

Townhall
August 5, 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, Elwell, Davis, Ayars, and Schmid (arrived at 6:10pm).

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 Dunham, seconded by Eber, approving the minutes for meeting the held on 7/1/2024. Motion carried.

OLD BUSINESS:

Motion was made by Eber, seconded by Dunham, opening the public hearing on Ordinance #24-05. Motion carried.

With there being no comments, motion was made by Dunham, closing the public hearing, seconded by Eber. Motion carried.

Motion was made by Eber, seconded by Dunham, adopting the following-named ordinance on second and final reading. Roll call vote as follows:

Asay - yes Dunham - yes Eber - yes

ORDINANCE NO. 24-05

**AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ENTITLED
"AN ORDINANCE FIXING AND CONFIRMING THE SALARIES AND
COMPENSATIONS OF CERTAIN APPOINTIVE AND ELECTIVE OFFICERS
AND EMPLOYEES OF THE TOWNSHIP OF MANNINGTON IN THE COUNTY
OF SALEM, NEW JERSEY BEGINNING JANUARY 1, 1968", ADOPTED FEBRUARY 22,
1968 AND THE AMENDMENTS AND SUPPLEMENTS TO SAID ORDINANCE
BE IT ORDAINED**

by the Township Committee of the Township of Mannington in Salem County, New Jersey as follows:

SECTION 1. The Ordinance set forth by title in the title of this ordinance and amendments and supplements thereto are hereby further amended and supplemented as hereinafter set forth:

SECTION 2. Section 1 of said Ordinance as amended and supplemented, is hereby further amended and supplemented as follows:

ADMINISTRATIVE & EXECUTIVE

All Salaries paid the 15th and 30th of each month, except February, which will be paid the 15th and the last day of the month.

Acting Clerk/Administrator - \$40,000 annually

Acting Registrar of Vital Statistics - \$12,000 annually

Acting Board of Health secretary - \$2,060 annually

SECTION 4. All other terms and provisions of the said ordinance adopted on February 22, 1968 as amended and supplemented shall be and remain in full force and effect, save only as herein expressly amended, supplemented or repealed.

SECTION 5. All ordinances or parts of ordinances inconsistent herewith, to the extent of such inconsistencies, be and the same are hereby repealed.

SECTION 6. This Ordinance shall take effect and become operative as of August 1, 2024, upon its final passage and publication as required by law; and the provisions of this ordinance shall remain in full force and effect until amended, supplemented or repealed.

NEW BUSINESS:

Clean Communities Dates set for road pick up September 14, 2024 - October 27, 2024. Dates approved by Township Committee.

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

Asay - yes Dunham - yes Eber - yes

**TOWNSHIP OF MANNINGTON
RESOLUTION AUTHORIZING A REFUND OF
OVERPAYMENT
BLOCK 3, LOT 14**

WHEREAS, THE TAX COLLECTOR OF MANNINGTON TOWNSHIP advised that Bancroft, A NJ Non-profit Corporation (Bancroft) overpaid real estate taxes due to the lot being deemed a Class 15B exempt property, by the Mannington Township Tax Assessor for the tax year 2024; and

WHEREAS, THE TAX COLLECTOR OF MANNINGTON TOWNSHIP has certified to the Mayor and Committee that Bancroft overpaid real estate taxes due to the referenced lot being deemed exempt in 2024, is entitled to have the sum of \$5,540.46 (representing first and second quarter 2024 preliminary tax) refunded, and that the books of the Tax Collector be adjusted to reflect the overpayment; and

WHEREAS, THE TREASURER OF MANNINGTON TOWNSHIP shall make said refund from the Current Account;

NOW, THEREFORE, BE IT RESOLVED, that the appropriate officials of Mannington Township, County of Salem, State of New Jersey, make this refund of overpayment in the amount of \$5,540.46, and that the books of said Tax Collector are adjusted to reflect the refund.

ADOPTED at a meeting of the Township Committee of Mannington Township, County of Salem, State of New Jersey held on August 5, 2024.

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

Asay - yes Dunham - yes Eber - yes

MANNINGTON TOWNSHIP
RESOLUTION AUTHORIZING A REFUND OF PAYMENT OF TAXES
ON INCORRECT BLOCK/LOT
Block 32, Lot 1

WHEREAS, THE TAX COLLECTOR OF MANNINGTON TOWNSHIP has certified to the Mayor and Council that Francis Galasso, the owner of Block 30, Lot 12 (19 Roosevelt Avenue), inadvertently paid property taxes in the amount of \$5,673.91 for an adjoining property, being Block 32, Lot 1 (7 Roosevelt Avenue). Said payment was in error and should be refunded, and that the books of said Tax Collector be adjusted to reflect the erroneous payment; and

WHEREAS, THE TREASURER OF MANNINGTON TOWNSHIP shall make said refund from the Current Account;

NOW, THEREFORE, BE IT RESOLVED, that the appropriate officials of Mannington Township, County of Salem, State of New Jersey authorize the refund of the above-mentioned payment made in error on Block 32, Lot 1 in the amount of \$5,673.91, and the books of said Tax Collector be adjusted to reflect the refund as noted above.

