

Townhall
January 5, 2023

The Organization Meeting of the Mannington Township Committee was called to order at 5:30 PM by the Township Clerk, Esther Mitchell, with the following in attendance: Donald C. Asay, Luke S. Patrick, Jr., Kenny Dunham Jr., William L. Horner, Esther Mitchell, Diane Elwell, Patti Davis, Assemblywoman and Township resident, Bethanne Patrick, Assemblyman, Edward Durr, and Township resident, Paul Yerger,

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

Bethanne Patrick, Assemblywoman, administered the Oath of Office to Donald C. Asay, as newly elected Township Committeeman.

Clerk called for nominations for Mayor for 2023. Motion was made by Patrick, seconded by Dunham, that Donald C. Asay serve as Mayor of Mannington Township for the year 2023. Motion carried.

Bethanne Patrick, Assemblywoman, administered the Oath of Office to Donald C. Asay, as Mayor for the year 2023. Following the signing of the Oath of Office for Mayor, the meeting was turned over to Asay.

Motion was made by Patrick, seconded by Asay, nominating Kenneth H. Dunham, Jr. to serve as Deputy Mayor for 2023. Motion carried.

Dunham signed the Oath of Office for Deputy Mayor.

Motion was made by Asay, seconded by Patrick, adopting the following resolution appointing officials for Mannington Township for 2023. Roll call vote as follows:

Asay - yes
Dunham - yes
Patrick - yes

**RESOLUTION APPOINTING CERTAIN OFFICIALS OF THE
TOWNSHIP OF MANNINGTON FOR 2023**

BE IT RESOLVED by the Township Committee of the Township of Mannington in the County of Salem, New Jersey, that the following officials for the Township of Mannington be and the same are hereby appointed as of January 1, 2023 to the position and terms herein set forth:

<u>OFFICE</u>	<u>AS OF 1/1/2023</u>
Clerk/Administrator Registrar of Vital Statistics	Esther A. Mitchell - Tenured
Deputy Clerk	Patti L. Davis - 1 year
Deputy Registrar	Patti L. Davis - 3 years 4/1/2020 - 3/31/2023
Chief Financial Officer	Diane (Bowman) Elwell - 4 years 04/1/2021 - 3/31/2025
Treasurer	Diane (Bowman) Elwell - 1 year
Tax Search Officer	Suzanne D. Pierce - 1 year
Tax Collector	Suzanne D. Pierce - 4 years 1/1/21 - 12/31/2024
Assessor	Donna Harris - Tenured
Mun. Imp. Search Officer	Esther A. Mitchell - 1 year
Planning Board Secretary	Rebecca Gower Ferguson - 1 year
Municipal Emergency Management Coordinator	Edward Abdill (1/1/2023 - 12/31/2025)
Deputy Emergency Management Coordinators	William F. Fox - 1 year Suzanne Abdill - 1 year
Engineer	Carl Gaskill, PE, PLS, PP & CME Fralinger Engineering -3 years (1/1/2023 - 12/31/2025)
Member - Mid Salem County Court Committee	Donald C. Asay - 1 year
Administrator - Mid Salem County Municipal Court	Barbara Garozzo - 1 year
Prosecutor - Mid Salem County	Niki Arbittier - 1 year
Municipal Court Public Defender	Mark Kargman - 1 year
Clean Communities Coordinator	Donald C. Asay - 1 year

Purchasing Agent	Diane Elwell - 1 year
Public Agency Compliance Officer	Esther A. Mitchell - 1 year
Township Representative for Trash/Recycling Coalition (TOLACEMO)	Kenny Dunham Jr. - 1 year
Zoning/Housing Officer	Robert Schmid - 1 year
Township Historian	David Culver - 1 year
Municipal Recycling Coordinator	Patti L. Davis - 1 year
S.W.A.C. Representative	Luke S. Patrick, Jr. - 1 year
Salem County Water Quality Management Plan Liaison	Donald C. Asay - 1 year
Public Works Department Chairman	Luke S. Patrick, Jr. - 1 year

Motion was made by Patrick, seconded by Dunham, adopting the following Temporary Budget Resolution for the first quarter of 2023 as prepared by the Chief Financial Officer. Roll call vote as follows:

Asay - yes
Dunham - yes
Patrick - yes

**MANNINGTON TOWNSHIP
2023 TEMPORARY BUDGET RESOLUTION**

WHEREAS, *NJSA 40A:4-19* provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2023 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January 2023; and

WHEREAS, 26.25% of the total appropriations in the 2022 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance in said budget is the sum of \$434,230.58.

