

Townhall
January 5, 2023

The Mannington Township Committee meeting was called to order by Mayor Asay at 5:40 PM. The following were in attendance: Asay, Dunham, Patrick, Horner, Mitchell, Elwell, Patti Davis, resident Paul Yerger, and R. Schmid, Zoning Officer, arriving at 6:07 PM.

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

Motion was made by Patrick, seconded by Dunham, approving the attached bill list for payment after the finance system rollover has been completed. Asay - yes Dunham - yes Patrick - yes

Mayor Asay mentioned the possibility of a 9-month CD earning 3% interest at The First National Bank of Elmer and requested she look into it.

CFO submitted Report of Reconciled Cash Balances for the month ending December 31, 2022.

PUBLIC COMMENT:

This portion was opened regular motion. Resident, Paul Yerger of 241 Route 45 gave the Committee an update about the flooding problem he has been experiencing on his property and on a right of way between his property at 241 Route 45 and 239 Route 45. The problem still has not been solved and he has been told by the State that they could not do anything as it is not in their right-of-way. He again requested the Township Committee help him. It was explained again to Mr. Yerger that Route 45 was not a township-owned road. Mayor Asay recommended he contact the Third District Legislator's, Senator Durr, Assemblywoman Sawyer, and Assemblywoman McCarthy Patrick.

Mr. Yerger asked the Committee how to get information on the Anchor Program. He stated he did not receive a form in the mail.

Deputy Clerk Davis printed out information off the internet that would hopefully help him.

There being no other items brought up for discussion, this portion was closed by regular motion.

NEW BUSINESS:

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

Asay - yes Dunham - yes Patrick - yes

**MANNINGTON TOWNSHIP
ORDINANCE #23-01
AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK CY2023
(N.J.S.A. 40A: 4-45.14)**

A Public Hearing was set for February 2, 2023 at 5:30 PM.

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

Asay - yes Dunham - yes Patrick - yes

**MANNINGTON TOWNSHIP
RESOLUTION AUTHORIZING MILEAGE REIMBURSEMENT
FOR TOWNSHIP EMPLOYEES FOR THE YEAR 2023**

BE IT RESOLVED, that the Township Committee of the Township of Mannington does hereby establish the mileage reimbursement rate of 62.5 cents per mile for Township officials who incur official mileage when they are obligated to drive their own vehicles on Township business. Said payment shall be made only after submission, review, and approval of the appropriate voucher.

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

Asay - yes Dunham - yes Patrick - yes

**MANNINGTON TOWNSHIP
RESOLUTION APPROVING THE APPOINTMENT OF A RISK MANAGEMENT CONSULTANT
(GLOUCESTER, SALEM, CUMBERLAND COUNTIES MUNICIPAL JOINT INSURANCE FUND)**

WHEREAS, Mannington Township is a member of the **Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund**, a self insurance pooling fund, and;

WHEREAS, the Bylaws of said Fund require that each municipality appoint a **RISK MANAGEMENT CONSULTANT** to perform various professional services as detailed in the Bylaws and;

WHEREAS, the **JIF Bylaws indicate a fee Not To Exceed six percent (6%)** of the municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body and;

WHEREAS, *NJSA 40A:11-5 (1) (m)*, specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspecifiable service; and

WHEREAS, the experience, knowledge of public insurance and risk management issues and judgmental nature required of a Risk Management Consultant are clearly an extraordinary unspecifiable service which therefore render competitive bidding impractical;

NOW THEREFORE, be it resolved that the Mannington Township Committee does hereby appoint George R. Reese of Henry D. Young Insurance Company, as its Risk Management Consultant in accordance with 40A:11-5 and;

BE IT FURTHER RESOLVED that the Township Committee is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5 (1), (a), (i).

