

Townhall
May 2, 2024

The Mannington Township Committee meeting was called to order by Mayor Asay at 5:30 PM. The following were in attendance: Asay, Dunham, Eber, Horner, Mitchell, Elwell, Davis, Michael Sullivan, Clark, Caton & Hinz, Jeffrey Surenian, Surenian, Edwards, Buzak & Nolan LLC., township resident, Jackson Seeney and Zoning Officer Schmid.

SUNSHINE CERTIFICATION:

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

APPROVAL OF BILLS FOR PAYMENT:

Motion was made by Eber, seconded by Dunham, approving the attached bill list.

Asay - yes Dunham - yes Eber - yes

CFO submitted a Summary Budget Status Report for the 2024 Temporary Budget as of May 2, 2024 and Report of Reconciled Cash Balances for the month ending April 30, 2024.

APPROVAL OF MINUTES:

Motion was made by Eber, seconded by Dunham, approving the minutes for meeting the held on 4/4/2024, 4/8/2024, 4/9/2024, 4/29/2024. Motion carried.

OLD BUSINESS: Deputy Mayor Dunham stated that the older revolver value is approximately \$150; the newer revolver value is approximately \$500-600. A motion was made by Dunham, seconded by Eber to hand over the 2 revolvers to NJ State Police. Motion carried. Mayor Asay will handle the disposal.

NEW BUSINESS: Motion was made by Eber, seconded by Dunham, adopting the following resolution. Motion carried.

MANNINGTON TOWNSHIP

RESOLUTION NO. 0549

**RESOLUTION OF THE TOWNSHIP OF MANNINGTON, COUNTY OF
SALEM, STATE OF NEW JERSEY, APPOINTING ROY A. DUFFIELD AS TAX
ASSESSOR**

WHEREAS, after many years of diligent service, Donna Harris has retired as Mannington Township Tax Assessor effective June 30, 2024, thereby creating a vacancy beginning July 1, 2024; and

WHEREAS, pursuant to *N.J.S.A. 40A:9-146*, the governing body shall provide for the appointment of a Tax Assessor; and

WHEREAS, the Township Committee has solicited applications and has selected Roy A. Duffield, CTA to appoint as part-time Tax Assessor to fill the vacancy; and

WHEREAS, the Assessor will hold public office hours on Monday's from 9:30 AM to 11:30 AM and the first Thursday of each month from 9:30 AM to 11:30 AM; and

WHEREAS, pursuant to *N.J.S.A. 40A:9-148*, every Municipal Tax Assessor shall hold his office for a term of four years following his appointment date; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Mannington that it hereby appoints Roy A Duffield as Mannington Township Tax Assessor effective July 1, 2024 through June 30, 2028; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the following:

1. Marita Sciarrotta, Acting Director, NJ Division of Taxation
2. John Snyder, Administrator, Salem County Board of Taxation
3. Roy Duffield, Tax Assessor, Mannington Township

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

Asay - yes Dunham - yes Eber - yes

TOWNSHIP OF MANNINGTON
RESOLUTION
EMERGENCY TEMPORARY RESOLUTION N.J.S.A. 40A:4-20

WHEREAS, an emergency condition has arisen with respect to the need to provide budgetary funds for 2024, and

WHEREAS, the cause of the emergency is due to the fact that the Township is unable to adopt the 2024 Annual Budget, and

WHEREAS, it is considered necessary for the health and welfare of the community to continue to provide necessary services, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2024 pursuant to the provisions of Chapter 96 P.L. 1951 (N.J.S.A. 40A4-20) including this resolution totals \$571,933.24 for the Current Fund.

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A.40A:4-20:

