

**MANCHESTER TOWNSHIP  
MEETING MINUTES  
October 28, 2019**

The meeting of the Manchester Township Council was called to order at 6:00 p.m. by Councilwoman Joan Brush. 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.”

**FLAG SALUTE**

**ROLL CALL**

The following roll call was taken by the Municipal Clerk:

Councilman Robert Hudak	- present
Councilman James Vaccaro	- present
Councilman Sam Fusaro	- present
Councilman Craig Wallis	- absent
Councilwoman Joan Brush	- present

The Municipal Clerk noted for the record that also present were Township Attorney Angela Koutsouris-Zografos, Business Administrator Donna Markulic, Assistant Business Administrator Jim Gant, Mayor Kenneth T. Palmer, Arthur Abline and Lt. Komsa.

**PRESENTATION**

NJ State Fire Service – Structural Protection Drill presented by Bill Brash of the New Jersey Forest Fire Service. The drill will be on November 9<sup>th</sup> from 8:30 a.m. to 2 p.m. On November 7<sup>th</sup> there will be a meeting for Fox Hollow residents at the Whiting Fire House from 6-7:30 p.m.

**SUBMISSION OF BILLS**

**#19-371** - Authorizing payment of bills from the Current Fund in the amount of \$1,027,791.31 was offered upon a motion by Councilman Vaccaro, seconded by Councilman Hudak and approved by the following roll call vote: Councilmembers Hudak, Vaccaro, Fusaro, and Brush; yea. Mr. Wallis, absent.

**#19-372** - Authorizing payment of bills from the Eastern Service Area in the amount of \$108,039.65 was offered upon a motion by Councilman Hudak, seconded by Councilman Vaccaro and approved by the following roll call vote: Councilmembers Hudak, Vaccaro, Fusaro, and Brush; yea. Mr. Wallis, absent.

**#19-373** - Authorizing payment of bills from the Western Service Area in the amount of \$108,621.40 was offered upon a motion by Councilman Fusaro, seconded by Councilman Vaccaro and approved by the following roll call vote: Councilmembers Hudak, Vaccaro, Fusaro, and Brush; yea. Mr. Wallis, absent.

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

**#19-036 - AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING THE DONATION OF BLOCK 99.107, LOT 25 PURSUANT TO N.J.S.A. 40A:12-5(a)(1) et seq. (1810 Roosevelt Blvd.)**

Councilwoman Brush asked if any member of Council had any comments on this ordinance. Seeing no comments from Council, Councilwoman Brush asked if there were any comments from the public. Seeing no comments from the public, Councilwoman Brush closed this portion of the meeting.

The above ordinance was offered upon a motion by Councilman Vaccaro, seconded by Councilman Fusaro and approved by the following roll call vote: Councilmembers Hudak, Vaccaro, Fusaro, and Brush; yea. Mr. Wallis, absent.

**ORDINANCES - First Reading and Introduction**

**#19-037 - AN ORDINANCE AUTHORIZING THE SALE OF LOT 13 IN BLOCK 1.170 IN THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, PURSUANT TO N.J.S.A. 40A:12-1 et seq. (1316 Ninth Avenue)**

The above ordinance was offered upon a motion by Councilman Vaccaro, seconded by Councilman Fusaro and approved by the following roll call vote: Councilmembers Hudak, Vaccaro, Fusaro, and Brush; yea. Mr. Wallis, absent.

**#19-038 - AN ORDINANCE AUTHORIZING THE SALE OF LOT 35 IN BLOCK 1.84 IN THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, PURSUANT TO N.J.S.A. 40A:12-1 et seq. (2121 Fourth Avenue)**

The above ordinance was offered upon a motion by Councilman Vaccaro, seconded by Councilman Hudak and approved by the following roll call vote: Councilmembers Hudak, Vaccaro, Fusaro, and Brush; yea. Mr. Wallis, absent.

**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.

Resolutions #19-374 through #19-392 were considered routine by the Manchester Township Council and were enacted by one motion offered by Councilman Fusaro, seconded by Councilman Hudak and adopted by the following roll call vote: Councilmembers Hudak, Vaccaro, Fusaro, and Brush; yea. Mr. Wallis, absent.