WHEREAS, *NJSA 40A:4-19* provides that temporary appropriations shall be made for the amount of such Debt Service in the manner and time therein provided,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mannington, in the County of Salem, State of New Jersey, that the following temporary appropriations for 2023 be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for her records:

TEMPORARY APPROPRIATIONS – 2023

<u>ACCOUNT</u>	<u>NAME</u>	<u>AMOUNT</u>
x-01- 101-111	Municipal Clerk S/W	40,000.00
x-01- 101-112	Mayor & Committee S/W	8,500.00
x-01- 101-201	Municipal Clerk O/E	5,000.00
x-01- 101-202	Mayor & Committee O/E	500.00
x-01- 102-111	Financial Adm S/W	9,600.00
x-01- 102-201	Financial Adm O/E	2,000.00
x-01- 102-202	Audit Services O/E	15,000.00
x-01- 103-111	Assmt of Taxes S/W	8,000.00
x-01- 103-201	Assmt of Taxes O/E	8,000.00
x-01- 104-111	Collection of Taxes S/W	8,000.00
x-01- 104-201	Collection of Taxes O/E	1,500.00
x-01- 105-201	Legal O/E	12,000.00
x-01- 105-202	Defensive Lawsuits	2,500.00
x-01- 107-201	Engineering O/E	2,500.00
x-01- 108-201	Foreclosure O/E	1,000.00
x-01- 109-111	Buildings & Grds S/W	100.00
x-01- 109-201	Buildings & Grds O/E	8,000.00
x-01- 110-111	Planning Bd S/W	1,600.00
x-01- 110-113	Municipal Court Liaison	10.00
x-01- 110-201	Planning Bd O/E	2,000.00
x-01- 111-201	Data Processing O/E	7,000.00
x-01- 112-201	General Liability Ins	11,750.00
x-01- 112-202	Workers Comp Ins	9,500.00
x-01- 112-203	Employee Group Health	13,000.00
x-01- 114-201	Fire Hydrants O/E	7,500.00
x-01- 115-201	Aid to Volunteer Fire	10,000.00
x-01- 118-111	Housing Official S/W	1,500.00
x-01- 118-201	Housing Official O/E	150.00
x-01- 119-111	Emergency Mgmt S/W	3,000.00
x-01- 119-201	Emergency Management O/E	500.00
x-01- 120-111	Zoning Official S/W	2,100.00
x-01- 120-201	Zoning O/E	100.00
x-01- 121-111	Road Repair & Maint S/W	40,000.00
x-01- 121-112	Snow Removal S/W	3,000.00
x-01- 121-201	Road Repair & Maint O/E	10,000.00

x-01- 121-202	Snow Removal O/E	5,000.00
x-01- 123-201	Garbage/Tipping Fees	13,000.00
x-01- 123-202	Recycling Tax Approp.	750.00
x-01- 125-111	Board of Health S/W	700.00
x-01- 125-201	Board of Health O/E	500.00
x-01- 126-201	Dog Regulation O/E	1,750.00
x-01- 127-111	Env Com S/W	100.00
x-01- 127-201	Env Com O/E	200.00
x-01- 129-201	Recreation O/E	200.00
x-01- 130-201	Street Lighting O/E	10,000.00
x-01- 130-202	Electric Bldgs/Grds	5,500.00
x-01- 130-203	Telephone	4,000.00
x-01- 130-204	Fuel Oil/Propane	6,000.00
x-01- 130-205	Gasoline/Diesel	5,000.00
x-01- 140-201	Mid-Salem County Court	10,000.00
x-01- 140-202	TOLACEM - Interlocal	20,654.00
x-01- 191-201	PERS	29,916.00
x-01- 191-202	DCRP	350.00
x-01- 192-201	Social Security/Medicare	11,000.00
x-01- 193-201	Unemployment	200.00
x-01- 203-201	Improvements to Mun Rds	10,170.00
	TOTAL	389,900.00

After review of the following nine (9) resolutions, motion was made by Patrick, seconded by Dunham, adopting all resolutions. Roll call vote as follows:

