

**MANCHESTER TOWNSHIP  
MEETING MINUTES  
OCTOBER 21, 2013**

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:

**FLAG SALUTE**

**ROLL CALL**

The following roll call was taken by the Municipal Clerk:

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

The Clerk noted for the record that, also present were Business Administrator Elena Zsoldos, Township Attorney Harold Hensel and Chief Financial Officer Diane Lapp.

**PROCLAMATION** – The Clerk read a proclamation into the record proclaiming November 2013 as “National Caregivers Month”.

**APPROVAL OF MINUTES** The regular minutes of September 23, 2013 were offered upon a motion by Mr. Vaccaro, seconded by Mr. Weiner and **approved** by the following roll call vote; Councilmen: Frattini, Vaccaro, Weiner and Wallis; yea. Mr. Fusaro abstained.

**SUBMISSION OF BILLS:**

**Resolution #13-311** – Authorizing payment of bills from the Current Fund in the amount of \$5,526,922.14 was offered by Mr. Vaccaro, seconded by Mr. Fusaro and approved by the following roll call vote; Councilmen: Frattini, Vaccaro, Weiner, Fusaro and Wallis; yea. Mr. Weiner abstained on check #1157 due to a perception of conflict.

**Resolution #13-312** – Authorizing payment of bills from the Water and Sewer Fund in the amount of \$219,748.29 was offered by Mr. Vaccaro, seconded by Mr. Frattini and approved by the following roll call vote; Councilmen: Frattini, Vaccaro, Weiner, Fusaro and Wallis; yea.

**Resolution #13-313** – Authorizing payment of bills from the Water and Sewer West Fund in the amount of \$135,110.31 was offered by Mr. Vaccaro, seconded by Mr. Frattini and approved by the following roll call vote; Councilmen: Frattini, Vaccaro, Weiner, Fusaro and Wallis; yea.

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

**#13-008 - AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CHAPTER 245 OF THE CODE OF THE TOWNSHIP OF MANCHESTER ENTITLED LAND USE AND DEVELOPMENT**

Mr. Wallis asked Council if they had any comments on the above ordinance. Mr. Wallis said this ordinance should be defeated and will be reintroduced as Ordinance #13-010 as there are some minor changes. Seeing no further 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. Fusaro seconded by Mr. Vaccaro and **defeated** by the following roll call vote; Councilmen: Frattini, Vaccaro, Weiner, Fusaro and Wallis; yea.

**#13-009 AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP TO BECOME AN ENERGY AGGREGATOR**

Mr. Wallis asked if Council had any comments on the above ordinance.

Mr. Frattini felt that the energy aggregation companies were just out to make money. He did not feel that the government should be involved in this and it was the resident's choice to make the decision regarding their energy provider. Mr. Frattini felt the question should be put on the ballot to find out what the residents want.

Mr. Weiner respectfully disagreed with Mr. Frattini had to say. He felt it was a disservice to residents if Council did not do the research to decide if this is the right thing to do. If Council decides to do this, it may save residents fifteen percent on their electric bills. It will not cost the Township anything to look into this.

Mr. Frattini said all savings is hypothetical. He did not feel it was worth going into something that was not definitive.

Mr. Fusaro said all the numbers are hard numbers because the Township is not under contract but the savings would be between fifteen to eighteen percent. Residents are not required to join the energy aggregation. They can opt out. Mr. Fusaro said a bulk buy of electric would be cheaper. He felt it would be wrong of Council to ignore the potential. Mr. Fusaro said he was willing to go out to the villages to explain the program.

Mr. Wallis felt that Mr. Weiner's intentions are good. He just wants residents to save money. However, Mr. Wallis did not feel that residents should have to "opt-out."

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

**Mr. Mathias – LVW:** Mr. Mathias disagrees with the "opt-out" clause.

**Rita Ellerd – LVW:** Ms. Ellerd felt that this program would not be worth the savings because the savings was only on the generation fee.

**Beverly Cadonzi – LVW:** Ms. Cadonzi suggested that Manchester Township should be a test case. If the Township saves money on its electric bill than we can offer it to the residents.

