

Townhall
October 6, 2022

The Mannington Township Committee meeting was called to order by Mayor Asay at 6:00 PM. The following were in attendance: Asay, Patrick, Dunham, Horner, Mitchell, Elwell, Davis, Schmid and township residents, Suzanne and Dave Culver.

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

CFO submitted a Summary Budget Status Report as of October 6, 2022, along with a Report of Reconciled Cash Balances for the month ending August 31, 2022.

Motion was made by Patrick, seconded by Dunham, authorizing the CFO to increase the amount of certified funds available for the professional contract of Jeffrey R. Surenian to \$4,000. Roll call vote as follows:

Asay - yes Patrick - yes Dunham - yes

APPROVAL OF MINUTES:

Motion was made by Patrick, seconded by Dunham, approving of the minutes for the meeting held on September 1, 2022. Motion carried.

PUBLIC COMMENT:

Motion was made by Patrick, opening the Public Comment period, seconded by Dunham. Motion carried.

Township resident, Suzanne Culver of 84 Pointers-Auburn Road addressed the Committee regarding the Zoning of a parcel of property owned by their farm, Culver Farms LLC. The parcel, known as Block 38, Lot 1, is located on the corner of Pointers-Auburn Road, Bypass Road,

and Kings Highway. The Culvers have recently been notified that the zoning on this parcel is currently Agricultural (A). They came before the Township Committee tonight to explain the zoning was changed in 1984 to Limited Commercial (LC). The Culvers had in their possession copies of minutes from Township meetings, a copy of an adopted ordinance, and a revised map from 1984, showing this was the intent. The Culver family was unaware until now that the parcel is considered to be in the agricultural zone. Mayor Asay explained that somehow the map did not get into the Township Code when the ordinances were codified in the year 2000. Horner mentioned that the Planning Board is currently in the process of reexamining the Master Plan and this would be the time for them to examine this situation. If the Planning Board and Township Committee agrees, this would be the time to change the zoning. Asay stated the Township Planner is aware of the situation. Both Horner and Asay said that addressing this matter will be quicker if it is done at the time of the reexamination. Mrs. Culver voiced her displeasure that her family never received notification of the zoning change.

As there were no other comments, motion was made by Patrick, seconded by Dunham, closing the Public Comment portion of the meeting. Motion carried.

ZONING REPORT:

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

NEW BUSINESS:

Motion was made by Patrick, seconded by Dunham, approving of appraisal quotes submitted by T.W. Sheehan & Associates, LLC, and Molinari & Associates, P.C., for the purpose of appraising the Starr Farm for farmland preservation through the municipal FIG. Motion carried.

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

**TOWNSHIP OF MANNINGTON
COUNTY OF SALEM**

RESOLUTION CERTIFYING REVIEW OF ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year ending December 31, 2021 has been filed by a Registered Municipal Accountant with the Township Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Questioned Costs" or "Findings and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Questioned Costs" or "Findings and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office."

NOW, THEREFORE BE IT RESOLVED, that the Committee of the Township of Mannington, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

**MANNINGTON TOWNSHIP
A RESOLUTION ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN
COMPLIANCE WITH THE NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT
INSURANCE FUND'S CYBER RISK MANAGEMENT PLAN'S TIER II REQUIREMENTS**

WHEREAS, the Mannington Township is a member of the TRICO JIF which secures insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and

WHEREAS, through its membership in the TRICO JIF, Mannington Township has cyber liability insurance coverage to protect the township from the potential devastating costs associated with a cyber related claim; and

WHEREAS, in an attempt to prevent as many cyber related claims as possible, the NJ MEL developed and released to its members the NJ MEL Cyber Risk Management Plan; and

WHEREAS, the NJ MEL Cyber Risk Management Plan outlines a set of best practices and standards broken out into Tier 1, Tier 2, and Tier 3 standards that if adopted and followed will reduce many of the risks associated with the use of technology by the employees of Mannington Township; and

WHEREAS, in addition to the reduction of potential claims, implementing the following best practices and standards will enable Mannington Township to claim a reimbursement of a paid insurance deductible in the event the member files a claim against the township's cyber insurance policy, administered through the TRICO JIF and the Municipal Excess Liability Joint Insurance Fund;

Now Therefore Be It Resolved that the Mannington Township Committee does hereby adopt the following best practices and standards, a copy of which is attached hereto and incorporated herein by reference, in accordance with Tier 2 of the NJ MEL Cyber Risk Management Plan;

Server Security

Remote Access - VPN

Access Privilege Controls

Leadership Expertise

Technology Support

IT Business Continuity Planning

System and Event Logging

Banking Controls

Protected Information

And, Be It Further Resolved, that a copy of this resolution along with all required checklists and correspondence be provided to the NJ MEL Underwriter for their consideration and approval.

