

**MANCHESTER TOWNSHIP
REGULAR MEETING MINUTES**

June 26, 2023

CALL TO ORDER

The regular meeting of the Manchester Township Council was called to order at 6:00 p.m. by Roxy Conniff, Council President. The following statement was read by Teri Giercyk, Municipal Clerk:

STATEMENT

“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 Joseph Hankins	- present
Councilman James Vaccaro	- present
Councilman Craig Wallis	- absent
Councilwoman Michele Zolezi	- present
Councilwoman Roxy Conniff	- present

The Municipal Clerk noted for the record that also present were Mayor Arace, Township Attorney Lauren Staiger, Business Administrator Carl Block, Sgt. Rob Sharry, Captain Komsa, Gary Sylvester, Pasquale Popolizio.

APPROVAL OF MINUTES

Regular Meeting Minutes - June 12, 2023 were offered upon a motion made by Councilman Vaccaro, seconded by Councilwoman Zolezi and approved by the following roll call: Councilmember, Hankins, Vaccaro, Zolezi, and Conniff. Mr. Wallis, absent.

SUBMISSION OF BILLS

#23-275 - Current Fund authorizing payment of bills from the Current Fund in the amount of \$2,046,519.96 was offered by Councilman Vaccaro who stated he reviewed bills with Councilman Hankins, seconded by Councilman Hankins were approved upon the following roll call: Councilmembers Hankins, Vaccaro, Zolezi, and Conniff. Yea. Mr. Wallis, absent.

Karen Perry – Thornberry Lane – Ms. Perry questioned the bill for truck repair under PD for a 2013 Truck in the amount of \$12,000.00. That is a lot of money for a 10-year-old truck. Mr. Vaccaro assured her he reviewed the bills, and everything was correct. Council President asked the Municipal Clerk to review the invoice.

#23-276 - Utility Fund – ESA in the amount of \$115,762.68 were offered by Councilman Vaccaro, seconded by Councilman Hankins and were approved by the following roll call: Councilmembers Hankins, Vaccaro, Zolezi, and Conniff. Yea. Mr. Wallis, absent.

#23-277 - Utility Fund – WSA in the amount of \$122,490.72 were offered by Councilman Vaccaro, seconded by Councilman Hankins and were approved by the following roll call: Councilmembers Hankins, Vaccaro, Zolezi, and Conniff. Yea. Mr. Wallis, absent. Ms. Zolezi abstained from check # 11882 in the amount of \$1067.05.

ORDINANCES - Second Reading, Public Hearing and Final Action

#23-08 - AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE OF ORDINANCES TO AMEND PORTIONS OF CHAPTER 245, ENTITLED LAND USE AND DEVELOPMENT, AND CHAPTER 267, ENTITLED MOBILE HOMES AND TRAILERS

Council President asked if any member of Council had any comments on this ordinance. Seeing none, Councilwoman Conniff if there were any comments from the public.

Keith Forgue – Madison Avenue – Mr. Forge suggested that this ordinance be tabled and to look at wording.

- Description of building – could be anything.
- Places of Assembly -leaves loophole
- Gathering by ordained bodies of the community
- Temporary uses – structures

He submitted his constructive language recommendations, and he thought some of the wording should be clarified. Also, he asked for clarification regarding 245-28B, in regard to parking spaces, and is that four people per car.

Pasquale clarified the change was made to four people per car, not four seats.

No further public comment. Council President asked for a motion to table ordinance for further review. Councilman Vaccaro made motion, seconded by Councilman Hankins. Roll call: Councilmembers Hankins, Vaccaro, Zolezi, Conniff. Yea. Mr. Wallis, absent. Council President stated we will further review this ordinance.

#23-09 - AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE OF ORDINANCES TO AMEND APPENDIX OF CHAPTER 245, ENTITLED ZONING MAP

Councilwoman Conniff asked if any member of Council had any comments on this ordinance. Seeing no comments from Council, Councilwoman Conniff asked if there were any comments from the public. Seeing no comments from public, Councilman Vaccaro made a motion to approve, seconded by Councilman Hankins. Roll Call: Hankins, Vaccaro, Zolezi, Conniff. Yea. Mr. Wallis, absent.

