

**MANCHESTER TOWNSHIP
MEETING MINUTES
April 11, 2016**

The meeting of the Manchester Township Council was called to order at 6:00 p.m. by Council President James Vaccaro. The following statement was read by the Municipal Clerk:

“Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act, pursuant to P.L. 1975, Chapter 231. Said notice was advertised in the Asbury Park Press, Star Ledger and was posted in the lobby of the Municipal Building.”

This was followed by the salute to the flag and the following roll call:

FLAG SALUTE

ROLL CALL

The following roll call was taken by the Municipal Clerk:

Councilman Charles Frattini	- present
Councilman Brendan Weiner	- present
Councilman Sam Fusaro	- present
Councilman Craig Wallis	- present
Councilman James Vaccaro	- present

The Municipal Clerk noted for the record that also present was Township Attorney Angela Koutsouris, Chief Financial Officer Diane Lapp, Communications Supervisor Dom DelPino and Mayor Ken Palmer.

PROCLAMATION – “Public Safety Telecommunications Week” - The Clerk read a Proclamation for Public Safety Telecommunications Week. Communications Supervisor Dom DelPino accepted the Proclamation.

“National Volunteer Week” – The Clerk read a proclamation into the record for “National Volunteer Week”. Ed Lynch from Manchester First Aid accepted the Proclamation.

PRESENTATION – Robert Chilton of Gabel Associates gave a presentation on energy aggregation and answered questions for Council and residents. Electrical rates are the lowest they have been in a long time. He suggested now would be the time to go out and solicit bids for electrical rates. Mr. Fusaro asked how long the term of the contract would be. Mr. Chilton said the term of the contract depends on the trend in the market. It could be 12 or 24 months and a longer term makes for rate stability. Mr. Weiner said there would be round table discussions with Lacey and Stafford regarding the bids. Mr. Fusaro asked how the initial opt out would be handled. Mr. Chilton said residents would be given three options either by phone, mail or internet. Mr. Fusaro asked if JCP&L rates dropped before award of the contract what would happen. Mr. Chilton said the idea is not to award unless the savings would be large enough. Mr. Wallis asked who residents would contact if there was a problem with the bill. Mr. Chilton said if there was a problem with the bill they would call JCP&L. If it was a supply portion, JCP&L would refer it to the supplier. Mr. Wallis asked if a complaint came into the Township should a resident call Stafford Township. Mr. Chilton said each Township would have its own contact person who would deal with Stafford Township. Mr. Frattini asked are the rates determined by the actual use of the homeowner or the aggregated use. Mr. Chilton said the bids were done by the aggregate. Mr. Frattini’s problem was with the opt-out. With the large senior population in the Township, he felt it would be a burden on them to opt-out. Mr. Vaccaro asked if there would be a possibility of natural gas aggregation. Mr. Chilton said he did not think so.

Seeing for further comments from Council, Mr. Vaccaro opened this portion of the meeting to the public with a limit of one hour.

Elaine Baumeister – 40C Buckingham: Ms. Baumeister asked how Gabel received their fees. Mr. Chilton said fees for Gabel were built into the contract. Ms. Baumeister felt that there were a lot of layers to the contract and was not sure if she understood them. Ms. Baumeister did not feel this was worthwhile process.

Ginny Martin - 29 Gabriella Circle: Ms. Martin did not want anyone in the government to opt her into anything and wanted to know who gave Council the right to do this. Mr. Weiner felt he owed it to residents to see if this was a way for them to save money.

Ann Markovsky - 17 Milton Dr.: Ms. Markovsky asked if a minimum number of residents had to participate in the program. Mr. Chilton said there is no minimum. Ms. Markovsky asked if bids would be public. Ms. Koutsouris bids would be done by Stafford Township which is the lead agency. Bids could be obtained by submitting an OPRA request.

Mr. Puckhaber – Colt Pl.: Mr. Puckhaber wanted to clarify that the decision to opt-out was his. Mr. Weiner said it is.

