

Townhall
November 3, 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, Davis, Schmid and township resident, Scott Mitchell.

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 November 3, 2022, along with a Report of Reconciled Cash Balances for the month ending September 30, 2022.

CFO Elwell reviewed the 2022 Best Practices Inventory with the Committee prior to submitting it to the State. The township scored 34.5 and is well above the minimum to qualify for "No Aid Withholding".

APPROVAL OF MINUTES:

Motion was made by Patrick, seconded by Dunham, approving of the minutes for the meetings held on October 6 & 17, 2022. Motion carried.

ZONING REPORT:

A written and verbal zoning report for the month of October was given by Schmid. Report filed.

OLD BUSINESS:

An update, submitted via email by Dave Kitts of Mannington Mills, on the "Pledger Creek Remediation" project was read. Kitts submitted in his email a "Long Term Right-of-Way Access Agreement" between Mannington Mills and Mannington Township. He explained in his email their primary NJDEP obligation is to demonstrate that the completed

creek bottom cap (sand & stone) remains as required by their permits. The cap will be measured/assessed periodically. This will require small boat access to all three (3) reaches of the creek system to inspect & measure. A similar long-term access agreement is being established with the County of Salem also.

Motion was made by Patrick, seconded by Dunham, accepting the agreement and approval of signing of the agreement. Motion carried.

Motion was made by Patrick, seconded by Dunham, opening the Public Hearing on Ordinance #22-05. There being no comments, motion was made by Patrick, seconded by Dunham, closing the public hearing.

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

Asay - yes Patrick - yes Dunham - yes

**MANNINGTON TOWNSHIP
ORDINANCE #22-05**

**AN ORDINANCE TERMINATING A LONG-TERM TAX EXEMPTION AND
FINANCIAL AGREEMENT WITH 310 WOODSTOWN URBAN RENEWAL,
LLC AND AUTHORIZING THE PAY-OFF AND CANCELLATION OF THE
\$225,000 REDEVELOPMENT AREA BOND**

Horner brought up the State requirement for establishing a lead paint rental inspection ordinance and said he will be working on one. Mitchell reported on information she received from other municipalities in the county concerning the lead paint inspections on rental properties.

NEW BUSINESS:

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

Asay - yes Patrick - yes Dunham - yes

**MANNINGTON TOWNSHIP
EMERGENCY RESOLUTION - NJS 40A:4-87**

WHEREAS, an emergency has arisen with respect to Municipal Alliance Grant Matching Funds and, no adequate provision was made in the 2022 budget for the aforesaid purpose, and

NJS 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$480.17 and three (3) percent of the total operating appropriations in the budget for 2021 is \$32,952.12 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations in the budget for 2021,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for Municipal Alliance Grant Matching Funds in the amount of \$480.17.
2. That said emergency appropriation shall be provided for in full in the 2023 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Motion was made by Patrick, seconded by Dunham, 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 NJS 40A:4-87**

WHEREAS, NJS 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 \$1,920.67 which is now available as a revenue from the State of New Jersey, Municipal Alliance on Alcoholism and Drug Abuse Grant. Pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED, that the like sum of \$2,400.84 is hereby appropriated under the caption Municipal Alliance on Alcoholism and drug Abuse Grant; and

BE IT FURTHER RESOLVED that the sum of \$480.17 be anticipated from the proceeds of an emergency resolution theretofore adopted providing for the municipality's share of said project or undertaking and the appropriation of the last names sum be added to and be supplementary to the appropriation provided in Section 2 above,

BE IT RESOLVED that the above is a result of a State grant of \$1,920.67 from the State of New Jersey.

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

Asay - yes Patrick - yes Dunham - yes

RESOLUTION
TRANSFER OF FUNDS

WHEREAS, various 2022 bills have been presented for payment; and

WHEREAS, it is determined by the Chief Financial Officer that sufficient funds are not available to cover the cost of the bills presented for payment in the respective appropriation;

WHEREAS, N.J.S.A. 40A:4-58 provides the transfer of the amount during the last months of the Fiscal Year any excess from any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Mannington Township that the transfers in the amount of \$8,250.00 between the 2022 Budget Appropriations as follows:

Transfer From:		
Account	Name	Amount
2-01- -121-201	RRM OE	\$1,500.00
2-01- -104-201	Collection of Taxes OE	\$1,750.00
2-01- -103-201	Assessment of Taxes OE	\$5,000.00
Transfer To:		
2-01- -109-201	Buildings & Gds OE	\$1,500.00
2-01- -105-201	Legal OE	\$1,750.00
2-01- -105-202	Defensive Law Suits	\$5,000.00

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

MANNINGTON TOWNSHIP

A RESOLUTION IN OPPOSITION TO THE REASSIGNMENT BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION OF ALL MUNICIPALITIES CURRENTLY DESIGNATED TIER B UNDER THE MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT PROGRAM TO TIER A DESIGNATION AND EXPANSION OF TIER A PERMIT CONDITIONS

