

Townhall  
June 6, 2024

The Mannington Township Committee meeting was called to order by Mayor Asay at 5:30 PM. The following were in attendance: Dunham, Asay, Eber, Horner, Davis, Cordy Taylor County Commissioner, Ben Laury County Commissioner, Gordon Ostrom County Commissioner, Amber Sutch President Business Administration SMS Railroad, Jim Pfeiffer Chief Operating Officer on SMS Railroad, and George Sutch of SMS Railroad.

**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

**APPROVAL OF MINUTES:**

Motion was made by Eber, seconded by Dunham, approving the minutes for meeting the held on 5/2/2024 Motion carried.

**PUBLIC COMMENT:**

Motion was made by Eber and seconded by Dunham to open public comment.

Commissioner Director, Ben Laury, introduced members of the SMS Railroad/ Woodstown Central Railroad. Jim Pfeiffer, COO of SMS railroad gave brief history of railroad and partnership with county. Amber Sutch, Director of Business Administration and George Sutch, VP SMS and his father started the company also introduced themselves.

- They reviewed what has been done at Crossings. The infrastructure was in good shape when they took it over, they have taken care of washouts, 90% of the crossing are being upgraded, crossing signals being worked on - they will have flashing lights on them eventually. State is in charge of crossing safety bars and other safety features. Still delays with loading cars out of Mannington Mills for freight. The warehouse storage facility is being utilized.
- Mayor Asay questioned what is being done to the 10 miles in Mannington going into Salem City. Railroad responded they have added 'run around' tracks, ties and paths have been resurfaced; Mannington Mills rebuilt run around.

- Woodstown Central Railroad is designed to bring tourism in to county with a 13-passenger car, and have plans for expansion and have been offered tour of Pureland facility.
- Thursday June 20<sup>th</sup>, 2024 @ 4:30 railroad has planned a meeting with Economics, Cultural Heritage, and Tourism group. Anyone wishing to attend contact them.
- Just received two more grants; 1<sup>st</sup> for rehab of Salem yard and 2<sup>nd</sup> for Fenwick Creek, sluice gates are in bad shape. Mayor Asay mentioned that the gates can't be closed at certain times of the year due to spawning fish.

William Horner, Township Solicitor - Offered the committee legal advice; highly recommends limited involvement with railroad company, until legal issues have been resolved.

**Mayor Asay offered comments on the following subjects:**

- a) Mentioned issues with the 'Y' and the home to the left of the 'Y'. Have been dealing with that home in the court system, with garbage and trash in the yard.
- b) Giordano's possibly applying for a Wet Waste facility in the Port of Salem City. Looking to open a facility for garbage - believes most residence will be concerned about the smell; Mannington residence will smell it eventually. Cordy Taylor mentioned the possibility that the new Wet Waste facility will go over the old landfill by Barbara's Basin.
- c) Received notice today 6/6/2024, that Inspira Mannington received \$1 Million grant from USDA for state-of-the-art equipment and premier healthcare.
- d) Mentioned roads in Mannington Road such as Kings Highway, Acton Station are in horrible shape. They will need to have trucks stop running before they can repair roads.

Motion to close Public Comment: Rick Eber seconded by Kenny Dunham

**OLD BUSINESS:**

Motion was made by Eber, seconded by Dunham, adopting 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.

Asay - yes      Dunham - yes      Eber - yes

Hearing for the 2024 Municipal Budget. Motion carried.

Motion was made by Eber, seconded by Dunham, adopting 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.

Mayor Asay mentioned City of Salem sends a notice to its residence , that the water supply is not up to drinkable standards. He is concerned, is there anything he can do to let Mannington residence know they do NOT have to link into that Salem water line.

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

***RESOLUTION HONORING  
DONNA HARRIS***



***WHEREAS***, Donna Harris has retired as Tax Assessor for Mannington Township beginning July 1, 2024, and

*WHEREAS*, October 1, 2023 marked the anniversary of Donna's forty-three years of exemplary service to the Township of Mannington, and

*WHEREAS*, Donna has devoted over forty-three years of her life in diligent, dependable, and professional service to Mannington Township.

*WHEREAS*, Donna has always conducted herself in every respect as a good and faithful servant of the community throughout her tenure, and

~~**NOW, THEREFORE, BE IT RESOLVED**~~ by the Township Committee of the Township of Mannington, that on this occasion of her retirement from Tax Assessor, the Township of Mannington hereby thanks and congratulates Donna Harris for her outstanding service, and wishes her many years of good health and happiness.

~~**BE IT FURTHER RESOLVED**~~ that this resolution be spread upon the permanent minutes of the Township of Mannington, and that a certified copy be presented to Donna Harris, in deep gratitude for her long and faithful service to the Township of Mannington.