Ms. Lettman - PLP: Ms. Lettman said her sister lives in Toms River and they had a lot of issues with energy aggregation. After she digests all of this information, she can go to her sister who lives in Toms River and pass along this information.

Seeing no further comments from the public, Mr. Vaccaro closed this portion of the meeting.

CORRESPONDENCE – The Clerk read into the record correspondence from Chief Financial Officer Diane Lapp about the sale of Bond Anticipation Notes (BANS)

BUDGET INTRODUCTION

#16-149 – Authorizing Reading the CY 2016 Municipal Budget by Title

The above resolution was offered upon a motion by Councilman Weiner and seconded by Mr. Fusaro and **approved** by the following roll call vote; Councilmen: Frattini, Weiner, Fusaro, Wallis and Vaccaro; yea.

#16-150 - CY 2016 Municipal Budget

Chief Financial Officer Diane Lapp gave a very brief overview of the budget. She will be doing a power point presentation at the public hearing. The budget is being raised by roughly \$129,000.00. This will cause a slight increase in taxes to property owners. The public hearing and final adoption will be held on May 9, 2016.

The above budget resolution was offered upon a motion by Councilman Weiner, seconded by Councilman Fusaro and **adopted** by the following roll call vote; Councilmen: Frattini, Weiner, Fusaro, Wallis and Vaccaro; yea.

SUBMISSION OF BILLS:

Resolution #16-151 - Authorizing payment of bills from the Current Fund in the amount of \$4,601,385.60 was offered by Mr. Frattini, seconded by Mr. Weiner and approved by the following roll call vote; Councilmen: Frattini, Weiner, Fusaro, Wallis and Vaccaro; yea.

Resolution #16-152 – Authorizing payment of bills from the Water and Sewer Fund in the amount of \$84,333.33 was offered by Mr. Fusaro, seconded by Mr. Weiner and approved by the following roll call vote; Councilmen: Frattini, Weiner, Fusaro, Wallis and Vaccaro; yea.

Resolution #16-153 – Authorizing payment of bills from the Water and Sewer West Fund in the amount of \$72,154.75 was offered by Mr. Weiner, seconded by Mr. Frattini and approved by the following roll call vote; Councilmen: Frattini, Weiner, Fusaro, Wallis and Vaccaro; yea.

ORDINANCES - First Reading and Introduction

#16-021 - ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING A DONATION OF LAND

The above ordinance was offered upon a motion by Councilman Fusaro, seconded by Councilman Frattini and adopted upon the following roll call vote; Councilmen: Frattini, Weiner, Wallis, Fusaro and Vaccaro; yea.

ORDINANCES – Second Reading, Public Hearing and Final Action

#16-011 - AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE SALARY RANGES AND POSITIONS OF BARGAINING UNIT EMPLOYEES

Mr. Vaccaro asked if any Council members had comments on this ordinance. Seeing no comments from Council, Mr. Vaccaro opened this portion of the meeting to the public. Seeing no comments from the public, Mr. Vaccaro closed this portion of the meeting.

The above ordinance was offered upon a motion by Councilman Fusaro, seconded by Mr. Wallis and adopted by the following roll call vote; Councilmen: Frattini, Weiner, Wallis, Fusaro and Vaccaro; yea.

#16-020 - ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, CREATING CHAPTER 150 OF THE TOWNSHIP CODE ENTITLED “DRONES”

Mr. Vaccaro asked if any Council members had comments on this ordinance.

Mr. Wallis said there should be an ordinance in place to prevent drones from flying over public events for the safety of the people in attendance. The FAA started regulating drones in 2015. The users of drones should follow the rules. Mr. Weiner said with rules in place by the FAA, the Police can take action. Mr. Vaccaro said the penalties for violation of the drone ordinance should be stated specifically in the ordinance.

Seeing no further comments from Council, Mr. Vaccaro opened this portion of the meeting to the public.