#23-19 - AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 313 OF THE TOWNSHIP CODE ENTITLED “PROPERTY MAINTENANCE,” SO AS TO CREATE ARTICLE V, WHICH SHALL BE ENTITLED “RENTAL REGULATIONS; BONDING REQUIREMENTS”

Councilwoman Conniff asked if any member of Council had any comments on this ordinance. Seeing no comments from Council, Councilwoman Conniff asked if there were any comments from the public. Seeing no comments from public, Councilman Vaccaro made a motion to approve, seconded by Councilman Hankins. Roll Call: Hankins, Vaccaro, Zolezi, Conniff. Yea. Mr. Wallis, absent.

#23-21 - AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CHAPTER 326 OF THE TOWNSHIP CODE ENTITLED “RENT LEVELING”

Councilwoman Conniff asked if any member of Council had any comments on this ordinance. Seeing no comments from Council, Councilwoman Conniff asked if there were any comments from the public. Seeing no comments from public, Councilman Vaccaro made a motion to approve, seconded by Councilman Hankins. Roll Call: Hankins, Vaccaro, Zolezi, Conniff. Yea. Mr. Wallis, absent.

#23-22 - BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT FOR THE TOWNSHIP POLICE DEPARTMENT AND VOLUNTEER FIRE COMPANY, APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF MANCHESTER, IN THE COUNTY OF OCEAN, NEW JERSEY

Councilwoman Conniff asked if any member of Council had any comments on this ordinance. Seeing no comments from Council, Councilwoman Conniff asked if there were any comments from the public. Seeing no comments from public, Councilman Vaccaro made a motion to approve, seconded by Councilman Hankins. Roll Call: Hankins, Vaccaro, Zolezi, Conniff. 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.

Councilwoman Conniff asked if any member of Council had any comments on any item on the consent agenda. Seeing no comments from Council, Councilwoman Conniff asked if there were any comments from the public on any items on the consent agenda.

Seeing no comments from the public, Councilwoman Conniff closed this portion of the meeting.

Resolutions #23-278 - #23-293 were offered by one motion by Councilman Vaccaro, seconded by Councilman Hankins and approved by the following roll call: Councilmembers Hankins, Vaccaro, Zolezi and Conniff, yea. Mr. Wallis, absent.

A. FINANCE

#23-278 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING TO MOVE UNRETURNED VOUCHER REQUESTS TO THE GENERAL FUND

#23-279 - 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 226 FOR A TOTALLY DISABLED VETERAN

#23-280 - 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 15 FOR A TOTALLY DISABLED VETERAN

#23-281 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO EXTEND THE GRACE PERIOD FOR THE AUGUST 2023 TAX BILLS

#23-282 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE REFUNDS REQUESTED BY THE TAX COLLECTOR

B. LICENSING

#23-283 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE

#23-284 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSES

C. GRANTS

#23-285 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING APPLICATION FOR PROPOSAL OF FUNDING THROUGH THE OCEAN COUNTY OFFICE OF SENIOR SERVICES

#23-286 - RESOLUTION OF MANCHESTER TOWNSHIP, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING APPLICATION FOR PROPOSAL OF FUNDING THROUGH THE OCEAN COUNTY OFFICE OF SENIOR SERVICES

D. APPOINTMENT

#23-287 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDED A CONTRACT TO AND AUTHORIZING THE APPOINTMENT OF ACACIA FINANCIAL GROUP, INC. AS FINANCIAL ADVISOR, PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.

E. LEGISLATION

#23-288 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, URGING THE PASSAGE OF S3906

F. MISCELLANEOUS

#23-289 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO COMBAT THE SPOTTED LANTERNFLY POPULATION WITHIN THE TOWNSHIP

#23-290 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, OPPOSING THE JANUARY 2024 TOLL HIKE BY THE NEW JERSEY TURNPIKE AUTHORITY

G. CONTRACTS/AGREEMENTS

#23-291 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE APPLICATION TO THE LEAD GRANT ASSISTANCE PROGRAM (LGAP)

#23-292 - RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE OCEAN COUNTY UTILITIES AUTHORITY AND THE JACKSON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

#23-293 - RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING EXECUTION OF A NEW JERSEY STRUCTURED LEARNING EXPERIENCE (“SLE”) AGREEMENT

REPORTS:

Councilman Hankins – The last two Thursdays, he sat in on Homeland Security meetings in Trenton. Support for A757, which is for residents tax deduction. Mr. Hankins read the following statement into the record.