Asay - yes
Dunham - yes
Patrick - yes

**MANNINGTON TOWNSHIP
RESOLUTION #R-01-2023**

APPOINTING A TOWNSHIP ATTORNEY

WHEREAS, N.J.S.A. 40A:9-139 provides that the Governing Body of every local unit shall annually appoint a municipal attorney and

WHEREAS, the Clerk has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year and may be extended as approved by the Governing Body; and

WHEREAS, the Township CMFO has certified that sufficient and legally appropriated funds are available pending the successful passage and adoption of the CY2023 Legal OE Budget (3-01- -105-201) in an amount not to exceed

\$16,500.00 unless authorized by the Township Committee to award a contract to William L. Horner, Esq., Horner & Horner, LLC as Township Solicitor for legal services for the period of 1/1/23 – 12/31/23.

WHEREAS, William L. Horner, a member of Horner & Horner, L.L.C. has completed and submitted a “New Jersey Pay-to-Play Law” Certification pursuant to *N.J.S.A. 19:44A-20.8* which certifies that neither William L. Horner, Horner & Horner, L.L.C., nor its subsidiaries, assigns or principals controlling in excess of 10% of that company, has made any reportable contributions to a political or candidate committee in the Township of Mannington in the previous one year, and that the contract will prohibit William L. Horner, Horner & Horner, L.L.C., and its subsidiaries, assigns or principals controlling in excess of 10% from making any reportable contributions through the term of the contract, and therefore the contract can be awarded without a “fair and open process” as would otherwise be required pursuant to *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-1, et seq.*) requires that the award of contracts for “Professional Services”, must be publicly advertised.

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

1. The Township Committee authorizes the Mayor and Committee to enter into a contract with William L. Horner of Horner & Horner, L.L.C. as described herein, which contract must include a contract specification by which the contractor, its subsidiaries, assigns or principals controlling in excess of 10% of the contractor, have not made prior to December 31, 2022, and will not make during the term of the contract, reportable contributions (currently those in excess of \$300 per *N.J.S.A. 19:44A-8.d.* and *N.J.A.C. 19:25-10.2, et seq.*) to any municipal committee of a political party in Mannington Township if a member of that political party is serving in an elective public office in that Township when the contract is awarded or to any candidate committee of any person serving in an elective public office of that Township with which the contract is awarded; and

2. That award of this contract be published in the South Jersey Times as required by law within ten (10) days of its passage.

3. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

**MANNINGTON TOWNSHIP
RESOLUTION #R-02-2023**

**RESOLUTION ADOPTING A CASH MANAGEMENT PLAN FOR MANNINGTON TOWNSHIP
IN SALEM COUNTY, NEW JERSEY FOR 2023**

WHEREAS, it is the desire of the Township Committee of the Township of Mannington to adopt a cash management plan in accordance with *NJSA 40A:5-14*; and

WHEREAS, the Township is authorized to invest idle funds in accordance with *NJSA 40A:5-15.1*, as well as the following Governmental Unit Depository Protection Act (GUDPA) approved banks:

1. First National Bank of Elmer
2. Fulton Financial
3. Pennsville National Bank
4. Sun National Bank
5. T D Bank
6. Franklin Savings Bank

WHEREAS, the Chief Municipal Financial Officer will provide the governing body with a monthly report that summarizes:

1. All investments made or redeemed over the past month.
2. Each organization holding local unit funds.
3. The amount of securities purchased or sold, class or type of securities purchased, book value, earned income, fees incurred, and market value of all investments as of the report date and;
4. Other information that the governing body may request.

WHEREAS, provided that local unit funds are deposited or invested as designated or authorized by this cash management plan, the Chief Municipal Financial Officer is relieved of any liability for any loss of such moneys due to the insolvency or closing of any depository designated by, or for the decrease in value of any investment authorized by, the cash management plan.

NOW, THEREFORE, BE IT RESOLVED, that the above cash management plan be adopted by the Township Committee of the Township of Mannington, County of Salem, State of New Jersey, effective for the 2023 calendar year.

A certified copy of this resolution shall be furnished to the said, First National Bank of Elmer, Fulton Financial, Pennsville National Bank, Sun National Bank, T D Commerce, Franklin Savings Bank, the Township Tax Collector, the Township Dog Registrar, the Registrar of Vital Statistics, the Chief Municipal Financial Officer, and the Township Auditor to be retained by them as evidence of the authority herein given.

