

**Manchester Township Council**  
**Meeting Minutes**  
**February 13, 2012**

The meeting of the Manchester Township Council was called to order at 6:00 p.m. by Council President Craig Wallis. 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:

The Clerk took the roll call:

Councilman Fred Trutkoff	-	present
Councilman Warren Reiter	-	present
Councilman Brendan Weiner	-	present
Councilman Sam Fusaro	-	present
Councilman Craig Wallis	-	present

Also present were Elena Zsoldos, Business Administrator, Attorney Steven Secare; Stephen Stanziano, Director of Public Works, Donald Somerset, Chief Utilities Engineer and Police Chief Brian Klimakowski.

**PROCLAMATION:** The Clerk read a Proclamation into the record for “Read Across America”.

**ADOPTION OF MINUTES** The regular minutes of December 12, 2011, Closed Session of December 12, 2011, regular minutes of January 9, 2012 and January 23, 2012 were offered upon a motion by Mr. Trutkoff, seconded by Mr. Fusaro and **approved** by the following roll call vote: Councilmen Trutkoff, Weiner, Reiter, Fusaro and Wallis; yea.

**SUBMISSION OF BILLS:**

**Resolution #12-038** - Authorizing payment of bills from the Current Fund in the amount of \$9,983,383.47 was offered by Mr. Weiner, seconded by Mr. Fusaro and approved by the following roll call vote: Councilmen Trutkoff, Reiter, Weiner, Fusaro and Wallis; yea.

**Resolution #12-039** - Authorizing payment of bills from the Water and Sewer Fund in the amount of \$1,237,250.19 was offered by Mr. Weiner, seconded by Mr. Fusaro and approved by the following roll call vote: Councilmen Trutkoff, Reiter, Weiner, Fusaro and Wallis; yea.

**Resolution #12-040** – Authorizing payment of bills from the Water and Sewer West Fund in the amount of \$569,109.88 was offered by Mr. Reiter seconded by Mr. Weiner and approved by the following roll call vote: Councilmen Trutkoff, Reiter, Weiner, Fusaro and Wallis; yea.

**ORDINANCES – Second Reading, Public Hearing and Final Action**

**#12-005 - ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 160 OF THE CODE OF THE TOWNSHIP OF MANCHESTER ENTITLED FEES.**

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

The above ordinance was **offered** upon a motion by Mr. Trutkoff, seconded by Mr. Fusaro and **adopted** by the following roll call vote: Councilmen: Trutkoff, Reiter, Weiner, Fusaro and Wallis: yea.

**ORDINANCES – First Reading and Introduction**

**#12-004 - AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 301 OF THE CODE OF THE TOWNSHIP OF MANCHESTER ENTITLED PEDDLING AND SOLICITING**

Mr. Wallis asked Council if they had any comments on the above ordinance. Seeing no comments from Council, Mr. Wallis closed this portion of the meeting.

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

**#12-006 - ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 307 OF THE CODE OF THE TOWNSHIP OF MANCHESTER ENTITLED PRECIOUS METALS AND GEMS**

Mr. Wallis asked Council if they had any comments on the above ordinance. Seeing no comments from Council, Mr. Wallis closed this portion of the meeting.

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

**#12-007 - ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 2 OF THE CODE OF THE TOWNSHIP OF MANCHESTER ENTITLED ADMINISTRATION OF GOVERNMENT**

Mr. Wallis asked Council if they had any comments on the above ordinance. Seeing no comments from Council, Mr. Wallis closed this portion of the meeting.

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

**#12-008 - AN ORDINANCE AMENDING CHAPTER 245, LAND USE AND DEVELOPMENT REGULATIONS, OF THE REVISED GENERAL ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN AND STATE OF NEW JERSEY**

Mr. Wallis asked Council if they had any comments on the above ordinance. Seeing no comments from Council, Mr. Wallis closed this portion of the meeting.

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

**RESOLUTIONS: 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. Wallis asked if any member of Council had any comments on any item on the consent agenda.

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

**Resolutions #12-041 through #12-056** were considered routine by the Manchester Township Council and were enacted by one motion offered by Mr. Weiner, seconded by Mr. Fusaro and adopted by the following roll call vote: Councilmen Trutkoff, Reiter, Weiner, Fusaro and Wallis; yea.

