

Townhall  
June 6, 2019

The Mannington Township Committee meeting was called to order by Mayor Asay at 7:00 PM. The following were in attendance: Asay, Patrick, Emel, Horner, Mitchell, Carmer, Bowman, and resident Patti Davis.

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

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

Asay - yes  
Patrick - yes  
Emel - yes

Beginning with computer check number 15777, ending computer check number 15832. Beginning with payroll check number 6023, ending payroll check number 6065, with checks 6023 and 6024 being voided.

Community Healthcare Assoc.

6/6/19 ck#1031 \$ 500.00 DiFrancesco, Bateman Kunzman

CFO submitted a Summary Budget Status ending for the 2018 Reserve Account and the 2019 current budget accounts.

**ZONING REPORT:**

Carmer gave a verbal and written Zoning Report for May 2019. Mayor Asay brought up an item listed later on the meeting agenda listed as NJ Division of ABC, Re: Auburn Road Vineyards Corrected Letter. A previous and similar letter was discussed a few months ago and contained mistakes. This letter replaces the former one and contains the correct information. The letter was provided to the Township as a notice to ensure their awareness of the NJ Alcoholic Beverage Control Division's receipt of an application for a new Winery Outlet/Salesroom filed by Auburn Road Vineyards. The license, issued pursuant to N.J.S.A. 33:1-10(a), would authorize Auburn Road Vineyards to offer

samples for on or off premise consumption and sell his packages at retail to consumers for on or off premise consumption. The Division welcomes the Township's written comments or observations on the matter.

After some discussion between the Committee and Solicitor, motion was made by Emel, seconded by Patrick, to write a letter using wording suggested by the Solicitor. Motion carried.

Carmer left the meeting at 7:15 pm.

**OLD BUSINESS:**

The 2019 Oil and Chip Road Program was discussed. Motion was made by Patrick, seconded by Emel to contact Carl Gaskill at Fralinger Engineering and have him prepare the documents to put Dolbow Road and Penton Station Road out for bid. Roll call vote as follows:

Asay - yes  
Patrick - yes  
Emel - yes

The Township will prepare the road and sides prior to the work commencing.

Mayor Asay supplied a Verizon FIOS update. On the monthly phone conference with Jennifer Young of Verizon, she indicated that Verizon continues FIOS construction in Mannington with a rolling implementation (notification to possible customers when Fios is available to their location). Ms. Young was still unable to provide specifics on completed areas, but said Verizon was working hard toward a complete availability in Mannington Township by the end of 2019.

**NEW BUSINESS:**

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

Asay - yes  
Patrick - yes  
Emel - yes

**MANNINGTON TOWNSHIP**

**SUPPLEMENTAL RESOLUTION AUTHORIZING FINAL APPROVAL**  
**PAUL AND DIANE DUFFY BLOCK 40 LOT 16.03**

**WHEREAS**, Mannington Township submitted a Planning Incentive Grant (PIG) application to the State Agriculture Development Committee pursuant to the State Agriculture Retention and Development Act, *N.J.S.A. 4:1C-11, et. seq.*, the Planning Incentive Grant Program, *N.J.S.A. 4:1C-43.1*, and the regulations thereunder; and

**WHEREAS**, the aforesaid application includes a proposed funding plan which provides for the purchase of the development easement based upon the SADC’s sliding scale formula; and

**WHEREAS**, the application provided for the proposed acquisition of a development easement on property owned by Paul and Diane Duffy located on Welchville Road and Acton Station Road, and designated on the municipal tax map as Block 40, Lot 16.03, approximately 24.80 acres, in the Township of Mannington, County of Salem, State of New Jersey, and

**WHEREAS**, on March 7, 2019, the Mannington Township Committee adopted a resolution entitled “Resolution Authorizing Final Approval – Paul and Diane Duffy Block 40, Lot 16.03” granting final approval for the acquisition of the development easement subject to the terms set forth in that resolution; and