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

**MANNINGTON TOWNSHIP
A RESOLUTION ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN
COMPLIANCE WITH THE NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT
INSURANCE FUND'S CYBER RISK MANAGEMENT PLAN'S TIER III REQUIREMENTS**

WHEREAS, Mannington Township is a member of the TRICO JIF which secures insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and

WHEREAS, through its membership in the TRICO JIF, the Township has cyber liability insurance coverage to protect Mannington Township from the potential devastating costs associated with a cyber related claim; and

WHEREAS, in an attempt to prevent as many cyber related claims as possible, the NJ MEL developed and released to its members the NJ MEL Cyber Risk Management Plan; and

WHEREAS, the NJ MEL Cyber Risk Management Plan outlines a set of best practices and standards broken out into Tier 1, Tier 2, and Tier 3 standards that if adopted and followed will reduce many of the risks associated with the use of technology by the employees of Mannington Township; and

WHEREAS, in addition to the reduction of potential claims, implementing the following best practices and standards will enable the Township to claim a reimbursement of a paid insurance deductible in the event the member files a claim against the Township's cyber insurance policy, administered through the TRICO JIF and the Municipal Excess Liability Joint Insurance Fund;

NOW THEREFORE BE IT RESOLVED that the Mannington Township Committee does hereby adopt the following best practices and standards, a copy of which is attached hereto and incorporated herein by reference, in accordance with Tier 3 of the NJ MEL Cyber Risk Management Plan;

Network Segmentation

Remote Access - MFA

Password Integrity

System and Event Logging Review

Third-Party Risk Management

AND, BE IT FURTHER RESOLVED, that a copy of this resolution along with all required checklists and correspondence be provided to the NJ MEL Underwriter for their consideration and approval.

PUBLIC WORKS REPORT:

A verbal report for the month of September was given by Patrick.

CORRESPONDENCE:

1. An email received from an environmental associate employed with Parker McCay was reviewed by the Committee. The company reached out to Mannington as the township has been assigned to Stormwater Tier A from Stormwater Tier B. The email asked for support in their opposition to the proposed changes and extended an invite to the township to contact them for challenge strategies.

OTHER BUSINESS:

Mayor Asay announced there would be a training session at the Planning Board meeting to be held on November 10, 2022. The training is entitled "Planning Board Practices & Procedures" and will be conducted by former Planning Board Attorney, Joan Adams.

The mayor went on to announce the upcoming events listed on the agenda and said the Equalized Table of Valuations are now out.

At 6:44 pm, motion was made by Patrick, seconded by Dunham, to take a recess until 7:00 pm, the time scheduled for the public hearing

on Ordinance #22-04, after which, the public auction will be held.
Motion carried.

Patrick left at 7:52 pm and would not be returning for the remainder of the meeting.

The meeting convened at 7:00 pm.

Motion was made by Dunham, seconded by Asay, opening the Public Hearing on Ordinance #22-04. Motion carried.

As there were no comments, motion was made by Dunham, seconded by Asay, closing the Public Hearing. Motion carried.

Motion was made by Dunham, seconded by Asay, adopting the following-named ordinance on second and final reading. Motion carried.

**MANNINGTON TOWNSHIP
ORDINANCE NO. 22- 04
AN ORDINANCE REQUIRING LANDLORD REGISTRATION OF NON-OWNER-OCCUPIED
ONE-DWELLING AND TWO-DWELLING RENTAL UNITS PURSUANT TO N.J.S.A. 46:8-27, ET
SEQ., AND N.J.A.C. 5:29-1.1, ET SEQ.**

Those present for the Public Land Auction were as follows: Asay, Dunham, Horner, Mitchell, Davis, Maurice Holland, Ryan Holland, Timothy Mendenhall, Mark Leonetti, Matthew Leonetti, Faith Leonetti, Debbie Duffield, and Matt Mahalik.