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

**TOWNSHIP OF MANNINGTON**

**RESOLUTION #2024-74**

Resolution: *Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the MA-2025-Warner Road-00105.*

**NOW, THEREFORE, BE IT RESOLVED** that Committee of the Township of Mannington formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor/Committee and Clerk are hereby authorized to submit an electronic grant application identified as *MA-2025-Warner Road-00105* to the New Jersey Department of Transportation on behalf of the Township of Mannington.

**BE IT FURTHER RESOLVED** that Mayor/Committee and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Mannington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

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

**TOWNSHIP OF MANNINGTON**

**RESOLUTION #2024-75**

Resolution: *Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the MA-2025-ManningtonYorktown Road Phase IV -00104.*

**NOW, THEREFORE, BE IT RESOLVED** that Committee of the Township of Mannington formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor/Committee and Clerk are hereby authorized to submit an electronic grant application identified as *MA-2025-Mannington Yorktown Road Phase IV -00104* to the New Jersey Department of Transportation on behalf of the Township of Mannington.

**BE IT FURTHER RESOLVED** that Mayor/Committee and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Mannington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

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

Asay - yes      Dunham - yes      Eber - yes

**MANNINGTON TOWNSHIP**  
**RESOLUTION**

**WHEREAS**, The Mannington Township Committee desires to establish those persons who are authorized to draw funds of Mannington Township;

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

1. Any three of the hereinafter named persons shall be authorized to draw on funds in the name of Mannington Township:

Mayor – Donald C. Asay  
Deputy Mayor – Kenneth H. Dunham, Jr.  
CFO/Treasurer – Diane Elwell  
Deputy Clerk – Patti L. Davis

2. The following officials are to be removed as designated signers:

Esther A. Mitchell  
Luke S. Patrick, Jr.

The Municipal Deputy Clerk is directed to file a true copy of this Resolution in any bank, savings and loan association or other institution wherein the funds of Mannington Township are or may be deposited.

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

Asay - yes      Dunham - yes      Eber - yes

**MANNINGTON TOWNSHIP**  
**RESOLUTION**

**WHEREAS**, The Mannington Township Committee desires to establish those persons who are authorized to draw funds of Mannington Township;

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Mannington, County of Salem and State of New Jersey as follows for the following Financial Accounts for the Clerk's Office:

1. Fulton Bank:  
Account: Mannington Township Dog Reg – XXXX0347  
Account: Mannington Township Reg. of V.S. – XXXX0339
2. The First National Bank of Elmer:  
Account: Mannington Township Municipal Checking – XXXXX3148

Any one of the hereinafter named persons shall be authorized to draw on funds in the name of Mannington Township:

Deputy Clerk – Patti L. Davis

The following official is to be removed as designated signer:

Esther A. Mitchell

The Municipal Deputy Clerk is directed to file a true copy of this Resolution in any bank, savings and loan association or other institution wherein the funds of Mannington Township are or may be deposited.

**CORRESPONDENCE :**

1. Mid-Salem Municipal Court Security Assessment Letter.

Mayor Asay reviewed the letter advising the committee of security protocols recommended by Judge Telsey. This included pressing security concerns that required immediate action. MSMC Committee will meet to discuss.

2. NJ SADC ROW Inquiry Farmland Preservation , for Block 19/Lot 3 Motion was made by Eber, seconded by Dunham, approving ROW request. Motion carried.

**PUBLIC WORKS REPORT:**

Public Works Chair Eber discussed tree guy will be there Saturday 6/8 for branches. He is going to have Fred Harz rotate the tires on truck to try to get to them through to mid-winter. He will keep committee updated if we need new tires. Looking into possibly getting rid of the backhoe.

**ZONING REPORT:**

A written report was submitted by Schmid for the month of May.

**Other Business:**

- Deputy Clerk Davis mentioned Amber Ayars is happy and proceeding along well.
- Mayor Asay mentioned Mr. Duffield has been here every Monday, ready to grab the reigns in July for Tax Accessor

**REPORTS :**

The following reports were filed:

Tax Collector reported receipts for May in the amount of \$966,619.35

Mid-Salem County Court submitted one check for \$535.28

Registrar's receipts for May totaled \$1,745.00

There were nine (9) dog licenses issued in May with receipts totaling \$260.00.

Finance reported receipts of \$335,078.02 for the month of May.

There being no further business to transact, the meeting was adjourned by regular motion at 6:48 PM.

Respectfully Submitted,

Patti L. Davis, Deputy Clerk

<b>June 3, 2024</b>	<b>NO QUORUM</b>
<b>June 10, 2024</b>	<b>NO QUORUM</b>
<b>June 17, 2024</b>	<b>NO QUORUM</b>
<b>June 24, 2024</b>	<b>NO QUORUM</b>