**WHEREAS**, on May 22, 2019, Mannington Township was notified of an error in the listed funding sources set forth in the March 7, 2019 resolution, insofar as there will be funding from the Federal Ranch Protection Program where no such funding had been previously noted, and there will be no funding from the Township of Mannington or the County of Salem; and

**WHEREAS**, in order to correct the aforesaid error the Mannington Township Committee now adopts this supplemental resolution to confirm that on January 24, 2019, the SADC certified the fair market value of the development easement pursuant to *N.J.A.C. 2:76-7.14* at \$5,100 per acre, and that the estimated cost sharing breakdown for acquisition of the development easement is as follows (based on an estimated 24.80 acres), subject to (a) actual acreage to be covered by the development easement per the final survey which conforms to the farmland preservation program, requirements and (b) any additional adjustments pursuant to the State statute, rule, regulation or policy:

State Agriculture Development Committee	\$ 63,240.00
Mannington Township	\$ -0-
Salem County	\$ -0-
Federal Ranch Protection Program	<u>\$ 63,240.00</u>
Total:	\$126,480.00

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mannington, in the County of Salem and the State of New Jersey, that the Township hereby confirms its previous final approval of the proposed acquisition of a development easement on the Paul and Diane Duffy property, Block 40, Lot 16.03 in the Township of Mannington, approximately 24.80 acres, subject to aforesaid corrected list of funding sources, and also subject to the following:

- (a) The property owners entering into a Township-approved contract for the conveyance of a development easement which shall provide for the following:
  1. Exception: None
  2. Non-agricultural use(s): None

3. Dwellings: None
4. Residual Dwelling Site Opportunities: None

**BE IT FURTHER RESOLVED** that, upon receipt of the funds from the State and Federal Ranch Protection Program, the Mannington Township Mayor and Clerk are authorized to execute all documents necessary to consummate the transaction, including agreement(s), settlement statement, payment of proceeds, etc.; and

**BE IT FURTHER RESOLVED** that the Mannington Township Clerk is hereby directed to annotate all signed originals and copies on file of the Township Committee's previous March 7, 2019 resolution entitled "Resolution Authorizing Final Approval – Paul and Diane Duffy Block 40, Lot 16.03" with appropriate references to this supplemental resolution, and to distribute signed copies of this supplemental resolution to all parties to whom the Clerk previously sent copies of the aforesaid March 7, 2019 resolution.

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

Asay - yes  
Patrick - yes  
Emel - yes

**MANNINGTON TOWNSHIP  
RESOLUTION REQUESTING APPROVAL OF ITEMS  
OF REVENUE AND APPROPRIATION NJSA 40A:4-87**

**WHEREAS**, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may approve the insertion of an item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of Mannington Township in the County of Salem, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$9,580.24 which is now available from the State of New Jersey, Clean Communities Grant in the amount of \$9,580.24 and

**BE IT FURTHER RESOLVED**, that the like sum of \$9,580.24 hereby appropriated under the caption Clean Communities Grant, and

**BE IT FURTHER RESOLVED** that the above is the result of funds from the State of New Jersey, Clean Communities Grant in the amount of \$9,580.24.

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

Asay - yes  
Patrick - yes  
Emel - yes

TOWNSHIP OF MANNINGTON

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Compromise Road Section II Resurfacing.

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-2020-Compromise Road Section II Resurfacing-00085** 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.

The Township received a complaint from a resident on Hiresdale Avenue. There has been large trucks using the road, as well as regular vehicles speeding down the small stretch of road. The resident was concerned as there is vehicle weight limit signs posted on both ends of the road and concerned for the safety of small children in the area. The Committee decided a possible remedy to this problem would be to install speed bumps in two areas of Hiresdale Avenue.