Gavin Rozzi – 202 Lakeview Ct. Lacey, N.J.: Mr. Rozzi uses a drone to do aerial photography. The FAA has established guidelines for the use of drones. Most people do follow the guidelines. Not everyone should be punished for the actions of a few bad apples. People fear new technology, however there are some positive uses.

Armand Tovo – 31 Edgeworth Circle – Mr. Tovo is a recreational flier of drones. They can be used safely in certain circumstances.

Vincent Robinson – 1213 Manchester St.: A new legislative bill has been introduced that will significantly regulate the use of drones.

Paul Scrimo – 61 Drayton Rd.: Mr. Scrimo mentioned that most users of drones should be members of the American Academy of Model Aeronautics (AMA) are covered by insurance if anyone gets hit.

Seeing no further comments from the public, Mr. Vaccaro closed this portion of the meeting.

Township Attorney Angela Koutsouris felt that there has been a lot of positive and negative feedback. She said Council should not go forward until all of this information is taken into consideration. She suggested tabling this ordinance to a workshop meeting on May 9, 2016.

The above ordinance was tabled to a date certain of May 9, 2016 upon a motion by Mr. Weiner, seconded by Mr. Fusaro and adopted by the following roll call vote; Councilmen: Frattini, Weiner, Fusaro, Wallis and Vaccaro; yea.

CONSENT AGENDA

The items listed below are considered to be routine by the Township of Manchester and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

Mr. Vaccaro asked if any member of Council had any comments on any item on the consent agenda.

Seeing no comments from Council, Mr. Vaccaro asked if there were any comments from the public on any items on the consent agenda.

Seeing no comments from the public, Mr. Vaccaro closed this portion of the meeting.

Resolutions #16-154 through #16-158 were considered routine by the Manchester Township Council and were enacted by one motion offered by Mr. Frattini, seconded by Mr. Fusaro and adopted by the following roll call vote; Councilmen: Frattini, Weiner, Fusaro, Wallis and Vaccaro; yea. Mr. Weiner abstained on Resolution #16-166 due to a perception of conflict.

A. FINANCE

#16-154 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE REFUNDS REQUESTED BY THE TAX COLLECTOR

B. CONTRACTS/AGREEMENTS

#16-155 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, SUPPORTING A PROPERTY TAX REWARDS PROGRAM AND AUTHORIZING AN AGREEMENT WITH FINN CREDIT TO BE IMPLEMENTED AS PART OF THE MANCHESTER SHOP LOCAL CAMPAIGN

#16-156 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING LEAD AGENCY OF STAFFORD TOWNSHIP ENERGY AGGREGATION COOPERATIVE PRICING SYSTEM TO AWARD A CONTRACT ON THE TOWNSHIP'S BEHALF IN CONNECTION WITH THE TOWNSHIP OF MANCHESTER GOVERNMENT ENERGY AGGREGATION PROGRAM

#16-157 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AGREEMENT WITH JERSEY CENTRAL POWER AND LIGHT FOR ELECTRIC DISTRIBUTION COMPANY AGGREGATION

#16-158 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF MANCHESTER AND THE COUNTY OF OCEAN

FOR 2016 FOR TRAFFIC SAFETY

#16-159 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE AGREEMENT WITH THE OCEAN COUNTY SHERIFF'S OFFICE, FOR THE UTILIZATION OF MANCHESTER POLICE SERVICES FOR THE PURPOSE OF PARTICIPATING IN THE CHILD RESTRAINT GRANT PROGRAM

C. RECREATION

#16-160 – RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF MANCHESTER AND THE MANCHESTER TOWNSHIP BOARD OF EDUCATION

#16-161 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR TO SIGN A GENERAL TERMS & CONDITIONS SPONSORSHIP CONTRACT WITH TD BANK, N.A.