Mayor Asay introduced the himself, Committeeman Dunham, and the Township Solicitor, William Horner. He then turned the auction over to Horner.

Horner explained the auction process before beginning the auction on the following properties:

Parcel I, Block 6, Lot 4.02
Parcel II, Block 7, Lot 15
Parcel III, Block 8, Lot 43
Parcel IV, Block 8, Lot 46
Parcel V, Block 17, Lot 19
Parcel VI, Block 37, Lot 11
Parcel VII, Block 42, Lots 16, 17 and p/o Brown St.
Parcel VIII, Block 50, Lot 6

At the conclusion of the auction, motion was made by Dunham, seconded by Asay, adopting the following resolution. Roll call vote as follows:

Asay - yes Patrick - yes Dunham - yes

**TOWNSHIP OF MANNINGTON
RESOLUTION ACCEPTING BIDS FOR THE SALE OF
LANDS AND AUTHORIZING THE EXECUTION OF CONTRACTS
FOR SALE AND DELIVERY OF DEEDS FOR SAME**

Sale Date: October 6, 2022, at 7:00 p.m.

WHEREAS, on July 11, 2022, the Township Committee of Mannington Township, a municipality of Salem County, New Jersey, adopted a Resolution entitled RESOLUTION OF AUTHORIZATION AND INVITATION TO BID FOR SALE OF MUNICIPAL LANDS PURSUANT TO N.J.S.A. 40A:12-13.(a) authorizing the sale at public auction of certain lands owned by the Township, which auction sale, after being duly advertised, was held at the Mannington Township Hall, 491 Route 45, Mannington, New Jersey 08079, on **October 6, 2022, at 7:00 p.m.**; and

WHEREAS, the highest bidders at said public auction have made deposits of at least ten (10%) percent of their bids, and have executed contracts for the sale of said lands;

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

1. The bids, deposits, and bidder-signed contracts for sale of the lands referenced below, to the persons and for the prices referenced below, are hereby accepted and approved.
2. The Mayor (or Deputy Mayor) of Mannington Township is authorized to execute, on behalf of the Township Committee, said contracts of sale and, upon closing and payment of the full purchase price, to execute and deliver deeds and such other documents as may be required for the sale of said lands to the indicated purchasers.
3. The sales shall be in accordance with the terms set forth in the aforementioned Resolution dated July 11, 2022, and in accordance with the terms set forth in the contracts of sale.
4. The Township lands whose sale is so approved, the names of the buyers, and the prices to be paid, are as follows:

<u>PARCEL – (Block/Lot)</u>	<u>BUYER</u>	<u>PRICE</u>
Parcel I – Block 6, Lot 4.02:	<u>Debbie Duffield</u>	\$ <u>22,000.00</u>
Parcel II – Block 7, Lot 15:	<u>Ryan Holland</u>	\$ <u>12,000.00</u>
Parcel III – Block 8, Lot 43:	<u>Ryan Holland</u>	\$ <u>5,400.00</u>
Parcel IV – Block 8, Lot 46:	<u>Matthew Mahalik</u>	\$ <u>4,000.00</u>
Parcel V – Block 17, Lot 19:	<u>NO BIDS</u>	\$ <u>0</u>
Parcel VI – Block 37, Lot 11:	<u>Matthew Leonetti</u>	\$ <u>500.00</u>
Parcel VII – Block 42, Lots 16, 17 and p/o Brown:	<u>Timothy Mendenhall</u>	\$ <u>3,200.00</u>
Parcel VIII – Block 50, Lot 6:	<u>NO BIDS</u>	\$ <u>0</u>

5. All other bids received at the public auction are hereby rejected.

REPORTS:

The following reports were filed:

Tax Collector reported receipts for September in the amount of \$64,250.71.

Mid-Salem County Court submitted one check in the amount of \$1,791.16 for fines received in September.

Registrar's receipts for September totaled \$1,718.00.

There were no dog licenses issued in September.

Finance reported receipts of \$1,495,456.05 for the month of September.

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