**A. LICENSING**

**#12-041 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, GRANTING A TOWING LICENSE TO PRICED RITE TOWING FOR THE 2012 LICENSE YEAR**

**B. FINANCE**

**#12-042 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF BALANCES DUE TO THE PURCHASE OF CRESTWOOD WATER AND SEWER OF PREVIOUS OWNER BALANCES.**

**#12-043 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE REFUNDS REQUESTED BY THE TAX COLLECTOR**

**#12-044 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES AS TO BLOCK 38.15, LOT 307.01 FOR A TOTALLY DISABLED VETERAN**

**#12-045 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES AS TO BLOCK 71.09, LOT 27 FOR A TOTALLY DISABLED VETERAN**

**#12-046 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES AS TO BLOCK 38.28, LOT 492.02 FOR A TOTALLY DISABLED VETERAN**

**#12-047 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN STATE OF NEW JERSEY DETERMINING NEED FOR THE DELAWARE GROUP HOME PROJECT LOCATED AT 1841 DELAWARE AVE., WHITING, NJ 0879, BLOCK 99.112 LOT 8**

**#12-048 - RESOLUTION AUTHORIZING A PETITION TO THE COURT REQUESTING THE USE OF AFFORDABLE HOUSING TRUST FUNDS FOR THE PURPOSE OF ACQUIRING AND/OR RENOVATING A GROUP HOME LOCATED AT 1841 DELAWARE AVE.**

**C. GRANTS**

**#12-049 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING APPLICATION FOR AN OCEAN COUNTY TRANSPORTATION ASSISTANCE PROGRAM GRANT**

**D. PURCHASING**

**#12-050 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A CONTRACT FOR THE PURCHASE OF THREE 2012 DODGE CHARGERS, UNDER THE CRANFORD POLICE COOPERATIVE PURCHASING SYSTEM**

**E. AGREEMENTS**

**#12-051 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A CONTRACT WITH RICOH BUSINESS SOLUTIONS, FOR DOCUMENT MALL FOR DOCUMENT SCANNING**

**#12-052 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SPECIALTY SYSTEMS, INC. FOR THE MAINTENANCE AND ANNUAL SUPPORT FOR THE BUREAU OF FIRE PREVENTION**

**#12-053 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A REIMBURSEMENT AGREEMENT WITH COMMUNITY SERVICES, INC.**

**#12-054 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT WITH JACKSON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AND BREEDERS WALK, LLC FOR THE RESIDENTIAL SUBDIVISION KNOWN AS BREEDERS WALK**

**#12-055 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT FOR PROFESSIONAL SERVICES TO GPM ASSOCIATES, INC. REGARDING THE MODIFICATION OF THE WATER ALLOCATION PERMIT FOR THE WESTERN SERVICE AREA WATER UTILITY PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 40A:11-1 ET SEQ AND N.J.S.A. 19:44A-20.4 ET SEQ**

**#12-056 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A PILOT AGREEMENT WITH THE ARC, OCEAN COUNTY CHAPTER**

**REPORTS**

**Mr. Weiner:** Mr. Weiner attended an Ocean County Senior Advisory Meeting. They discussed bills that are in the Legislature, specifically S-243 and A-327. It would remove insurance obstacles for volunteer drivers. He requested that a resolution in support of this legislation be put on the next council agenda. Ocean County Senior Services is offering tax assistance services from February through April. They will be available at various senior villages throughout the Township. Business taxes will not be done. The State of New Jersey is offering a refund of \$50.00 credit even if you do not make the income threshold. On February 8, 2011 he attended the Elected Officials Risk Control Program offered by the Ocean County MEL/JIF. If an elected or appointed official attended, the Township received a \$250.00 credit off their insurance premium. The Rotary Fish Fry will be held on March 30, 2012 at the Manchester Firehouse. Hopefully enough money will be raised to donate three, one thousand dollar scholarships to Manchester High School graduating seniors. A Dining to Donate will be held at Luigi's Pizza every Tuesday night in March. Ten percent of your bill will go directly to the Manchester Lakehurst Rotary Club.