**MANNINGTON TOWNSHIP
RESOLUTION # R-03-2023**

**DESIGNATING THE SOUTH JERSEY TIMES AS THE OFFICIAL NEWSPAPER
FOR PUBLISHING ALL LEGAL ORDINANCES, RESOLUTIONS, NOTICES OR
ADVERTISEMENTS FOR MANNINGTON TOWNSHIP**

BE IT RESOLVED, by the Township Committee of the Township of Mannington, in Salem County, New Jersey:

1. That the South Jersey Times, a daily newspaper circulating in Mannington Township, shall be the official newspaper of said Township for the publication of all ordinances, resolutions, notices, and advertisements required by law to be published.

2. This Resolution shall take effect immediately upon its adoption.

**MANNINGTON TOWNSHIP
RESOLUTION #R-04-2023**

**RESOLUTION DESIGNATING PLACE FOR POSTING AND
NEWSPAPERS FOR RECEIVING NOTICES OF PUBLIC MEETINGS
IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT**

BE IT RESOLVED by the Township Committee of the Township of Mannington, that in compliance with the "Open Public Meetings Act", P.L. 1960, C. 173, it hereby designates the bulletin board located at Townhall as a place for the posting of the Notice of Public Meetings of the Township Committee, as required by the "Open Public Meetings Act".

BE IT FURTHER RESOLVED that South Jersey Times and the Elmer Times, are hereby designated the newspapers to receive notices of public meetings of the Township Committee as required by the "Open Public Meetings Act".

The foregoing newspapers are so designated because they have the greatest likelihood of informing the public within the area of the jurisdiction of the Township and because one of them, South Jersey Times, is the official newspaper designated by the Township Committee.

**MANNINGTON TOWNSHIP
RESOLUTION #R-05-2023**

**RESOLUTION ESTABLISHING REGULAR MEETINGS FOR
MANNINGTON TOWNSHIP IN SALEM COUNTY, NEW JERSEY**

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

That regular Township Committee/Bill meetings are normally scheduled the first Thursday of each month beginning at 5:30 pm. Work-Session meetings of the Mannington Township Committee are scheduled on certain Monday's beginning at 5:30 PM for the year 2023. If the work-session date falls on a holiday, there will be no work-session scheduled. Meetings will be held in Mannington Township Hall, 491 Route 45, Mannington, New Jersey 08079 unless stated otherwise.

**MANNINGTON TOWNSHIP
RESOLUTION R-06-2023**

**FIXING INTEREST RATE ON DELINQUENT TAXES
IN MANNINGTON TOWNSHIP, IN SALEM COUNTY,
NEW JERSEY FOR 2023**

WHEREAS, N.J.S.A. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, N.J.S.A. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount of taxes in excess of \$1,500.00;

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

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after due date and 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date.

2. Effective January 1, 2023, there will be a ten (10) day grace period of quarterly tax payments made by cash, check, credit/debit, or money order.

3. Any payments not made in accordance with paragraph two of this resolution shall be charged interest from the due date as set forth in paragraph one of this resolution.

4. This resolution shall be published in its entirety once on the Township of Mannington website.

5. A certified copy of this resolution shall be provided by the Township Clerk to the Tax Collector, Solicitor and Auditor for the Township of Mannington.

**MANNINGTON TOWNSHIP
RESOLUTION #R-07-2023**

RESOLUTION FOR DEVELOPERS' ESCROW ACCOUNTS

WHEREAS, the Township of Mannington, County of Salem, has previously adopted an ordinance authorizing bank accounts and accounting for developers' escrows in accordance with New Jersey Statutes; and

WHEREAS, it is necessary for developers' escrow bank accounts to be opened and closed throughout the year,

NOW, THEREFORE, BE IT RESOLVED that the Chief Municipal Financial Officer of the Township of Mannington is hereby authorized to open and close bank accounts for developers' escrow accounts at any of the banks listed in Resolution #R-02-2023 as needed without specific prior approval of the Governing Body.

BE IT FURTHER RESOLVED that a quarterly written report providing information on all developers' escrow accounts be provided to the Governing Body.