Motion was made by Emel, seconded by Patrick to purchase four (4), six foot rubber speed bumps and two signs stating speed bumps ahead from Atlas Flasher and Supply Co. Roll call vote as follows:

Asay	- yes
Patrick	- yes
Emel	- yes

**CORRESPONDENCE :**

A request to use a section on the side of Biddle Road for a personal film shoot was received from Robert Haines. After discussion with Horner, motion was made by Patrick, seconded by Emel, to email a reply using the following language Horner suggested. *In response to your June 3, 2019 letter, please be advised that the Mannington Township Committee has not approved filming on public roads in Mannington Township. Anyone who conducts filming or photography on or near Mannington Township's public roads does so at his or her own risk.*

*Any person conducting such activities should take appropriate safety precautions in conformance with all applicable laws and regulations.*

Motion carried.

Correspondence from NJ Food Council conveying their support for a uniform statewide solution to phase out single use disposable plastic and paper bags and encourage the use of reusable bags in New Jersey. Letter was reviewed and filed.

A complaint was received from a resident on Compromise Road regarding several large trucks and tankers traveling the road and making a turn onto Swedes Bridge Road. It appeared they were going to and/or from the Utilities Authority. This has been going on for a couple of weeks. The Committee thinks this may be due to Atlantic City Electric hooking up the lines to the new poles and removing the old poles. Mayor Asay will contact Lt. Quirk at the Woodstown State Police Barracks and inquire as to what detour the trucks are required to use and let him know they are currently using roads with weight restricted bridges.

Before Horner discussed a letter from Fralinger Engineering regarding the Compromise Road Project issue involving a penalty imposed by the NJDOT and non-return of the close-out documents, he distributed handouts showing three different scenarios pertaining to settlement on the Compromise Road paving program.

Motion was made by Emel, seconded by Asay, authorizing Horner to explore the settlement option of waiving the penalty imposed upon GWP, with no additional payments made to them. Roll call vote as follows:

Asay - yes, Patrick - yes, Emel - yes

**PUBLIC WORKS REPORT:**

Patrick gave a verbal report. There are holes in Hackett Road. Owens has left several messages for R.E. Pierson Construction for a

quote on replacing the damaged pipe but has not received a return call from them. The County lent them a steel plate to cover the holes and a large road cone. The boom mower arm broke in the middle and Sean Love of Elsinboro repaired it. The department is continuing with mowing & road maintenance.

**PUBLIC COMMENT:**

Public Comment portion was opened and closed by regular motion as there were no comments.

Mayor Asay announced that Michael Albano, Planning Board Solicitor, passed away on June 1, 2019.

Motion was made by Patrick, seconded by Emel, adopting the following resolution to enter into a closed session. Motion carried.

**MANNINGTON TOWNSHIP COMMITTEE  
RESOLUTION FOR CLOSED SESSION**

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 falling within the attorney/client privilege, and pending or anticipated contract negotiations, relating to the proposed redevelopment plan, potential redevelopment agreement, and potential financial agreement for the Salem Medical Center (former Memorial Hospital of Salem County) redevelopment area.**
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.

**OTHER BUSINESS:**

The Mayor distributed handouts containing 2017-2018 Salem County School Year Data and reported on a meeting he attended with Senator Sweeney speaking about the consolidation of schools and "Path to Progress". Asay stated the figures on the handout are not correct.

The following reports were filed:

Tax Collector reported receipts for May in the amount of \$827,302.04.

Mid-Salem County Court submitted a check in the amount of \$2,629.63 for fines received in May.

Registrar's receipts for May totaled \$2,419.70.

Ten (10) dog licenses were issued in May with receipts totaling \$352.00.

Finance reported receipts of \$884,165.41 for the month of May.

There being no further business to transact, the Mayor adjourned the meeting by regular motion at 9:40 PM.

Respectfully Submitted,

Esther A. Mitchell, Clerk

**June 10, 2019      NO QUORUM**  
**June 17, 2019      NO QUORUM**