1. Emergency temporary appropriations be made and the same is hereby made for the following in the indicated amount.

<u>ACCOUNT</u>	<u>NAME</u>	<u>AMOUNT</u>
x-01- 101-111	Municipal Clerk S/W	\$2,500.00
x-01- 101-112	Mayor & Committee S/W	\$1,000.00
x-01- 101-201	Municipal Clerk O/E	\$0.00
x-01- 101-202	Mayor & Committee O/E	\$0.00
x-01- 102-111	Financial Adm S/W	\$2,000.00
x-01- 102-201	Financial Adm O/E	\$0.00
x-01- 102-202	Audit Services O/E	\$0.00
x-01- 103-111	Assmt of Taxes S/W	\$3,000.00
x-01- 103-201	Assmt of Taxes O/E	\$2,000.00
x-01- 104-111	Collection of Taxes S/W	\$1,000.00
x-01- 104-201	Collection of Taxes O/E	\$0.00
x-01- 105-201	Legal O/E	\$2,500.00
x-01- 105-202	Defensive Lawsuits	\$0.00
x-01- 107-201	Engineering O/E	\$0.00
x-01- 108-201	Foreclosure O/E	\$0.00
x-01- 109-111	Buildings & Grds S/W	\$0.00
x-01- 109-201	Buildings & Grds O/E	\$0.00
x-01- 110-111	Planning Bd S/W	\$500.00
x-01- 110-113	Municipal Court Liason	\$0.00
x-01- 110-201	Planning Bd O/E	\$2,000.00
x-01- 111-201	Data Processing O/E	\$0.00
x-01- 112-201	General Liability Ins	\$0.00
x-01- 112-202	Workers Comp Ins	\$0.00
x-01- 112-203	Employee Group Health	\$0.00
x-01- 114-201	Fire Hydrants O/E	\$0.00
x-01- 115-201	Aid to Volunteer Fire	\$0.00
x-01- 118-111	Housing Official S/W	\$0.00
x-01- 118-201	Housing Official O/E	\$0.00
x-01- 119-111	Emergency Mgmt S/W	\$0.00
x-01- 119-201	Emergency Management O/E	\$0.00
x-01- 120-111	Zoning Official S/W	\$500.00
x-01- 120-201	Zoning O/E	\$0.00

x-01- 121-111	RRM SW	\$0.00
x-01- 121-112	Snow Removal S/W	\$0.00
x-01- 121-201	Road Repair & Maint O/E	\$1,000.00
x-01- 121-202	Snow Removal O/E	\$0.00
x-01- 121-204	Road Patch	\$0.00
x-01- 123-201	Garbage/Tipping Fees	\$0.00
x-01- 123-202	Recycling Tax Approp.	\$0.00
x-01- 125-111	Board of Health S/W	\$100.00
x-01- 125-201	Board of Health O/E	\$0.00
x-01- 126-201	Dog Regulation O/E	\$1,000.00
x-01- 127-111	Env Com S/W	\$0.00
x-01- 127-201	Env Com O/E	\$0.00
x-01- 129-201	Recreation O/E	\$0.00
x-01- 130-201	Street Lighting O/E	\$500.00
x-01- 130-202	Electric Bldgs/Grds	\$0.00
x-01- 130-203	Telephone	\$0.00
x-01- 130-204	Fuel Oil/Propane	\$0.00
x-01- 130-205	Gasoline/Diesel	\$0.00
x-01- 140-201	Mid-Salem County Court	\$0.00
x-01- 140-202	TOLACEM - Interlocal	\$0.00
x-01- 140-204	Animal Pound Interlocal	\$0.00
x-01- 167-203	Demolition of Buildings	\$0.00
x-01- 191-201	PERS	\$0.00
x-01- 191-202	DCRP	\$0.00
x-01- 192-201	Social Security/Medicare	\$0.00
x-01- 193-201	Unemployment	\$0.00
x-01- 203-201	Improvements to Capital Rds	\$0.00
x-01- 152-204	JIF Employee Safety Inc	\$128.24
x-01- 159-205	JIF Wellness	\$500.00
	Total	\$20,228.24

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

**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment
Decisions Under Title VII of the Civil Rights Act of 1964"**

MANNINGTON TOWNSHIP
GROUP AFFIDAVIT FORM
NO PHOTO COPIES OF SIGNATURES

STATE OF NEW JERSEY
COUNTY OF SALEM

We, members of the governing body of the Township of Mannington being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Township Committee of the Township of Mannington in the County of Salem;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964", *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

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

Asay - yes Dunham - yes Eber - yes

MANNINGTON TOWNSHIP
RESOLUTION TO READ BUDGET BY TITLE ONLY

WHEREAS, *N.J.S. 40A:4-8, as amended by L.2015, c. 95, § 14, 2015*, provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection, and has been made available to each person upon request; and

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED, that the budget shall be read by title only.

Motion was made by Eber, seconded by Dunham, adopting the following ordinance. Motion carried.