I find it necessary to correct some misstatements and exaggerations made at the last Township meeting by Tom Donner a resident and member of the Whiting Fire Department.

But some history must be laid out first. While running for the position of Councilman, myself, Councilwoman Conniff, and Mayor Arace met with the members of the Whiting and Ridgeway volunteer fire companies on multiple occasions. In discussions, when we asked what the number one concern was, they had for their and the resident's safety, the paging system, portable radios, and communications with dispatch were identified as their number one concern.

After the election, in meetings with the Fire Chiefs and police Chief these issues were again brought up as the number one concern for the township by the fire chiefs. Chief Dolan did feel there was room for improvement, but it was not at the level that public safety was in danger.

Mayor Arace, Chief Dolan, Business Administrator Block drafted a plan for necessary improvements to the systems mentioned. CFO Lapp was asked to fit the costs into her already stressed budget. With a solution planned, Council was asked to approve a 2-million-dollar bond to put that plan into action.

On the same night, Council voted on and approved funds to address what was identified by the Chief of the Whiting Fire Department as his number one concern for public and fire fighter safety. Mr. Donner addressed the Council in the public comment segment of the meeting. I encourage every resident to reach out to Council members both in person and during the public comment portion of the meeting. But in my opinion, Mr. Donner's only goal was to publicly shame the Council for not doing enough to finance operations at the Whiting Fire Department. With the current Fire Chief present in the meeting and several members from the department, no one interrupted him or offered an opposing view. His first concern was that there were limited funds left in the budget for equipment and maintenance. Me being a member and past Chief of one of the Townships three volunteer fire departments, I remember when the department would obtain a loan to purchase fire trucks and pay them off over time. When the Township began purchasing trucks for the companies, it was with the understanding they would be maintained by the department that had the truck. I commend Mayor Hudak, and Council members who supported placing a line item in the budget for fire equipment, maintenance, and training. This is something I tried to do when I was Fire Chief in 1993. Fast forward to 2023, (wow 30 years, the speed of government frightens me), Mayor Arace looked at last year's \$180,000.00 that was budgeted and the anticipated expenses for mandatory maintenance. He increased the budgeted amount to \$230,000.00 believing an additional \$50,000.00 was sufficient. To recap, \$2,300,000.00 of taxpayer money is being earmarked for improved firefighting and emergency services.

I then looked into the funding available to Whiting Fire Department via a public website that tracks not for profit entities. That website shows the Whiting Volunteer Department has assets in excess of \$1,400,000.00. Yes over \$1,400,000.00. I have always known the residents of Whiting were supportive of their Volunteer Fire and First Aid service. I believe the good people who send in those donations expect to see it used to better protect the people served. We have to work together to achieve goals.

Mr. Donner then focused on his concerns to the age of the tires on the firetrucks in his station citing NFPA guidelines of 7-year replacement and DOT 10-year replacement as a possible concern for safety. It needs to be understood that the National Fire Protection Association (NFPA) is a not for profit that has made its mission to establish guidelines to follow for best practices. The state of New Jersey is NOT a state that recognizes or requires the NFPA guidelines to be followed. The issue some folks have is they are not always practical and are often cost prohibitive. For instance, the NFPA puts a 10-year timeline from date of manufacture on all turnout coats and bunker pants worn by fire fighters. So, if the Township buys spare coats and bunker pants keeps it wrapped in the shipping plastic free from any contaminants away from ultraviolet light and it is not placed in service for five years, that gear is only able to be used for five more years whether or not that firefighter is involved in fire fighting operations or not. But back to the tires. The large tire manufacturers were involved in the writing of these guidelines, and it should be no surprise they want you to buy tires. The Department of Transportation (DOT) on the other hand, I would expect to only have the public safety in mind. I asked the Manchester Police Traffic Safety Unit to see what could be found on the topic. The report I received back was they could not find anything specific to the age of tires for commercial vehicles. DOT seemed to stress ample tread, and no sign of dry rot. By coincidence, I observed a NJ State Trooper conducting a commercial vehicle inspection. I stopped and spoke with him, I was certain he would know of a 10 year tire replacement standard if

it existed. He confirmed he was assigned to the Commercial Vehicle unit of NJSP. He advised me he has never heard of a DOT requirement to replace tires after 10 years. His inspection includes: tire tread, signs of uneven tread wear, dry rot, and proper tire inflation, all seemingly valid safety concerns.

