assessment Act of 1964" (*N.J.S.A. 54:4-23.1, et seq.*) and therefore do not qualify for tax cancellation or refund; and

WHEREAS, the Tax Assessor has approved the total disabled veteran taxpayer's exemption for the single-family dwelling house at the subject property, and for a 5-acre non-farmland-assessed portion of the subject property (curtilage area) within which the dwelling house is located; and

WHEREAS, the remaining 5+/- acres of non-farmland-assessed, non-exempt land will continue to be assessed and taxed as vacant, non-farmland-assessed, non-exempt land, and therefore such remaining acreage does not qualify for tax cancellation or refund; and

WHEREAS, THE TAX COLLECTOR OF MANNINGTON TOWNSHIP has certified to the Township Mayor and Committee that the above-referenced 5 acre portion of the 16.54-acre subject property has been approved for total disabled veteran exempt status as of April 17, 2020 as described above; therefore, a portion of the second, third, and fourth quarter 2020 taxes should be cancelled and/or refunded accordingly;

NOW, THEREFORE, BE IT RESOLVED, by the Mannington Township Committee, that the appropriate officials of Mannington Township, County of Salem, State of New Jersey, shall cancel and/or refund a portion of the second, third, and fourth quarter 2020 real estate taxes as noted above, and the books of said Tax Collector be adjusted to reflect the cancellation and/or refund as noted above.

ADOPTED at a meeting of the Township Mayor and Committee of Mannington Township, County of Salem, State of New Jersey held on May 7, 2020.

CORRESPONDENCE :

1. A water quality report for the Mannington Municipal Complex was received and filed.

2. Correspondence from Pilesgrove Township containing a copy of a letter they sent to the SCIA urging them to reopen the convenience center was received. Mayor Asay reported receiving a call and email announcing the following:

We are pleased to announce that the Salem County Improvement Authority's Convenience Center will be opening on Monday, May 11, 2020 from 8 a.m. to 3 p.m. The Convenience Center will be open **SIX (6)**

DAYS A WEEK starting Monday, May 11, through Saturday, May 23, from 8 a.m. to 3 p.m. There are no Sunday hours.

Beginning Wednesday, May 27, 2020 the Convenience Center will be open on Wednesdays and Saturdays from 8 a.m. to 3 p.m. **ONLY.**

NOTE: NO MASK/NO SERVICE

PAYMENTS MUST BE MADE BY CREDIT CARD ONLY (we will not accept cash or checks)

3. The Annual Report of Taxes Not Collectible for the year 2020, submitted by Tax Collector Pierce, was received and filed.

4. Patrick described the temporary closing of Route 45 at the railroad and Route 45 bridge at the Mannington Twp. and Salem City border, as a result of South Jersey Gas reconstruction. There will be detour signs installed directing traffic to use Acton Station Road and a "Road Closed" blockade and a "Local Traffic Only" sign placed at both ends of Dubois Road. The estimated dates of the detour are May 14, 2020 through May 21, 2020.

PUBLIC WORKS REPORT:

A verbal report was given by Patrick. Marshalltown Road pipe was unclogged with the help of the Mannington Fire Department and the Salem County Road Department. Due to high winds on the evening of April 9th, a few Public Works employees came in on April 10th (Good Friday Holiday) to clear roads. New employee Vinny Guereio is no longer employed with the department. Rob and Matt Eller will work some part-time hours until a new employee can be hired.

The Committee discussed which road(s) to submit for Municipal Aid 2020. Motion was made by Emel, seconded by Patrick, to submit Compromise Road Section II, the same portion as was submitted in 2019. Motion carried.

PUBLIC COMMENT:

Public Comment period was opened by regular motion. The Mayor gave a few minutes in case any public wished to log on to comment. He announced the Annual Community Yard Sale is rescheduled for September 19th, 2020, with a rain date of September 26, 2020. There being no

public logging in and no other comments, this portion was closed by regular motion.

REPORTS:

The following reports were filed:

Tax Collector reported receipts for April in the amount of \$230,472.63.

Registrar's receipts for April totaled \$508.00.

Twenty-five (25) dog licenses were issued in April with receipts totaling \$483.00.

Finance reported receipts of \$240,389.32 for the month of April.

There being no further business to transact, the Mayor adjourned the meeting by regular motion at 5:36 PM.

Respectfully Submitted,

Esther A. Mitchell, Clerk

May 11, 2020	NO QUORUM
May 18, 2020	NO QUORUM
June 1, 2020	NO QUORUM