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) has undertaken efforts to reassign to ‘Tier A’ designation under the Municipal Separate Storm Sewer System Permit program (MS4 Permit Program) all New Jersey municipalities currently designated ‘Tier B’; and

WHEREAS, compliance with the MS4 Permit Program for a municipality designated Tier A is far costlier and more onerous than compliance for a municipality designated Tier B; and

WHEREAS, under the existing designation system, the Tier B designation was specifically created for municipalities that are located in more rural areas and non-coastal regions, while Tier A designation was created for municipalities that are located within the more densely populated regions of the state or along or near the coast; and

WHEREAS, many municipalities designated Tier B under the existing designation system simply do not have the resources to comply with Tier A designation; and

WHEREAS, the NJDEP, while attempting to reassign all municipalities to Tier A, is simultaneously proposing to renew the Tier A MS4 General Permit to include additional conditions on municipal permit holders; and

WHEREAS, the NJDEP is asking current Tier B municipalities to come into compliance with both existing Tier A requirements and a set of still-unfinalized Tier A renewal requirements on practically the same schedule as existing Tier A municipalities; and

WHEREAS, the State, however well-intended in its actions, continues to saddle municipalities with additional responsibilities through unfunded and underfunded mandates, putting additional burdens on property taxpayers; and

WHEREAS, the reassignment by the NJDEP to Tier A designation for all New Jersey municipalities currently designated Tier B will result in a redistribution of these municipalities' limited resources, away from their crucial government functions; and

WHEREAS, Mannington Township supports taking action to better protect and improve the quality of its own waterways, as well as waterways throughout the State but efforts to do so must be balanced against other critical needs with consideration for the limit resources of municipal government.

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

1. The Mannington Township Committee hereby urges the members of the New Jersey Assembly and Senate to support, co-sponsor, and adopt legislation that would prevent the NJDEP from reassigning to Tier A designation under the MS4 permit program New Jersey Municipalities that are currently designated Tier B, and also prevent the NJDEP from expanding conditions of the Tier A permit until a full analysis of the fiscal impact these changes will have on these municipalities can be completed, and state funding is made available.
2. The Mannington Township Committee hereby urges the Governor of State of New Jersey to sign any legislation adopted by the State Assembly and Senate which would prevent the NJDEP from reassigning to Tier A designation under the MS4 permit program New Jersey Municipalities that are currently designated Tier B, and also prevent the NJDEP from expanding conditions of the Tier A permit until a full analysis of the fiscal impact these changes will have on these municipalities can be completed, and state funding is made available..
3. A certified copy of this resolution upon its adoption shall be furnished to Third District Representatives, Assemblywoman Bethanne McCarthy Patrick, Assemblywoman Beth Sawyer, and Senator Edward Durr, Governor Phil Murphy, Commissioner of the New Jersey Department of Environmental Protection, Shawn M. LaTourette, and the New Jersey State League of Municipalities.

The Township Committee set the 2023 Organization Meeting date for Thursday, January 5, 2023, beginning at 6:30 pm.

PUBLIC WORKS REPORT:

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

Mayor Asay reported on his research about using brine and purchasing a brine machine. There will be no further advancement in this research.

The mayor spoke with R. Owens about vehicles and what he thinks the township needs. Owens recommended eliminating one of the FL's and purchasing a stake body with lift gate, a new plow set up, and a poly container for the salt spreader. Asay would like him and Patrick to speak with vendors at the NJLM conference this month.

CORRESPONDENCE:

1. NJ Courts requested a reply by November 4, 2022 as to whether the township is interested in joining the municipal court merger. The Committee discussed the information currently available and decided they were not interested at the time but would monitor the process and facts as it moves forward.
2. Comcast submitted correspondence via email and UPA regarding the upcoming franchise renewal. The letter stated Comcast representative, Fred DeAndrea will be contacting the township to arrange a meeting to discuss informally negotiating a renewal agreement.
3. Alloway Township Clerk sent out an invitation from Mayor McKelvey. He is asking any interested townships that oppose the Stormwater Tier B to Tier A reassignment to meet and exchange ideas on standing together in opposition. Deputy Mayor Patrick offered to attend a meeting.

OTHER BUSINESS:

Horner will work on an ordinance regarding the new Certificate of Insurance requirement law after New Jersey codifies the law.

PUBLIC COMMENT:

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

REPORTS:

The following reports were filed:

Tax Collector reported receipts for October in the amount of \$513,401.54.

Mid-Salem County Court submitted one check in the amount of \$1,591.96 for fines received in October.

Registrar's receipts for October totaled \$1,475.00.

There were three (3) dog licenses issued in October in the amount of \$120.00.

Finance reported receipts of \$152,443.02 for the month of October.

There being no further business to transact, the meeting was adjourned by regular motion at 8:00 PM.

Respectfully Submitted,

Esther A. Mitchell, Clerk

November 14, 2022	NO QUORUM
November 21, 2022	NO QUORUM
November 28, 2022	NO QUORUM