During his statement, Mr. Donner also spoke of the \$30,000.00 annual contribution made to the Volunteer Fire Companies by the Municipality to assist with maintenance, gear, and operation costs. He misinformed the public when he stated that was the minimum amount the municipal government could give. The fact of the matter is \$30,000.00 was the maximum by law the municipality could provide to volunteer fire and first aid squads up until 2015. I applaud prior administrations for providing that maximum support. In 2018, the law was changed to allow a \$50,000.00 contribution. Perhaps with 1.4 million in assets, the Council did not see fit to increase the annual disbursement. The one thing that has come to light is the majority of the \$230,000.00 budgeted for this year has been spent with only \$17,000.00 remaining. I believe with the municipality providing trucks, equipment, fuel, the \$30,000.00 contribution should not be dispersed at this time and held for any emergency repairs that need to be made. I am aware of a collision between two fire trucks at the scene of a major structure fire that has taken one truck out of service. It is my suggestion the \$90,000.00 earmarked for contributions should be moved into the maintenance section of the budget to keep equipment operational and should there be a surplus at the end of the budget cycle, then and only then, should a disbursement be made. With \$1.4 million in assets, I am confident the fire company will be able to respond to calls for service to the residents that support it wholeheartedly.

Councilman Vaccaro – On June 13th he attended Senior Advisory Meeting, where resolution #23-285 and #23-286 were discussed. The township is having a Health Fair, more details to come. On June 20th he attended the Monmouth County Law and Public Safety graduation. On June 21st Council President Conniff and himself attended the bi-weekly meeting. On June 22nd he attended the Zoning Board meeting. On June 26th Crestwood Village had an agricultural speaker from Rutgers Cooks College with information on deer resistant plants. He stated that he is happy to report that the administrator has updated him on status on various topics regarding energy and solar projects.

Councilwoman Zolezi – She thanked everyone concerns for Manchester Day, it has been rescheduled for August. With the dry weather and forest fires, it's good to see some rain. Also, with the humidity and the air quality issues; please remember to check on children and seniors. We have a great police department, EMS, volunteers, and paid fire department. She reminded the public about the Environmental Commission meeting this Wednesday.

Council President – She stated that the Mayor and her attended the Manchester High School graduation. Thanks to all the firefighters who helped with the Father's Day fire. They did a tremendous job. There was a resident who had a lemonade stand to benefit a girl named Charlotte. Sadly, Charlotte lost her battle with cancer on Sunday. If anyone is interested in donating for funeral expenses, please see me. Everyone have a happy and safe 4th of July.

Mayor Arace – No report.

Mr. Block – He gave a quick update on energy master plan and stated that the State energy audit still in place. Also, solar feasibility being done but we will revisit that. Signed paperwork for solar panels on solar for land fill. EV charging stations are still being worked on, but it is a slow pace. He will keep everyone updated.

Capt. Komsa – He reminded everyone we have a Narcotics Unit team. Any tips, please call them in. Also, entrance exams will be July 22nd. If you know anyone who would like to submit, please have them contact us. Councilwoman Zolezi questioned if there is a deadline and Capt. Komsa responded that the deadline is July 19th.

PUBLIC COMMENT:

Gail Apgar – Columbus Blvd. – Thank you Mayor for preserved land on Pasadena Road.

Mayor stated it is 24 acres in Whiting obtained by County.

Bill Coon – Vintage Automobile Museum – Stratford Ct. – He stated that the museum is losing storage space. We are in the process of looking for warehouse space. Also looking to put on a car show towards the end of September. Only for antique car, trucks, and motorcycles.

Bonnie McFarland – Mallard – Thank you for looking into solar, rooftops and parking. Commended everyone on the Energy Aggregation Plan. It would be nice to add natural gas to that.

Mr. Block – He stated that they will also be looking into carports with solar. With an aggregation plan, we have to watch the cost as it may be higher.

ADJOURNMENT:

There being no further comments or business to come before Council at this time, a motion to close to public comments and adjourn the meeting at 6:50 pm was made by Councilman Vaccaro, seconded by Councilman Hankins approved by the following roll call: Councilman Hankins, Vaccaro, Zolezi and Conniff. Mr. Wallis, absent.

Roxy Conniff
Council President

Teri Giercyk, RMC/CMC
Municipal Clerk

7/10/2023
Date Approved