

Townhall
June 2, 2022

The Mannington Township Committee meeting was called to order by Mayor Asay at 7:00 PM. The following were in attendance: Asay, Patrick, Dunham, Horner, Mitchell, Elwell, Schmid, Patti Davis, and Sgt. M. Korejko of the NJSP Woodstown Barracks.

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

BILLS FOR PAYMENT:

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

Asay - yes Patrick - yes Dunham - yes

The Committee requested to hold payment on the CHA check until the required report has been received.

CFO submitted a Summary Budget Status Report as of June 2, 2022, along with a Report of Reconciled Cash Balances for the month ending April 30, 2022.

The Committee approved to increase the Certification of Funds for Weir, Greenblatt, Pierce LLP for Land Litigation Services.

APPROVAL OF MINUTES:

Motion was made by Patrick, seconded by Dunham, approving of the minutes for the meeting held on May 5, 2022. Motion carried.

ZONING REPORT:

A written and verbal zoning report was given by Schmid for the month of May 2022.

PUBLIC COMMENT:

Motion was made by Patrick, seconded by Dunham, opening this portion of the meeting. Motion carried.

Mayor Asay invited Sgt. Korejko to the floor. Sgt. Korejko gave a report for the month of May. They will begin emergency drills at the

school and property checks at the hospital. He emphasized for residents be sure to lock their house and car doors.

Sgt. Korejko and Schmid left the meeting at 7:18 pm.

There being no further discussion, motion was made by Patrick, seconded by Dunham, closing Public Comment portion. Motion carried.

OLD BUSINESS:

Mayor Asay reported the Mahalik's are interested in moving forward with farmland preservation through the PIG grant. It is moving along and there may be more to report next month.

The Mayor reviewed the water line running from Route 45 down Newell Road. Salem City has no maps of where the line was installed. The city owns only the water main and the residents were responsible for installation of the line if they chose to hook up to city water. Residents are also responsible for any repairs needed to their lines.

He continued, referring to Block 51, Lot 15, stating if Habitat for Humanity decided to build on that lot, they would be required to have the water line installed from the main on Route 45. An eight (8) foot easement would be required for other residents to access the water line running to their properties, if need for repairs or such.

NEW BUSINESS:

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

MANNINGTON TOWNSHIP

RESOLUTION AUTHORIZING MEMBERSHIP IN A MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS

WHEREAS, mutual aid and assistance agreements between municipalities, counties, Office of Emergency Management, law enforcement agencies, Emergency Medical Services, fire departments/fire companies or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD) – 5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal

governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, “The New Jersey Civilian Defense and Disaster Control Act” App.A9-33 et. seq. provides for the health, safety, and welfare of the people of the State of New Jersey during any emergency of centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency; and

WHEREAS, The Director of Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the “Fire Service Resource Emergency Deployment Act,” N.J.A.C. 52:14&11 et. seq. commonly referred to as the “Fire Service Resource Emergency Deployment Regulations “N.J.A.C. 5:75A et. seq.; and

WHEREAS, it is deemed to be in the best interests of the residents of Mannington Township to enter into a mutual aid and assistance agreement with the County of Salem and other municipalities including (but not limited to) municipal Office of Emergency Management, police, Emergency Medical Service or fire departments, volunteer fire companies or EMS organizations and/or fire districts to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest, major emergency or other extraordinary devastation damage or destruction to person and property, in those situations when outside aid and assistance is needed.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mannington, County of Salem, and State of New Jersey as follows:

- A. That Mannington Township and its Departments are hereby authorized and directed to enter into the Salem County Emergency Management Mutual Aid and Assistance Agreement between Participating Units, a copy of which: is attached hereto and made part hereof, on the terms and conditions herein.
- B. That the Mayor, Emergency Management Coordinator and Public Works Chairman are hereby authorized and directed to execute said Mutual Aid and Assistance Agreement on behalf of the Township of Mannington.
- C. That the Fire/EMS Chief of the independently owned Mannington Fire Company is hereby authorized and directed to execute said Mutual Aid and Assistance Agreement on behalf of the Mannington Fire Company for inclusion in this agreement.

C. That the Township Clerk is hereby authorized and directed to file a certified copy of this resolution and an executed copy of the Agreement with the Salem County Office of Emergency Management. Said Office shall serve as the central repository and shall maintain a master listing of all Participating Units to the Mutual Aid and Assistance Agreement.