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

Asay - yes Dunham - yes Patrick - yes

**MANNINGTON TOWNSHIP
RESOLUTION APPOINTING A
RISK MANAGEMENT CONSULTANT
GLOUCESTER, SALEM, CUMBERLAND COUNTIES
MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Governing Body of Mannington Township is a member of the **Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund**, a self insurance pooling fund, and;

WHEREAS, the Bylaws of said Fund require that each municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the Bylaws and;

WHEREAS, the **JIF Bylaws indicate a fee Not To Exceed six percent (6%)** of the municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body and;

WHEREAS, *NJSA 40A:11-5 (1) (m)*, specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspecifiable service; and

WHEREAS, the experience, knowledge of public insurance and risk management issues and judgmental nature required of a Risk Management Consultant are clearly an extraordinary unspecifiable service which therefore render competitive bidding impractical;

NOW THEREFORE, be it resolved that the governing body of Mannington Township does hereby appoint George R. Reese of Henry D. Young, Inc. as its Risk Management Consultant in accordance with 40A:11-5 and;

BE IT FURTHER RESOLVED that the governing body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5 (1), (a), (i).

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

Asay - yes Dunham - yes Patrick - yes

**MANNINGTON TOWNSHIP
RESOLUTION AUTHORIZING AGREEMENT FOR ANIMAL SHELTER SERVICES**

WHEREAS, the Township of Mannington is required to retain the services of a Certified Animal Shelter to receive animals seized by Mannington Township's Animal Control Officer, and

WHEREAS, Voorhees Animal Orphanage, Inc. has proposed a twelve-month contract by which animal shelter services would be provided to Mannington Township for a monthly fee of \$300.00 and other conditions that are acceptable to the Mannington Township Committee, for a term commencing on March 1, 2023, and ending on March 1, 2024.

WHEREAS, the Township CMFO has certified that sufficient and legally appropriated funds are available pending the successful passage and adoption of the CY2023 Dog Regulation/Animal Control Budget (3-01-126-201) in an amount not to exceed \$4,500.00 unless authorized by the Township Committee to award a contract to Voorhees Animal Orphanage, Inc. for the receiving, confining, housing and/or distributing of dogs/cats/other acceptable animals seized pursuant by law for the period of 3/1/23 - 3/1/24.

NOW, THEREFORE, BE IT RESOLVED by the Mannington Township Committee that the Mayor is hereby authorized to execute an "Agreement for Animal Shelter Services" with Voorhees Animal Orphanage, Inc. at a cost of \$300.00 per month.

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

Asay - yes Dunham - yes Patrick - yes

**MANNINGTON TOWNSHIP
RESOLUTION APPOINTING A MUNICIPAL ENGINEER FOR A THREE-YEAR TERM FOR
YEARS 2023, 2024 AND 2025 AND AUTHORIZING THE AWARD OF A NON-FAIR-AND-
OPEN CONTRACT FOR MUNICIPAL ENGINEER SERVICES FOR YEAR 2023**

WHEREAS, N.J.S.A. 40A:9-140 requires the Township Committee to appoint a municipal engineer for a three-year term of office; and

WHEREAS, N.J.S.A. 40A:11-1, *et seq.*, requires a separate contract for each year of the three-year municipal engineer appointment term; and

WHEREAS, the Municipal Clerk has determined and certified in writing that the value of the contract for each year comprising the three-year term of the municipal engineer may exceed \$17,500; and,

WHEREAS, Carl R. Gaskill, PE, PLS, PP & CME of the firm of Fralinger Engineering, PA (hereafter "Carl R. Gaskill"), has submitted a proposal to provide municipal engineer services to Mannington Township for a three-year term for the years 2023, 2024 and 2025, which proposal consists of three (3) proposed one-year Contracts (i.e., one contract for each year of the three-year term), indicating that Carl R. Gaskill will provide the necessary municipal engineer services for each year of the three-year term as stated in the proposed Contracts, and

WHEREAS, Carl R. Gaskill has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not 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 the firm from making any reportable contributions through the term of the contract, and

WHEREAS, the Township CMFO has certified that sufficient and legally appropriated funds are available pending the successful passage and adoption of the CY2023 Engineering OE Budget (3-01-107-201) in an amount not to exceed \$3,000.00, unless authorized by the Township Committee, and CY2023

Assessment of Taxes OE Budget (3-01- -103-201) in an amount not to exceed \$3,000.00, unless authorized by the Township Committee, to award a contract to Fralinger Engineering as Municipal Engineer for engineering services for the period of 1/1/23 – 12/31/23.

