

Townhall
November 2, 2023

The Mannington Township Committee meeting was called to order by Mayor Asay at 5:32 PM. The following were in attendance: Asay, Dunham, Horner, Mitchell, Davis, Elwell, with Schmid arriving at 6:12 pm.

SUNSHINE CERTIFICATION:

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

BILLS FOR PAYMENT:

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

Asay - yes Dunham - yes Patrick - Absent

CFO submitted a Summary Budget Status Report as of November 2, 2023 and a Report of Reconciled Cash Balances for the month ending September 30, 2023.

APPROVAL OF MINUTES:

Motion was made by Dunham, seconded by Asay, approving the minutes for the meeting held on 10/5/2023. Motion carried.

Motion was made by Dunham, seconded by Asay, approving the Closed Session minutes for the meeting held on 10/5/2023. Motion carried.

OLD BUSINESS:

Solicitor Horner gave an update on the stormwater ordinances required for compliance in Stormwater Tier A. For the new Tier A towns, new ordinances were to be adopted by 12/31/2023. The DEP notified the Fralinger Engineering that there will be amendments on the tree ordinance and possibly on others. An amended deadline for final adoption of the ordinances is May 1, 2024. The township will wait to see if there will be any additional amendments and introduce the new ordinance(s) in March 2024 and be considered for adoption at the April 2024 Township Committee meeting.

NEW BUSINESS:

CFO Elwell reported the township scored 39.5 points on the 20223 Best Practices Survey, resulting in 100% of the allotted funding from the State.

Motion was made by Dunham, seconded by Asay, 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, 2022 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.

Mayor Asay and Deputy Mayor Dunham signed the audit affidavit sheet. Patrick was absent due to car trouble and did not make attendance at the meeting, therefore he could not sign.

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

Asay - yes Dunham - yes Patrick - absent

Mannington Township

RESOLUTION
TRANSFER OF FUNDS

WHEREAS, various 2023 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 \$3,401.40 between the 2023 Budget Appropriations as follows:

Transfer From:		
Account	Name	Amount
3-01- -105-202	Defensive Law Suits	\$3,401.40
Transfer To:		
3-01- -109-201	Buildings & Gds OE	\$1,500.00
3-01- -110-201	Planning Bd OE	\$250.00
3-01- -114-201	Fire Hydrants OE	\$1,651.40

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

MANNINGTON TOWNSHIP
RESOLUTION

A RESOLUTION TO AFFIRM THE MANNINGTON TOWNSHIP'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS,

AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of Mannington Township to treat the public, employees, prospective employees, appointees, volunteers, and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act, and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of Mannington Township has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Mannington Township Committee that:

Section 1: No official, employee, appointee or volunteer of the Township by whatever title known, or any entity that is in any way a part of the Township shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township's business or using the facilities or property of the Township.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township to provide services that otherwise could be performed by the Township.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment, and civil rights.

Section 4: The Township shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment, or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Township shall establish written procedures that require all officials, employees, appointees, and volunteers of the Township as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities, and rights pursuant to this resolution.

Section 7: The Township shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: This resolution shall take effect immediately.

Section 9: A copy of this resolution shall be published in the official newspaper of the Township in order for the public to be made aware of this policy and the Township's commitment to the implementation and enforcement of this policy.

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

Asay - yes Dunham - yes Patrick - absent

**MANNINGTON TOWNSHIP
RESOLUTION**

(FORM 1B) REQUEST FOR FUNDING FOR FY2025

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth, and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Committee of the Township of Mannington, County of Salem, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Salem;

NOW, THEREFORE, BE IT RESOLVED by the Township of Mannington, County of Salem, State of New Jersey, hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Mannington Municipal Alliance grant for Fiscal Year 2025 in the amount of:

DEDR	\$1,920.67
Cash Match	\$ 480.17
In-Kind	<u>\$1,440.50</u>
TOTAL ALLIANCE BUDGET	\$3,841.34

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

CORRESPONDENCE :

A NJ DOT Memorandum of Record for the Diagnostic Team meeting, held on August 24, 2023, regarding the railroad at-grade crossing

located on Acton Station Road, was received by the Township. Mayor Asay attended this meeting, along with Botamina Gemian, Senior Engineer of the NJ DOT Railroad Engineering Safety Unit and Mat McGrath, Trainmaster of SMS Rail Services Inc. Those in attendance consisted of those in attendance.

The meeting was held to determine if revisions to the roadway approaches, railroad warning devices, and roadway traffic control devices would better serve the public.

The railroad is owned by the County of Salem, and is maintained and operated by SMS Rail Services Inc. Acton Station Road (CR 653) is owned by the County of Salem, with a posted speed limit of 50 MPH.

There were several recommendations of the Diagnostic Team, which included flashing light signals and an extended arm.

PUBLIC WORKS REPORT:

No report was available for October.

Random employment applications for the Public Works Department were received from David Koeller and Andrew Williams. The applications were reviewed and discussed. One application was incomplete.

Motion was made by Asay, seconded by Dunham, to hire Andrew Williams as an as-needed snow plow driver, with hourly rate as indicated on the Salary Ordinance. Motion carried.

The current limb pick-up policy was reviewed and discussed.

Motion was made by Dunham, seconded by Asay, changing the limb pick-up policy to 5 pick-ups per year per residence, effective immediately. Motion carried.

ZONING REPORT:

Mayor Asay reviewed a written report for the month of October 2023, submitted by Schmid. Report filed.

OTHER BUSINESS:

An email was received from Mannington Township resident, AJ DiTeodoro, expressing interest in a position with the Township's Emergency Management Office. Coordinator Abdill and Deputy Coordinator Fox would like to meet with Mr. DiTeodoro.

Horner reported the US Supreme Court has a ruling that In Rem Foreclosures are on hold at this time. This will most likely be revisited by the court and Horner will report when he learns more.

PUBLIC COMMENT:

Public Comment period was open and closed by regular motion, with no comments.

REPORTS:

The following reports were filed:

Tax Collector reported receipts for October in the amount of \$358,585.03.

Mid-Salem County Court submitted one (1) check in the amount of \$659.96 for fines received in October.

Registrar's receipts for October totaled \$1,705.00.

There was one (1) dog license issued in October, with receipts totaling \$21.00.

Finance reported receipts of 210,589.98 for the month of October.

There being no further business, motion was made by Dunham, seconded by Asay, adjourning the meeting at 6:14 PM. Motion carried.

Respectfully Submitted,

November 13, 2023 NO QUORUM
November 20, 2023 NO QUORUM
November 27, 2023 NO QUORUM
December 4, 2023 NO QUORUM

Esther A. Mitchell, Clerk