The Mayor and Public Works Chairman held the mutual aid agreement to sign at the end of the meeting. Clerk will obtain the other required signatures and distribute copies to the appropriate departments.

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

MANNINGTON TOWNSHIP

Resolution Urging the Swift Passage of S-330 which restores Energy Tax Receipts

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, the diversion of dedicated energy tax receipts to the State's General Fund further jeopardizes this critical property tax relief funding in future years; and

WHEREAS, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

WHEREAS, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Mannington in the county of County of Salem urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget; and

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to Assemblywomen Bethanne McCarthy Patrick and Beth Sawyer, Senator Edward Durr, Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

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

Asay - yes Patrick - yes Dunham - yes

TOWNSHIP OF MANNINGTON

A resolution requesting permission for the dedication by rider for Uniform Fire Safety Act Penalty Moneys Pursuant to NJS 52:27D-192

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, NJS 52:27D-192 provides for receipt of Uniform Fire Safety Act Penalty Moneys by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Uniform Fire Safety Act Penalty Moneys are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Committee of the Township of Mannington, County of Salem, State of New Jersey as follows:

1. The Committee hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Uniform Fire Safety Act Penalty Moneys as per NJS 52:27D-192.
2. The municipal clerk of the Township of Mannington, County of Salem is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

Block 42, Lot 1, Penton Station Road, located in Alloway Township was discussed. Mannington will probably hold their land auction in September 2022 and this lot, owned by Alloway Township, adjoins property that is on the Mannington Township's list. Brown Street (paper street) runs through Mannington's land and Alloway's land. The Alloway Township tax map does not show Brown Street. The Township does not know if the Alloway portion of Brown Street has been vacated. Horner will look into this and if the information hasn't been obtained by the time the notice of the auction is to be advertised, the Alloway property may be pulled out and offered at a later auction.

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

Asay - yes Patrick - yes Dunham - yes

MANNINGTON TOWNSHIP

**RESOLUTION APPOINTING
TERRY GLEN TUCKER, ESQ. (TERRY TUCKER, P.C.)
AS SPECIAL BANKRUPTCY COUNSEL**

WHEREAS, Mannington Township ("Township") desires to hire special bankruptcy counsel to represent the Township with regard to the bankruptcy case of Joseph F. Catalano, Jr., against whose real estate the Township holds one or more tax sale certificates (the "Bankruptcy"), and

WHEREAS, Terry Glen Tucker, Esq. of the law firm of Terry Tucker, P.C. has submitted a signed contract for legal services dated June 2, 2022, indicating that he and his firm will provide legal services as Special Bankruptcy Counsel to represent the Township in connection with the Bankruptcy; and

WHEREAS, Special Bankruptcy Counsel shall be hired by means of a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.8; and

WHEREAS, Terry Glen Tucker, Esq. of the law firm of Terry Tucker, P.C. has completed and submitted a Business Entity Disclosure Certification which certifies that he and the law firm have not made any contributions to a political or candidate committee in the Township in the previous one (1) year and this Resolution prohibits him or the law firm from making any contributions through the term of the contract; and

WHEREAS, Terry Glen Tucker, Esq. of the law firm of Terry Tucker, P.C. must submit additional required documentation relating to the contract for review and approval by the Township Solicitor, specifically a certificate of employee information report, a business registration certificate, and certificate(s) of insurance; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee of Mannington Township, County of Salem, State of New Jersey that:

1. Pursuant to N.J.S.A. 40A:11-1 et seq., Terry Glen Tucker, Esq. of the law firm of Terry Tucker, P.C., be and is hereby appointed as Special Bankruptcy Counsel for the purpose described herein upon the Mayor's (or Deputy Mayor's) and Township Clerk's signature of the contract for legal services.
2. Terry Glen Tucker, Esq. of the law firm of Terry Tucker, P.C. is prohibited from making any contribution to a local or Salem

County political or candidate committee during the term of this appointment.

3. The Mayor or Deputy Mayor and Township Clerk be and are hereby authorized to sign the contract for legal services with Terry Glen Tucker, Esq. of the law firm of Terry Tucker, P.C. on behalf of the Township in connection with this appointment after receipt and approval of the required business registration certificate and certificate(s) of insurance, but before receipt of the required certificate of employee information report, with the understanding that Terry Glen Tucker, Esq. of the law firm of Terry Tucker, P.C. must provide the certificate of employee information report within a reasonable time after the contract for legal services has been signed.
4. This Resolution shall be published as required by law in the appropriate local newspaper(s) and is to be retained on file in the Office of the Township Clerk.
5. The Business Entity Disclosure Certification is to be placed on file with this Resolution.