**MANNINGTON TOWNSHIP
RESOLUTION #R-08-2023**

RESOLUTION APPOINTING AN AUDITOR

WHEREAS, N.J.S.A. 40A:5-4 provides that the Governing Body of every local unit shall cause an annual audit of its books, accounts, and financial transactions to be made after the close of the fiscal year and for that purpose shall employ a Registered Municipal Accountant of the State of New Jersey; and

WHEREAS, the Clerk has determined and certified in writing that the value of the contract exceeds \$17,500; and

WHEREAS, the anticipated term of this contract is one year and may be extended as approved by the Governing Body; and

WHEREAS, the Township CMFO has certified that sufficient and legally appropriated funds are available pending the successful passage and adoption of the CY2023 Audit Services OE Budget (3-01- -102-202) in an amount not to exceed \$23,100.00 unless authorized by the Township Committee for Municipal Auditor services for the period of 1/1/23 - 12/31/23.

WHEREAS, Bowman & Company LLP, has completed and submitted a "New Jersey Pay-to-Play Law" Certification pursuant to N.J.S.A. 19:44A-20.8 which certifies that neither Bowman & Company LLP, nor its subsidiaries, assigns or principals controlling in excess of 10% of that company has made any reportable contributions to a political or candidate committee in the Township of Mannington in the previous one year, and that the contract will prohibit Bowman & Company LLP, and its subsidiaries, assigns or principals controlling in excess of 10% from making any reportable contributions through the term of the contract, and therefore the contract can be awarded without a "fair and open process" as would otherwise be required pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the award of contracts for "Professional Services", must be publicly advertised.

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

1. The Township Committee authorizes the Mayor and Committee to enter into a contract with Fred S. Caltabiano of Bowman & Company LLP as described herein, which contract must include a contract specification by which the contractor, its subsidiaries, assigns or principals controlling in excess of 10% of the contractor, have not made prior to December 31, 2022, and will not make during the term of the contract, reportable contributions

(currently those in excess of \$300 per *N.J.S.A. 19:44A-8.d.* and *N.J.A.C. 19:25-10.2, et seq.*) to any municipal committee of a political party in Mannington Township if a member of that political party is serving in an elective public office in that Township when the contract is awarded or to any candidate committee of any person serving in an elective public office of that Township with which the contract is awarded; and

2. That a notice of awarded contracts for "Professional Services" be published in the South Jersey Times as required by law within ten (10) days of its passage.

2. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

**MANNINGTON TOWNSHIP
RESOLUTION #R-09-2023**

**RESOLUTION GRANTING AUTHORITY TO
ASSESSOR TO FILE APPEALS AND CROSS APPEALS**

BE IT RESOLVED by the Township Committee of the Township of Mannington, County of Salem, and State of New Jersey that the Mannington Township Tax Assessor is hereby authorized to file appeals and cross appeals where she deems it advisable.

Motion was made by Patrick, seconded by Dunham, authorizing the signing of the Agreement with Township Auditor, Fred S. Caltabiano of Bowman & Company LLP for 2023. Roll call vote as follows: Asay – yes, Dunham – yes, Patrick – yes

The Mayor made the following appointments for 2023:

Donald C. Asay - Planning Board Class I (1 yr. term)
Luke Patrick Jr. - Mayor's Designee Planning Board (1 yr. term)
Bob Schmid - Planning Board Class II (1 yr. term)
Kenny Dunham, Jr. - Planning Board Class III (1 yr. term)
John Sakewicz - Planning Board Class IV (4 yr. term)
Richard Eber - Planning Board Class IV (4 yr. term)
Gaynel Schneeman - Planning Board Alternate #3 (2 yr. term)
Dante Spina, Jr.- Agricultural Advisory Committee (3 yr. term)
Donald Asay - MAPSA (Twp. Committee Representative)
Cindy Moore - MAPSA Chairman
Brooke Adams - MAPSA
Denee Angelo - MAPSA
Amanda DiGregorio - MAPSA
Allyson Murphy - MAPSA
Jessica Pate - MAPSA
Joyce Pompper - MAPSA
Kim Richman - MAPSA
Heather Sakewicz-Frank - MAPSA
Isis Velaquez - MAPSA
Kristin Williams - MAPSA

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

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

There being no further business to transact, Patrick made a motion to adjourn the Organization meeting and move into the regular Township Committee meeting, seconded by Dunham. Motion carried.

Respectfully submitted,

Esther A. Mitchell, Clerk