**Elaine Baumeister – LVW:** Ms. Baumeister felt that Council is missing the point. She felt it was not a role for government.

**Celeste Boccini – LVW:** Ms. Boccini was worried that that there would not be a budget option.

**Pat Masterson – LVW:** Ms. Masterson suggested putting this topic aside until we see how neighboring towns do.

**Walter Dyluski – LVW:** Mr. Dyluski felt that Council was overstepping their bounds. He suggested looking at cutting items in the budget to save money.

**Carol Deluccia – Parkview Blvd.:** Ms. Deluccia felt that we should not trust government to make decisions for us. She felt our freedoms were being taken away.

**Norm Rosenberg – LVW:** Mr. Rosenberg felt that we should be able to "opt-in" to the program. Mr. Wallis explained that it was a state law that states it has to be an "opt-out" clause.

**Fred Lund – LVW:** Mr. Lund read a prepared statement. He felt that energy aggregation is complex and convoluted and should not be passed before exposing residents to the mountain of minute details in the program.

**Phil Carr – Good Energy:** Mr. Carr said energy aggregation represents another choice and could give residents better buying power.

**Ernie Mathias – LVW:** Mr. Mathias did not feel JCP&L would want to lose customers on the supply side.

**Beverly Kraft – LVW:** Ms. Kraft asked for clarification on JCP&L's roll in this situation.

**Pat Masterson – LVW:** Ms. Masterson was concerned that JCP&L could still raise rates on the delivery side.

**Celeste Boccini LVW:** Ms. Boccini was concerned with who would generate her electric bill if only the supplier would be changed. She also asked if discounts would be given for using electric during non-peak hours. Mr. Carr of Good Energy said that JCP&L would still be providing your bill and discounts would not be given during non-peak hours.

**Elaine Baumeister – LVW:** Ms. Baumeister asked if the fee of the energy aggregation company would be included in the per kilowatt hour charge. Mr. Carr advised that it was.

**Beverly Cadonzi – LVW:** Ms. Cadonzi asked Mr. Carr where Good Energy was located. Mr. Carr advised that they were out of New York.

**Sue Bailey – LVW:** Ms. Bailey asked if this would have an effect on commercial businesses. Mr. Carr advised that commercial businesses have different energy rates.

**Walter Dyluski – LVW:** Mr. Dyluski asked what Plumsted's rate was under the energy aggregation. Mr. Carr advised it was 8.5 cents per kilowatt hour.

**Beverly Cadunzi – LVW:** Ms. Cadunzi asked if the municipal buildings would be covered under the energy aggregation. Mr. Carr advised it was residential only.

**Pat Masterson – LVW:** Ms. Masterson advised that she wanted the choice to pick her own electric provider.

**Ken Palmer – 101 Conrad Ct.:** Mr. Palmer asked for specifics on the energy aggregation process.

Mr. Frattini felt that seniors would not know how to "opt-out". Mr. Carr said if his company was chosen, they would make a commitment to go out to the senior communities to explain the process.

**Marge Camposano – Whiting:** Ms. Camposano does not think it is Council's place to worry about electric costs. They should worry about property tax.

**Virginia Martin – Renaissance:** Ms. Martin felt that Council should worry about property taxes.

**Sandy Kaufmann – LVW:** Mr. Kaufmann said that he would not vote for whomever votes for energy aggregation in the next election.

Mr. Hensel asked Mr. Carr to remind everyone of the "opt-out" process. He also asked if energy aggregation was regulated by the New Jersey Board of Public Utilities. Mr. Carr said that it is.

Mr. Fusaro asked Mr. Carr if any Illinois municipalities rejected energy aggregation after the first year. Mr. Carr responded that all 107 communities in Illinois re-signed.

**Pat Masterson – LVW:** Ms. Masterson asked where Mr. Weiner got his research from. Mr. Weiner responded that he did a significant amount of research on the internet as well as speaking with various legislators, energy aggregation companies and neighboring municipalities.