MANNINGTON TOWNSHIP

ORDINANCE NO. 24-04

**AN ORDINANCE GRANTING CONSENT
TO NEW JERSEY-AMERICAN WATER COMPANY, INC.
TO USE CERTAIN MUNICIPAL STREETS OR PORTIONS THEREOF
WITHIN MANNINGTON TOWNSHIP
TO MAINTAIN EXISTING WATER SERVICE LINES**

WHEREAS, New Jersey-American Water Company, Inc., a New Jersey public utility corporation, is in the process of acquiring water and wastewater systems that are currently owned and operated by the City of Salem, and has petitioned the Township of Mannington pursuant to *N.J.S.A. 48:3-11, et seq.*, for use of certain municipal streets or portions thereof within Mannington Township to maintain existing water lines beneath those streets that are currently owned and operated by the City of Salem; and

WHEREAS, the Mannington Township Committee has determined that it is appropriate to grant the requested consent;

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

- 1. The Code of the Township of Mannington is hereby amended to include the following new Chapter 140 entitled “Water Lines”:**

Chapter 140 Water Lines

§ 140-1. Background.

New Jersey-American Water Company, Inc., a New Jersey public utility corporation (“NJAW”) is in the process of acquiring the water and wastewater systems that are currently owned and operated by the City of Salem. The City of Salem currently provides water service to certain Mannington Township residents and property owners via existing water lines in Mannington Township, some of which water lines have been installed beneath the entire length of Mannington Mills Road and a small portion of Old Kings Highway, both of which are municipal streets owned, controlled, or otherwise regulated by Mannington Township. NJAW has petitioned Mannington Township pursuant to *N.J.S.A. 48:3-11, et seq.*, for use of these municipal streets in order to maintain the existing water lines that are located beneath them. The Mannington Township Committee determined that NJAW’s petition should be granted for these limited purposes.

§ 140-2. Consent to Use Certain Municipal Streets.

Consent is hereby given to NJAW pursuant to *N.J.S.A. 48:3-11, et seq.*, for use of the municipal streets or specified portions thereof as listed in § 140-3, below, in order to maintain the existing water lines that are located beneath them, without charge therefore (except fees for road opening permits which shall be paid by NJAW), as the same may be required in order to permit NJAW to own and operate the existing water service infrastructure and facilities within the streets or specified portions thereof, and more specifically, to maintain, repair and replace (but not add to or extend) and operate water service beneath the streets or specified portions thereof, as necessary to continue providing water service through the existing water lines. This shall include permission to replace pipes, and to install valves, pumps, manholes and other necessary equipment beneath the streets or specified portions thereof without cost to Mannington Township. The consent granted herein shall include NJAW’s right and obligation to construct, install, and maintain fire hydrants along the streets and specified portions thereof without cost to Mannington Township except for monthly hydrant fees to be paid by Mannington Township to NJAW per NJAW’s tariff, and is subject to and conditioned upon NJAW’s ongoing obligation to construct, install, and maintain fire hydrants in their current locations along N.J.S.H. Route 45 without cost to Mannington Township

except for monthly hydrant fees to be paid by Mannington Township to NJAW per NJAW's tariff. This consent is also granted subject to and conditioned upon NJAW's compliance with all applicable laws of Mannington Township and the State of New Jersey including, but not limited to, any and all applicable statutes and administrative agency rules and/or regulations.

§ 140-3. Streets Subject to Consent.

- A. Mannington Mills Road (entire length extending from edge of Route 45 right-of-way)
- B. Old Kings Highway (first 200 feet extending from edge of Route 45 right-of-way)

§ 140-4. Duration of Consent.

As permitted by *N.J.S.A. 48:3-15*, the term of this consent shall be fifty (50) years commencing on the effective date of this chapter, such effective date being the later of (1) adoption and publication in accordance with the laws of the State of New Jersey, and (2) filing of written acceptance of this chapter by a duly authorized representative of New Jersey-American Water Company, Inc., a New Jersey public utility corporation, with the Mannington Township Clerk within thirty (30) days after receiving notice of the passage of the Ordinance (as required by *N.J.S.A. 48:3-16*).