WHEREAS, as required by *N.J.S.A. 40A:11-1, et seq.*, the Township Committee will consider Carl R. Gaskill’s proposed 2024 municipal engineer Contract for approval and signature at the Township Committee’s 2024 reorganization meeting, and will consider Carl R. Gaskill’s proposed 2025 municipal engineer Contract for approval and signature at the Township Committee’s 2025 reorganization meeting.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mannington hereby appoints Carl R. Gaskill, PE, PLS, PP & CME of the firm of Fralinger Engineering, PA, as the municipal engineer for Mannington Township for a three-year term for the years 2023, 2024 and 2025, and authorizes the Mayor and Clerk to enter into the proposed Contract with Carl R. Gaskill, PE, PLS, PP & CME of the firm of Fralinger Engineering, PA, for the year 2023 (i.e., the first year of the three-year term), subject to final review by the Township Solicitor; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that notice of this contract award be published as required by *N.J.S.A. 40A:11-5*.

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

Asay - yes Dunham - yes Patrick - yes

**MANNINGTON TOWNSHIP
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND
OPEN CONTRACT FOR PROFESSIONAL SERVICES**

WHEREAS, the Township of Mannington has a need to enter into a contract for planning services related to land use and development, transfer of development rights, farmland/open space preservation, redevelopment, affordable housing, master planning, site planning and subdivision of land, zoning, related matters in the Township of Mannington, implementation of a Planning Incentive Grant, and

WHEREAS, the Municipal 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 from the date of the contract, and may be extended as approved by the Township Committee; and

WHEREAS, Michael F. Sullivan of Clarke Caton Hintz has submitted a proposed Agreement, indicating that they will provide the necessary services as stated in the Agreement for Professional Services, and

WHEREAS, Michael F. Sullivan has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not 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 the firm from making any reportable contributions through the term of the contract, and

WHEREAS, the Township CMFO has certified that sufficient and legally appropriated funds are available pending the successful passage and adoption of the CY2023 Planning Board OE Budget (3-01- -110-201) in an amount not to exceed \$2,500.00 unless authorized by the Township Committee and Master Plan Re-Exam (3-01-55-002-001) in the amount not to exceed \$12,000.00 unless authorized by the Township Committee to award a contract to Clarke Caton Hintz to assist Mannington Township with respect to Planning Services for the period of 1/1/23 – 12/31/23.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mannington authorizes the Mayor and Committee to enter into a contract with Michael F. Sullivan of Clarke Caton Hintz as described herein, and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that notice of this contract award be published as required by NJSA 40A:11-5.

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

Asay - yes Dunham - yes Patrick - yes

**MANNINGTON TOWNSHIP
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND
OPEN CONTRACT FOR PROFESSIONAL SERVICES**

WHEREAS, the Township of Mannington has a need to enter into a contract for the services of special counsel to represent the Township in Real Estate Tax Appeal matters; and

WHEREAS, the anticipated term of this contract is one year from the date of the contract, and may be extended as approved by the Township Committee; and

WHEREAS, Martin Allen of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. has submitted a proposed Agreement, indicating that they will provide the necessary services as stated in the Agreement for Professional Services, and

WHEREAS, Martin Allen, has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not 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 the firm from making any reportable contributions through the term of the contract, and

WHEREAS, the Township CMFO has certified that sufficient and legally appropriated funds are available pending the successful passage adoption of the CY2023 Assessment of Taxes OE Budget (3-01-103-201) in an amount not to exceed \$10,000.00 unless authorized by the Township Committee to award a contract to DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. as Township Tax Court Appeals Attorney for legal services for the period of 1/1/23 – 12/31/23.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mannington authorizes the Mayor and Township Committee to enter into a contract with Martin Allen of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. as described herein, and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that notice of this contract award be published as required by NJSA 40A:11-5.