**A. LAND USE**

**#19-374 - RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, DIRECTING AND AUTHORIZING A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER A**

**PROPOSED STUDY AREA QUALIFIES AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-5**

**B. FINANCE**

**#19-375 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING REFUND OF PAYMENT FOR CERTIFIED PROPERTY OWNER REQUEST FEE**

**C. MUNICIPAL CLERK**

**#19-376 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE MUNICIPAL CLERK TO EXECUTE ONE NEW JERSEY STATE FIREMEN'S ASSOCIATION MEMBERSHIP APPLICATION**

**D. GRANTS**

**#19-377 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING APPLICATION FOR A NEW JERSEY TRANSIT GRANT FOR SENIOR CITIZENS AND PERSON WITH DISABILITIES**

**E. RECREATION**

**#19-378 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING CERTAIN FEES FOR RECREATION THEATER TRIPS**

**F. PURCHASING**

**#19-379 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY AWARDED A CONTRACT FOR THE PROJECT KNOWN AS SCHOOLHOUSE ROAD IMPROVEMENTS – PHASE 1 PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 40A:11-1 ET SEQ.**

**#19-380 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, GRANTING THE DONATION OF EIGHT (8) USED PATROL PC R12 MDTs TO THE FLORALA POLICE DEPARTMENT**

**#19-381 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE DIVISION OF PURCHASING TO ADVERTISE AND RECEIVE BIDS FOR THE INSTALLATION OF A FIXED BASE RADIO METER READING SYSTEM AND REPLACEMENT OF SELECTED METERS**

**G. CONTRACTS/AGREEMENTS**

**#19-382 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF**

**OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ASSIGNMENT OF TAX SALE CERTIFICATES HELD BY MANCHESTER TOWNSHIP**

**#19-383 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING AN ALTERNATE FORM OF CONTRACT TO AND AUTHORIZING THE APPOINTMENT OF SEAN P CANNING OF THE CANNING GROUP LLC. FOR QPA CONSULTING SERVICES AS PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5**

**#19-384 - RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING DEVELOPER'S AGREEMENT WITH ARYA PROPERTIES, LLC, BLOCK 21, LOTS 621, 622, AND 1712, MANCHESTER TOWNSHIP, NEW JERSEY**

**H. BONDS/ESCROWS**

**#19-385 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, RELEASING A PERFORMANCE GUARANTEE PENDING THE POSTING OF A MAINTENANCE BOND AND ADDITIONAL ESCROW IN CONNECTION WITH A PROJECT KNOWN AS PULTE HOMES-RIVER POINTE-PHASE 3, BLOCK 71 LOT 8**

**#19-386 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, RELEASING A PERFORMANCE GUARANTEE PENDING THE POSTING OF A MAINTENANCE BOND AND ADDITIONAL ESCROW IN CONNECTION WITH A PROJECT KNOWN AS PULTE HOMES-RIVER POINTE-PHASE 5, BLOCK 71 LOT 8**

**#19-387 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, RELEASING ESCROW POSTED BY CATHOLIC CHARITIES DIOCESE OF TRENTON BLOCK 98 LOT 27 (88 SCHOOLHOUSE ROAD)**

**#19-388 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, RELEASING ESCROW POSTED BY ANTHONY SCHIANO BLOCK 36 LOTS 1.02&1.03 (1871&1891 RIDGEWAY ROAD)**

**#19-389 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, RELEASING A PERFORMANCE GUARANTEE PENDING THE POSTING OF A PERFORMANCE BOND, A MAINTENANCE BOND AND ADDITIONAL ESCROW IN CONNECTION WITH A PROJECT KNOWN AS AUTUMN RIDGE @ MANCHESTER (FORMERLY 3085 ROUTE 571 MANCHESTER ASSOCIATES, LLC)**

**I. LEGISLATION**

**#19-390 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, CALLING FOR STUDY COMMISSION TO REVIEW THE OPEN PUBLIC RECORDS ACT**