- 2. **If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.**
- 3. **All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.**
- 4. **This Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey, and upon filing of written acceptance of the Ordinance by a duly authorized representative of New Jersey-American Water Company, Inc., a New Jersey public utility corporation, with the Mannington Township Clerk within thirty (30) days after receiving notice of the passage of the Ordinance (as required by *N.J.S.A. 48:3-16*), whichever is later.**

NOTICE

Notice is hereby given that the foregoing proposed Ordinance No. 24-04 was introduced and passed on first reading by the Township Committee of the Township of Mannington, County of Salem, State of New Jersey, at a regular meeting held on May 2, 2024. A second reading and public hearing on the foregoing Ordinance will be conducted by the Township Committee at a regular meeting to be held on June 6, 2024 at 5:30 p.m., in the Mannington Town Hall, 491 Route 45, Mannington Township, New Jersey, after which the Ordinance will be considered for final passage.

The said Ordinance No. 24-04 is being proposed in response to the November 9, 2023 petition of New Jersey-American Water Company, Inc., a New Jersey public utility corporation, which is in the process of acquiring water and wastewater systems currently owned and operated by the City of Salem, for use of certain municipal streets within Mannington Township (all of Mannington Mills Road and a portion of Old Kings Highway extending 200 feet from Route 45) to maintain existing water lines beneath those streets that are currently owned and operated by the City of Salem.

CORRESPONDENCE :

- 1. Resignation received from William DeCinque, Planning Board Member effective April, 15 2024.
- 2. NJ DOT - Municipal Aid Application Available for FY2025.

Committeeman Eber discussed the condition of Warner Rd (1.4 miles). Mayor Asay stated when applying for municipal aid we have to be specific on which portion of the road is to be done. Township Committee decided on a portion of Warner Rd or the next section of Mannington Yorktown Road. Committeeman Eber will contact Mr. Mulford, Fralinger Engineers for his input.

3. Tax Collector - Annual Report of Taxes Not Collectible 2024

PUBLIC WORKS REPORT:

Committeeman Eber gave a verbal Public Works for the month of April. Discussion about Bassett Road about the developing sink hole on edge of roadway with 24-inch pipe. It was recommended to contact Township Engineer for their input.

ZONING REPORT:

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

PUBLIC COMMENT:

Public Comment was opened by regular motion. There being no other comments, this portion was closed by regular motion.

CLOSED SESSION RESOLUTION:

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

MANNINGTON TOWNSHIP COMMITTEE

RESOLUTION FOR CLOSED SESSION

(May 2, 2024)

WHEREAS, the Mannington Township Committee will now conduct a closed session for discussions from which the public may be lawfully excluded pursuant to the Open Public Meetings Act (*N.J.S.A. 10:4-6, et seq.*);

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

1. The public shall be excluded from the closed session discussions which are the subject of this resolution.
2. The general nature of the subjects to be discussed during the closed session is as follows: **Matters involving pending or anticipated litigation in which Mannington Township is or may become a party with respect to new affordable housing legislation and requirements; matters involving potential candidates for employment in the position of municipal clerk; and any matters falling within the attorney-client privilege to the extent that confidentiality is required in order for the attorney to exercise the attorney's ethical duties as a lawyer with respect to the above matters.**
3. The discussions conducted during the closed session will be disclosed to the public as follows:
 - a. with respect to matters involving pending or anticipated litigation, after such matters have been resolved and any periods of appeal have expired;
 - b. with respect to other matters, when the need for confidentiality no longer exists.
4. No action will be taken during the closed session, but action may be taken following the closed session.

The meeting was opened to the Public.

A motion was made by Dunham, seconded by Eber, to hire Amber Ayars Clerical working towards Clerk/Admin/Registrar position, 32 weekly, at the rate of \$19.19 hourly. Once appointed as Acting Clerk/Administrator/Registrar rate will be \$12,00.00 - Registrar, \$41,000.00 - Administrator and \$2,060.00 Board of Health Secretary for total salary of \$55,060.00. Township will pay for the cost of all required classes. Motion carried.

REPORTS:

The following reports were filed:

Tax Collector reported receipts for April in the amount of \$293,528.42.

Mid-Salem County Court submitted one check for \$935.66 and one check for \$45.00 (2) check in the total amount of \$980.66.00 for fines received in April.

Registrar's receipts for April totaled \$2,048.50.

There were eighty-five (85) dog licenses issued in April with receipts totaling \$1,614.00.

Finance reported receipts of \$179,875.45 for the month of April.

There being no further business to transact, the meeting was adjourned by regular motion at 8:16 PM.

Respectfully Submitted,

Esther A. Mitchell, Clerk

May 6, 2024	NO QUORUM
May 13, 2024	NO QUORUM
May 20, 2024	NO QUORUM