**Mr. Fusaro:** None

**Mr. Reiter:** Mr. Reiter attended the Elected Officials Risk Control Program offered by the Ocean County MEL/JIF. He also attended the installation of officers for the Manchester First Aid Squad. It is a pleasure to be invited to see who the volunteers are and what they are made of. They give so much to our community and should be supported in every way possible. He also attended a meeting in Trenton with the Mayor, Mr. Wallis and Ms. Zsoldos. Senators and Legislators spoke about affordable housing reform and Public Safety to include anti-gang laws and cleaner communities. Discussions also included property tax reforms and transportation issues.

**Mr. Trutkoff:** None

**Mr. Wallis:** Mr. Wallis apologized for not being able to make the Manchester First Aid Dinner. He also attended the MEL/JIF meeting.

**Ms. Zsoldos:** None

**Mr. Secare:** None

**Ms. Skibo:** Ms. Skibo said it was a pleasure to attend the First Aid dinner. She has used the First Aid services in the past and she shared her story. Ms. Skibo also attended the MEL/JIF meeting.

**Mr. Stanziano:** None

**Chief Klimakowski:** None

**Public:**

**Marge Camposano 1781 Camden Ave.:** Ms. Camposano thanked the Township for bringing the July 4<sup>th</sup> fireworks back.

**Jim Hankins: Zoning Board Member :** Mr. Hankins voiced his opposition to building on undersized lots in Pine Lake Park. The ordinance states that a buildable lot in Pine Lake Park is 100' x 100'. If people desire to build on a smaller lot, they apply to the Zoning Board of Adjustment for a variance. If the Zoning Board denies the variance, the builder can file an appeal with the Superior Court in Toms River. To Mr. Hankins knowledge, an appeal has not been denied by the Superior Court since 1987. A house is then built on the lot. It does result in a ratable for the Township, but in Mr. Hankins opinion, it results in a substantially detrimental effect to the Zoning plan. Specifically, a substantial decrease in property values in the immediate area. He feels the regulations in effect now are unfair. Mr. Hankins requested the Township Council re-examine the zoning in Pine Lake Park. Mr. Secare suggested that Mr. Thomas look into it. Mr. Wallis felt that the ordinance says 100' x 100' and that's what is should be.

**Larry Lee: Country Walk:** Mr. Lee thanked Mr. Lynch for coming to Country Walk to discuss property tax reassessments and appeals. The Manchester Coordinating Council met recently and Mr. Lee attended on their behalf. The Coordinating Council was concerned about a lack of response from Clayton regarding the railroad crossing on Route 530. He was worried that about the people who may get killed because of

the railroad. People that are using the road are mostly senior citizens who use walkers and motorized scooters. Ms. Zsoldos suggested getting together with the police department to gather some suggestions. Mr. Lee felt a gate should be installed at the location.

**Kathy & Mike Mango – 1517 Tenth Ave.:** Mr. & Mrs. Mango voiced their concern over the building of homes on undersized lots in Pine Lake Park. They felt the laws were put in place for a reason and were shocked to hear that most variances are granted. Mr. & Mrs. Mango live in a ranch home and the proposal is to build a two story home on a 75' x 100' foot lot. The Zoning Board will meet to vote on the variance on February 23, 2012. The Mango's were pleased to hear that the Township Council would be looking into the zoning ordinance. Mr. Secare explained that the Township Council has no bearing over the Zoning Board. We cannot tell them what to do. They are a quasi-judicial board. Mr. Mango asked what the point of the variance was if no one had control over it. Mr. Secare said a variance is a process and there are laws that govern it. Mr. Weiner suggested getting some neighbors together and trying to fight it as a group. He was in a similar situation a few years ago and it worked. Mr. Fusaro said Mr. Secare gave a good breakdown of the process. The Township can delay the inevitable but in the end it goes through the courts. Ms. Skibo suggested contacting the Ocean County Board of Health to see what can be done about septic systems and undersized lots. Mr. Secare suggested that Ms. Zsoldos write a letter to the Ocean County Board of Health asking them about the septic system issue.

### **ADJOURNMENT**

There being no further business at this time on motion by Mr. Weiner and seconded by Mr. Reiter and unanimous voice vote of Council, the meeting was hereby adjourned at 6:57 p.m.

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**Sabina T. Skibo, RMC**  
**Township Clerk**

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**Craig Wallis**  
**Council President**

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**Date Approved**