**Walter Dyluski – LVW:** Mr. Dyluski asked what the new rate would be. Mr. Carr said that it was roughly 8.5 percent.

Seeing no further 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. Frattini and **adopted** by the following roll call vote; Councilmen: Vaccaro, Weiner and Fusaro; yea. Mr. Frattini and Mr. Wallis; no.

**ORDINANCES – Introduction and First Reading**

**#13-010 - AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CHAPTER 245 OF THE CODE OF THE TOWNSHIP OF MANCHESTER TO REVISE ZONING WITHIN PORTIONS OF THE PINELANDS AREA**

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

Mr. Skibo mentioned that the Second Reading for this ordinance will be November 25, 2013 so it gives the Planning and Zoning Boards adequate time to review the ordinance.

**#13-011 - AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CONVEYANCE OF CERTAIN TOWNSHIP OWNED LANDS KNOWN AS BLOCK 1.144, LOT 9 TO RIDGEWOOD VILLAGE ESTATES, INC., IN EXCHANGE FOR THE CONVEYANCE TO THE TOWNSHIP OF MANCHESTER OF BLOCK 1.99, LOT 19**

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

**#13-012 - AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 396 OF THE TOWNSHIP CODE ENTITLED TOWING**

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

**#13-013 - AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CHAPTER 245 OF THE CODE OF THE TOWNSHIP OF MANCHESTER ENTITLED LAND USE AND DEVELOPMENT**

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

Mr. Skibo mentioned that the Second Reading for this ordinance will be November 25, 2013 so it gives the Planning and Zoning Boards adequate time to review the ordinance.

**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 Council members had any comments on any items on the consent agenda. Seeing no comments from Council, Mr. Wallis asked if there were any comments from the public on any item on the consent agenda.

Seeing no comments from the Public, Mr. Wallis closed this portion of the meeting.

**Resolutions #13-302 and #13-314 through #13-338 were considered routine by the Manchester Township Council and were enacted by one motion offered by Mr. Vaccaro, seconded by Mr. Weiner and adopted by the following roll call vote; Councilmen: Frattini, Vaccaro, Weiner, Fusaro and Wallis; yea.**

**A. FINANCE**

**#13-314 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, WAIVING A PROPERTY CHANGE REQUEST FEE FOR A DONATION OF PROPERTY FOR BLOCK 99.16 LOT 25 (200 Foster St.)**

**#13-315 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE REFUNDS REQUESTED BY THE TAX COLLECTOR**

**#13-316 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE REFUNDS REQUESTED BY THE TAX COLLECTOR**

**#13-317 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES AS TO BLOCK 61.16, LOT 297 FOR A TOTALLY DISABLED VETERAN**

**#13-318 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES AS TO BLOCK 71.02, LOT 87 FOR A TOTALLY DISABLED VETERAN**

**#13-319 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES AS TO BLOCK 98.04, LOT 27 FOR A TOTALLY DISABLED VETERAN**

**#13-320 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES AS TO BLOCK 52.19, LOT 20 FOR A TOTALLY DISABLED VETERAN**

**#13-321 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES AS TO BLOCK 102.24, LOT 64 FOR A TOTALLY DISABLED VETERAN**

**#13-322 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES AS TO BLOCK 98.02, LOT 12 FOR A TOTALLY DISABLED VETERAN**

**B. PURCHASING**

**#13-323 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE DIVISION OF PURCHASING TO ADVERTISE FOR SOLICITATIONS OF PROFESSIONAL SERVICE CONTRACTS FOR THE 2014 CALENDAR YEAR**

**#13-324 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE DISPOSITION OF MISCELLANEOUS OFFICE FURNITURE IN THE POSSESSION OF THE TOWNSHIP AT AUCTION ON GOVDEALS.COM**

**C. CONTRACTS/AGREEMENTS**

**#13-302 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH GRAMCO BUSINESS COMMUNICATIONS FOR THE PURCHASE OF A BOSCH SOUND SYSTEM FOR THE COURTROOM**