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

Asay - yes Patrick - yes Dunham - yes

MANNINGTON TOWNSHIP

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of Mannington Township in the County of Salem, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in

the sum of \$9,299.90 which is now available from the State of New Jersey, Clean Communities Grant in the amount of \$9,299.90 and

BE IT FURTHER RESOLVED, that the like sum of \$9,299.90 hereby appropriated under the caption Clean Communities Grant, and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey, Clean Communities Grant in the amount of \$9,299.90.

CORRESPONDENCE :

1. Salem County Engineer's Office, Invitation to Stormwater Training on June 22, 2022 at 7:30 am. Mannington's Public Works employees, Owens and Burden, along with the three committeemen will be scheduled to attend.
2. Salem County, Invitation to participate in Stormwater Pubic Education event at the Salem County Fair. This event helps to satisfy the educational requirement for the stormwater plan. Committeeman Dunham will participate in the education event on Thursday, August 11, 2022.
3. NJ DOT letter regarding an inventory survey of all existing bus stops and the newly recommended bus stops along NJ Route 45 for the purpose of consolidating all bus stops in a new Traffic Regulation Order. NJ DOT requested a resolution of support for same.

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

MANNINGTON TOWNSHIP

**RESOLUTION OF SUPPORT OF NJDOT/NJ TRANSIT BUS STOPS
IN VARIOUS LOCATIONS ON NJ ROUTE 45 IN MANNINGTON TOWNSHIP, SALEM
COUNTY, NEW JERSEY**

WHEREAS, Charles R. Reilly, Supervisor, Traffic Investigations, Bureau of Traffic Engineering, of the New Jersey Department of Transportation ("NJDOT") sent a letter to Mannington Township dated May 26, 2022 (the "NJDOT Letter") with reference to a request received by NJDOT on April 11, 2022 from Mr. Daniel O'Gorman, Field Representative for NJ Transit, requesting NJDOT to investigate the feasibility of establishing bus stops along Route NJ 45 in the Township of Mannington, County of Salem; and

WHEREAS, the NJDOT Letter informed the Township that a Municipal Review Statement, signed by Donald C. Asay, Mannington Township Mayor, dated April 7, 2022, had been submitted to NJDOT concurring with the requested bus stops; and

WHEREAS, the NJDOT Letter informed the Township that NJDOT and the Bureau of Traffic Engineering (“BTE”) share the Township’s concern for motorist and pedestrian safety; and

WHEREAS, the NJDOT Letter informed the Township that, based upon a field investigation conducted by NJDOT, the requested bus stop locations are recommended for approval; and

WHEREAS, the NJDOT Letter informed the Township that, in addition to the requested bus stop locations, NJ Transit and the NJDOT have conducted a survey to inventory all existing bus stop locations along Route NJ 45 within the Township of Mannington, County of Salem, and based upon this survey all currently recommended bus stop locations will be approved by a new Traffic Regulation Order (“TRO”); and

WHEREAS, the NJDOT Letter informed the Township that the aforesaid consolidation will enable NJDOT to update NJDOT’s regulation files of all existing bus stop locations along Route NJ 45 in the Township of Mannington, County of Salem; and

WHEREAS, the NJDOT Letter informed that, in order to legally establish these regulations, the NJDOT is required to promulgate a TRO, and that an initial step in the TRO process is to receive a Resolution of Support from the municipal governing body, pursuant to *N.J.S.A. 39: 4-8.c.*; and

WHEREAS, *N.J.S.A. 39: 4-8.c.* provides, “Subject to the provisions of R.S.39:4-138, in the case of any street under municipal or county jurisdiction, a municipality or county may, without the approval of the commissioner, and consistent with the current standards prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways, by ordinance, resolution, or regulation:

- (1) prohibit or restrict general parking;
- (2) designate restricted parking under section 1 of P.L.1977, c. 309 (C.39:4-197.6);
- (3) designate time limit parking;
- (4) install parking meters;
- (5) designate loading and unloading zones and taxi stands;
- (6) approve street closings for periods up to 48 continuous hours;
- (7) designate restricted parking under section 1 of P.L.1977, c. 202 (C.39:4-197.5);
- (8) establish angle parking; and
- (9) reinstate or add parking on any street.”