ADOPTED at a meeting of the Township Mayor and Committee of Mannington Township, County of Salem, State of New Jersey held on August 5, 2024.

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

Asay - yes Dunham - yes Eber - yes

MANNINGTON TOWNSHIP
RESOLUTION AUTHORIZING CHANGE ORDER

WHEREAS, the Mannington Township Committee awarded the contract for the Municipal Aid project entitled, "**Mannington Yorktown Road Phase II Resurfacing**", to the lowest bidder, Bogeys Trucking and Paving, Inc. and

WHEREAS, during the performance of the contract the as-built quantities are now known, which resulted in an increase in the cost of the contract by 5.22%; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mannington, that through this change order, the contract price of Bogeys Trucking and Paving, Inc., be increased by \$5,309.86 This brought the total cost of Mannington Yorktown Road Phase I Resurfacing project to \$107,045.44

Motion was made by Eber, seconded by Dunham, adopting 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, 2023 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.

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

MANNINGTON TOWNSHIP
RESOLUTION GRANTING MUNICIPAL CONSENT
FOR CONDUCT OF RAFFLE

WHEREAS, *Mannington Recreational Association*, has submitted a properly executed Application for a License to operate an ON-PREMISE DRAW RAFFLE on varies dates(see attached date list), at the 495 Route 45 Mannington Township, NJ, and

WHEREAS, the Township Deputy Clerk has reviewed said Applications and determined that the applicant is qualified and that the members designated to conduct games are qualified, and

WHEREAS, the Township Deputy Clerk is satisfied that the games will be conducted according to the regulations of the Legalized Games of Chance Act.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mannington, hereby grants municipal consent to

Mannington Recreational Association to conduct an ON-PREMISE DRAW RAFFLE on various dates (see attached date list), at the 495 Route 45 Mannington Township, NJ, and hereby waives any municipal fee.

CORRESPONDENCE:

Solicitor Horner spoke about the draft he sent to NJDEP and how pleasant they have been to work with. He feels the ordinance should not have any problems being adopted before the October 2024 deadline.

PUBLIC WORKS REPORT:

a) Committeeman Rick Eber read the public works update.

b) Rick went over quotes for Bassett Road repair received from Fralinger's Engineering: Gerald A. Barrett LLC \$6,590.00, Ricky Slade Construction \$8,500.00 and Dewitt Construction \$9,575.00. Committee all agree we need to speak to land owner John Richman first, Rick will reach out to John.

c) Rick stated no roads need oil and chip repair at this time.

d) Mayor Asay mentioned three people attended the Planning Board meeting in July who live on Warner Road. They expressed wanting a speed bump installed. Mayor Asay mentioned there was one there prior and residence asks for it to be removed.

e) Deputy Clerk Davis spoke on the recent JIF Right to Know audit, the Township passed with 100%.

f) Mayor Asay commented that the repair work to the front and back porch columns looks nice.

g) Mayor Asay mentioned that Ron Owens is concerned about large tree behind the building. He feels it is not safe, possibly rotten. Mayor Asay has asked Rick Eber to get three bids to remove the tree.

ZONING REPORT:

A written report was submitted by Schmid for the month of June. Township Committee reviewed his report.

CLOSED SESSION RESOLUTION:

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

MANNINGTON TOWNSHIP COMMITTEE

RESOLUTION FOR CLOSED SESSION

(August 5, 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 as proposed in the Borough of Montvale's recent invitation to Mannington Township and other New Jersey municipalities to mount a challenge against various aspects of New Jersey's affordable housing requirements; matters involving the Zoning Officer's request for certain revised terms of employment (change of office hours, and non-attendance at Township Committee and Planning Board meetings); 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.

Motion was made by Eber, seconded by Dunham, to approve new hours for Zoning Officer from 6:15pm-7:00pm Thursday to 3:45pm-4:30pm Thursday. Zoning Officer will only attend Planning Board Meetings, and will submit his report for the Township Committee meetings.

Asay - yes Dunham - yes Eber - yes

Motion was made by Eber, seconded by Dunham, to join Montvale Litigation upon final review of attorney's agreement.

REPORTS :

The following reports were filed:

Tax Collector reported receipts for July in the amount of \$427,179.80

Mid-Salem County Court submitted one check for \$1019.58

Registrar's receipts for July totaled \$1675.00

There were three (3) dog licenses issued in July with receipts totaling \$103.00

Finance reported receipts of \$189.636.49 for the month of July
There being no further business to transact, the meeting was adjourned by regular motion at 6:39 PM.

Respectfully Submitted,

Amber Ayars, Acting Clerk

August 12,2024	NO QUORUM
August 19,2024	NO QUORUM
August 26,2024	NO QUORUM