**#13-325 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN INTERLOCAL SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF MANCHESTER AND THE MANCHESTER TOWNSHIP BOARD OF EDUCATION**

**#13-326 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO DEVELOPER'S AGREEMENT**

**#13-327 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT WITH ROBERT G. CIMER, DVM, CALLING ALL CREATURES VETERINARY HOSPITAL**

**#13-328 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT WITH THE WHITING VETERINARY CLINIC**

**#13-329 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A CONTRACT WITH FRA TECHNOLOGIES FOR THE MAINTENANCE OF SOFTWARE PROGRAMS FOR THE MUNICIPAL CLERK'S OFFICE**

**#13-330 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AGREEMENT WITH THE COUNTY OF OCEAN FOR THE INSTALLATION OF FLASHING ADVANCE RAILROAD WARNING SIGNS ON ROUTE 539**

**#13-331 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT WITH SUNGARD PUBLIC SECTOR INC.**

**#13-332 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTERING INTO A CONTRACT FOR THE INSTALLATION OF REPLACEMENT WINDOWS AT THE TOWN HALL MUNICIPAL OFFICES**

**#13-333 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A CONTRACT WITH MITCHELL HUMPHREY FOR A LICENSE FEE FOR FAST TRACK GOV**

**#13-334 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDED A CONTRACT FOR PROFESSIONAL SERVICES TO HALL REALTY CONSULTANTS, LLC, PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 40A:11-5**

**D. BONDS/ESCROW**

**#13-335 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, RELEASING A MAINTENANCE BOND POSTED BY WHITING PINES REALTY CORP. INC. FOR A PROJECT KNOWN AS TRENTON AVE. EXTENSION\BLOCK 99.252 LOT 15**

**#13-336 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, RELEASING UTILITIES MAINTENANCE GUARANTEES AND ESCROWS POSTED BY DAVECO INDUSTRIAL, LLC IN CONJUNCTION WITH A PROJECT KNOWN AS QUICK CHEK - BLOCK 30, LOT 636**

**E. GRANTS**

**#13-337 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE APPLICATION FOR A DRUNK DRIVING ENFORCEMENT FUND GRANT FOR THE POLICE DEPARTMENT**

**F. MISCELLANEOUS**

**#13-338 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE UPDATING OF THE TOWNSHIP RECREATION AND OPEN SPACE INVENTORY (R.O.S.I.)**

**REPORTS**

**Mr. Weiner:** Mr. Weiner attended a meeting of the Ocean County Mosquito Commission. Routine business was discussed.

**Mr. Fusaro:** The annual Veterans' Day Ceremony will be held on November 11, 2013 at 11:00 a.m. He hoped to see everyone at the ceremony. Mr. Fusaro read the end of summer numbers for the Police Department. Numbers were up from last year.

**Mr. Vaccaro:** Mr. Vaccaro attended several events and meetings throughout the area including a meeting of the New Jersey Pinelands Commission and the Columbus Day Parade in Seaside Heights.

**Mr. Frattini:** Mr. Frattini attended a meeting with Mayor Fressola at Leisure Ridge to celebrate the 25<sup>th</sup> anniversary of the development.

**Mr. Wallis:** Mr. Wallis read the First Aid report for September 2013.

**Ms. Zsoldos:** Ms. Zsoldos gave an update on union negotiations. Hopefully an agreement can be reached soon. The Western Service Area is officially closed. All operations have now moved to the Tax Collector's Office.

**Mr. Hensel:** Mr. Hensel gave an update on the Peter Karras land sale. The closing has been held up due to some issues with his estate.

**Ms. Skibo:** Ms. Skibo advised of a new mobile application that is available that gives updates on election deadlines.

**Ms. Lapp:** Ms. Lapp gave an update on the Best Practices Checklist.

**PUBLIC: None**

**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. Vaccaro, seconded by Mr. Weiner and the approved by the following roll call vote; Councilmen: Frattini, Vaccaro, Weiner, Fusaro and Wallis; yea.

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Craig Wallis  
Council President

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Sabina T. Skibo, R.M.C.  
Township Clerk

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Date Adopted