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

Asay - yes Dunham - yes Patrick - yes

MANNINGTON TOWNSHIP

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND
OPEN CONTRACT FOR PROFESSIONAL SERVICES**

WHEREAS, the Township of Mannington has a need to enter into a contract for counsel to assist the Township in addressing its responsibilities with respect to affordable housing obligations; and

WHEREAS, the anticipated term of this contract is one year from the date of the contract, and may be extended as approved by the Township Committee; and

WHEREAS, Jeffrey R. Surenian of Surenian, Edwards & Nolan LLC has submitted a proposed Agreement, indicating that they will provide the necessary services as stated in the Agreement for Professional Services, and

WHEREAS, Jeffrey R. Surenian of Surenian, Edwards & Nolan LLC has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not 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 the firm from making any reportable contributions through the term of the contract, and

WHEREAS, the Township CMFO has certified that sufficient and legally appropriated funds are available pending the successful passage and adoption of the CY2023 Master Plan Re-Exam (3-01-55-002-001) in an amount not to exceed \$2,500.00 unless authorized by the Township Committee to award a contract to Jeffrey R. Surenian and Associates, LLC as Special Counsel services for the period of 1/1/23 – 12/31/23.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mannington authorizes the Mayor and Township Committee to enter into a contract with Jeffrey R. Surenian of Surenian, Edwards & Nolan LLC as described herein, and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that notice of this contract award be published as required by NJSA 40A:11-5.

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

Asay - yes Dunham - yes Patrick - yes

**MANNINGTON TOWNSHIP
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND
OPEN CONTRACT FOR PROFESSIONAL SERVICES**

WHEREAS, the Township of Mannington has a need to enter into a contract for the services of special Redevelopment Counsel to represent the Township with respect to property within Mannington Township that was the former site of The Memorial Hospital of Salem County; and

WHEREAS, the Municipal 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 from the date of the contract, and may be extended as approved by the Township Committee; and

WHEREAS, McManimon, Scotland & Baumann, LLC has submitted a proposed Agreement, indicating that they will provide the necessary services as stated in the Agreement, and

WHEREAS, McManimon, Scotland & Baumann, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not 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 the firm from making any reportable contributions through the term of the contract, 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 \$2,500.00 unless authorized by the Township Committee and Master Plan Re-Exam (3-01-55-002-001) in an amount not to exceed \$2,500.00 unless authorized by the Township Committee to award a contract to McManimon, Scotland & Baumann, LLC, for Redevelopment Counsel for general legal services for the period of 1/1/23 – 12/31/23.

WHEREAS, other fees for services to be provided by McManimon, Scotland & Baumann, LLC will be paid or reimbursed to the Township pursuant to an escrow agreement between the Township of Mannington and Inspira Health Services and therefore no certification of funds for said escrow is necessary from the Mannington Township CFO; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mannington authorizes the Mayor (or Deputy Mayor) and Clerk to enter into a contract with McManimon, Scotland & Baumann, LLC as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that notice of this contract award be published as required by *N.J.S.A. 40A:11-5*.

PUBLIC WORKS REPORT:

Patrick gave a verbal Public Works report for the month December.

ZONING REPORT:

A written and verbal report was submitted by Schmid for the month of December 2022.

OTHER BUSINESS:

None

REPORTS:

The following reports were filed:

Tax Collector reported receipts for December in the amount of \$187,194.94.

Mid-Salem County Court submitted one (1) check in the amount of \$886.70 for fines received in December.

Registrar's receipts for December totaled \$1,465.00.

There were no dog licenses issued in December.

Finance reported receipts of \$1,152,687.41 for the month of December.

There being no further business to transact, the Mayor adjourned the meeting by regular motion at 6:15 PM.

Respectfully Submitted,

Esther A. Mitchell, Clerk

January 9, 2023	NO QUORUM
January 23, 2023	NO QUORUM
January 30, 2023	NO QUORUM