D. PURCHASING

#16-162 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF A JOHN DEERE 310SL BACKHOE

#16-163 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING VARIOUS STATE CONTRACT PURCHASES OF FIREFIGHTING EQUIPMENT

#16-164 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER COUNTY OF OCEAN, STATE OF NEW JERSEY AWARDING A CONTRACT FOR THE PURCHASE OF FIREFIGHTING HOSE, PURSUANT TO AND INACCORDANCE WITH N.J.S.A. 40a:11-1 ET SEQ.

E. APPOINTMENTS

#16-165 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT TO AND AUTHORIZING THE APPOINTMENT OF CHARLES P. TIVENAN OF THE FIRM OF CHARLES P. TIVENAN AS CONFLICT PUBLIC DEFENDER PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.

#16-166 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT TO AND AUTHORIZING THE APPOINTMENT OF GREGORY P. MCGUCKIN, TIMOTHY J. MCNICHOLS AND CHRISTOHPER DASTI OF THE FIRM OF DASTI, MURPHY, MCGUCKIN, ULAKY, KOUTSOURIS AND CONNORS AS MUNICIPAL PROSECUTOR PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.

#16-167 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT TO AND AUTHORIZING THE APPOINTMENT OF ERIC D. BROPHY OF THE FIRM OF DIEGNAN & BROPHY AS CONFLICT PROSECUTOR PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.

F. MISCELLANEOUS

#16-168 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, WAIVING THE PERMIT FEES FOR WHITING VOLUNTEER FIRE COMPANY NO. 1

REPORTS

Mr. Frattini: None

Mr. Weiner: Mr. Weiner said the potholes on Commonwealth Blvd. will be addressed. The County is paving Commonwealth Blvd in its entirety.

Mr. Wallis: Mr. Wallis recently sat with Mayor Palmer and Chief Financial Officer Diane Lapp to review the budget. He thanked Ms. Lapp for her patience and complemented her on the fine job she did on the preparation of the budget.

Mr. Fusaro: Mr. Fusaro said he received a draft ordinance from Township Planner Dave Roberts regarding Hovson's redevelopment. More revisions will be made until it comes before Council.

Mr. Vaccaro: Mr. Vaccaro mentioned the various meetings he has attended over the last few weeks including Manchester Coordinating Council and the Dedication of the Chair of Honor located in Town Hall lobby.

Mr. Skibo: None

Ms. Koutsouris: None

Mayor Palmer: Mayor Palmer recently met with Senator Sweeney to discuss totally disabled veterans and how Manchester loses seven hundred thousand dollars in revenue every year. Senator Sweeney was surprised to hear that this was an unfunded mandate. They also discussed how the State school funding formula is disproportionate and how it should be fixed. Mayor Palmer said that all union contracts have been successfully negotiated and he also attended Penguin Plunge and where they raised \$2,500.00 to benefit Regional Day School.

PUBLIC

John Puckhaber – Colt Place.: Mr. Puckhaber was concerned with the drainage conditions at the corner of Tenth and Colt. Someone needs to come out and look at it. He felt our road department was good with snow removal but not with road repair. Mr. Puckhaber said department heads should be held responsible for the jobs getting done right the first time. Mayor Palmer addressed Mr. Puckhaber stating the paving in Pine Lake Park was done 25 years ago. Mr. Yodakis has earmarked all areas that are worse than Tenth and Colt that will be paved first. Paving the roads should address any ponding issues.

Ed Lynch – 5 Bridle Way: Mr. Lynch asked Council if they received his email. They all advised him that they had received it and would address it.

Larry Lee – Country Walk: Mr. Lee said that the debris at Manchester Market has been taken care of and the property looks good. It is no longer an eyesore.

ADJOURNMENT

There being no further comments or business to come before Council at this time, the meeting was adjourned at 8:55 p.m. on motion by Mr. Weiner, seconded by Mr. Frattini and approved by the following roll call vote; Councilmen: Frattini, Weiner, Fusaro, Wallis and Vaccaro; yea.

James A. Vaccaro, Sr.
Council President

Sabina T. Skibo, RMC
Township Clerk

Date Approved