AND WHEREAS, the NJDOT Letter requested that a certified adopted Resolution of Support affixed with the raised seal of the Township of Mannington be submitted to the attention of Ms. Jaime Oplinger, BTE Executive Manager, which reads substantially as set forth below, and advised that, once NJDOT is in receipt of the certified adopted Resolution of Support from the Township of Mannington’s governing body, a TRO will be promulgated; and

WHEREAS, although Route NJ 45 is not “a street under municipal or county jurisdiction,” and although the Township Committee does not seek to undertake any of the above nine (9) actions that are listed in *N.J.S.A. 39: 4-8.c.*, the Township Committee does agree with the NJDOT’s proposal regarding the bus stops specified in the NJDOT Letter and wishes to express support for those bus stops as set forth below in this Resolution of Support, together with the required “repealer clause”;

NOW THEREFORE BE IT RESOLVED, by the Mannington Township Committee, that it hereby adopts this Resolution of Support as to the following bus stops at the following specified locations:

Along Route NJ 45, northbound, on the easterly side at:

- A. Tide Mill Road (near side) (NJ Transit ID# 28001) Beginning at the prolongation of the southerly curb line of Tide Mill Road and extending 105 feet southerly therefrom.
- B. Between Haines Neck Road and County Home Road (mid-block) (NJ Transit ID# pending) Beginning at a point 340 feet north of the prolongation of the northerly curb line of Haines Neck Road and extending 135 feet northerly therefrom.

Along Route NJ 45, southbound, on the westerly side at:

- A. Between County Home Road and Haines Neck Road (mid-block) (NJ Transit ID # pending) Beginning at a point 1495 feet south of the southerly curb line of County Home Road and extending 135 feet southerly therefrom.
- B. Tide Mill Road (near side) (NJ Transit ID# pending) Beginning at the northerly curb line of Tide Mill Road and extending 105 feet northerly therefrom.

Repealer Clause: The Township of Mannington concurs that any approved bus stop locations or traffic regulations in conflict with or inconsistent with the provisions of this resolution be rescinded upon approval of the TRO.

BE IT FURTHER RESOLVED that the Mannington Township Clerk is hereby directed to send this duly-adopted, certified Resolution of Support, affixed with the raised seal of the Township of Mannington, to the attention of Ms. Jaime Oplinger, Executive Manager, Bureau of Traffic Engineering, New Jersey Department of Transportation, P.O. Box 600, Trenton, New Jersey 08625-0600.

PUBLIC WORKS REPORT:

A verbal report for May was given by Patrick.

OTHER BUSINESS:

Motion was made by Patrick, seconded by Dunham, rescheduling the Thursday, August 4th, 2022 Township Committee meeting to be held on Monday, July 25th, 2022 at 5:30 pm. Motion carried.

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

**TOWNSHIP OF MANNINGTON
RESOLUTION #2022-69**

Resolution: *Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the **MA-2023-Mannington-Yorktown Road Section II Resurfacing-00098***

NOW, THEREFORE, BE IT RESOLVED that Committee of the Township of Mannington formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor/Committee and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2023-Mannington-Yorktown Road**

Section II Resurfacing-00098 to the New Jersey Department of Transportation on behalf of the Township of Mannington.

BE IT FURTHER RESOLVED that Mayor/Committee and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Mannington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

Motion was made by Patrick, seconded by Asay, allowing the Public Works Department to provide road barriers for the road closure of Hiresdale Avenue for a period of time on July 4th, 2022 for health and safety reasons during a block party to be held on that day. Motion carried, with Dunham abstaining.

REPORTS :

The following reports were filed:

Tax Collector reported receipts for May in the amount of \$940,388.49.

Mid-Salem County Court submitted one check in the amount of \$1,413.40 for fines received in May.

Registrar's receipts for May totaled \$1,544.50.

There were ten (10) dog licenses issued in May with receipts totaling \$246.00.

Finance reported receipts of \$341,119.66 for the month of May.

There being no further business to transact, the Mayor adjourned the meeting by regular motion at 8:03 PM.

Respectfully Submitted,

Esther A. Mitchell, Clerk

June 6, 2022	NO QUORUM
June 13, 2022	NO QUORUM
June 20, 2022	NO QUORUM
June 27, 2022	NO QUORUM