## **J. MISCELLANEOUS**

**#19-391 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING THE CERTIFICATION OF THE DIRECTOR OF PUBLIC WORKS CONCERNING COSTS INCURRED IN THE REMOVAL OF DEBRIS AND CLEAN UP OF THE PROPERTY LOCATED AT 4 HAROLD PLACE (BLOCK 45.07 LOT 26), AND AUTHORIZING THE PLACEMENT OF A LIEN AGAINST SAID PROPERTY FOR SAID COSTS**

**#19-392 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING THE CERTIFICATION OF THE DIRECTOR OF PUBLIC WORKS CONCERNING COSTS INCURRED IN THE REMOVAL OF DEBRIS AND CLEAN UP OF THE PROPERTY LOCATED AT 2165 HOLLY HILL ROAD (BLOCK 25 LOT 1431) AND AUTHORIZING THE PLACEMENT OF A LIEN AGAINST SAID PROPERTY FOR SAID COSTS**

### **REPORTS**

**Mr. Hudak:** Mr. Hudak attended fundraiser for Anthony D'Antonio at Friendly's restaurant. He also attended trunk or treat this past weekend.

**Mr. Vaccaro:** Mr. Vaccaro attended Mayor's breakfast at Community Medical Center. He also attended the Manchester Coordinating Council meeting. Mr. Vaccaro encouraged the Council to consider a ban on flavored vaping products, and ban the growth and distribution of marijuana in Manchester Township. Mr. Vaccaro gave the Municipal Clerk flyers regarding a Veteran recognition program on November 5<sup>th</sup> at Community Medical Center from 9 a.m. to 12 p.m.

**Mr. Fusaro:** Mr. Fusaro stated that he has been attending the Manchester Coordinating Council meetings for five years and the membership has grown significantly. He said the board for the Coordinating Council is doing a great job.

**Mrs. Brush:** Mrs. Brush left flyers on the table for Veterans. She stated that the Veteran's ceremony will be on November 11<sup>th</sup> at 11 a.m. Mrs. Brush reminded the audience that the Chili Cook off is this 6 p.m. Friday at the football field off Route 571.

**Mrs. Martin:** Mrs. Martin reminded the audience to vote on Election Day and stated that the November meetings have been consolidated to one meeting on November 18 at 6 p.m.

**Mayor Palmer:** Mayor Palmer thanked Art Abline and Bill Brash for their work on the fire safety program.

### **PUBLIC**

**Donna Amendt, 27 Clear Lake Road** – Mrs. Amendt asked the status of the wildlife ordinance she brought up to council previously.

Township Attorney Angela Koutsouris-Zografos stated that she has not drafted an ordinance yet because there is difficulty in deciding who would enforce it.

**Ruth Pavelchek, County Walk** – Mrs. Pavelchek commented on the condition of a property in Whiting.

Business Administrator Donna Markulic stated that a lien was placed on that specific property at a previous meeting.

Seeing no further public comment Council President Brush closed that portion of the meeting.

**EXECUTIVE SESSION**

**#19-393 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, IN ACCORDANCE WITH SECTION 2 OF THE OPEN PUBLIC MEETINGS ACT, CHAPTER 231, PUBLIC LAWS OF 1975**

A motion to enter into Executive Session was made by Councilman Vaccaro, seconded by Councilman Hudak and approved by the following roll call vote: Councilmembers Hudak, Fusaro, Wallis, and Brush; yea. Mr. Wallis, absent.

The Executive Session was adjourned at 8:00 p.m. upon a motion by Councilman Fusaro, seconded by Councilman Vaccaro and approved by the following roll call vote: Councilmembers Hudak, Vaccaro, Fusaro, Wallis, and Brush; yea.

The regular meeting session was reconvened at 8:05 p.m. upon a motion by Councilman Hudak, seconded by Councilman Fusaro and approved by the following roll call vote: Councilmembers Hudak, Fusaro, Wallis and Brush; yea.

**ADJOURNMENT**

There being no further comments or business to come before Council at this time, the meeting was adjourned at 8:06 p.m. upon a motion by Councilman Hudak seconded by Councilman Vaccaro and approved by the following roll call vote: Councilmembers Hudak, Vaccaro, Fusaro, and Brush; yea. Mr. Wallis, absent.

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Joan Brush  
Council President

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Sabina Martin, RMC  
Municipal Clerk

11/18/2019  
Date Approved