

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
JUNE 10, 2015
7:30 P.M. AT TOWN HALL**

The meeting of the Colts Neck Township Committee was called to order at 7:30 p.m. by Mayor Schatzle followed by a salute to the flag, led by the fourth grade students of Cedar Drive School. The following statement was read by Registered Municipal Clerk, Ms. Kara: "The notice requirements of the New Jersey Public Meetings Law have been satisfied by forwarding a News Release to the Asbury Park Press on December 20, 2014 stating that a regular meeting of the Colts Neck Township Committee would be held June 10, 2015 at 7:30 p.m., Colts Neck Town Hall, 124 Cedar Drive, Colts Neck, New Jersey. The notice requirements have been posted on the Township website and a copy is on file in the Office of the Township Clerk."

Roll call by Ms. Kara indicated the following:

Present: Mayor James Schatzle; Deputy Mayor Thomas Orgo; Committeemen Michael Fitzgerald and Russell Macnow

Also Present: Interim Township Administrator Thomas Antus, Registered Municipal Clerk Beth Kara, and Township Counsel John O. Bennett, III, Esq.

Absent: Committeeman Jarrett Engel

- 1. APPROVAL OF MINUTES:** Meeting of May 27, 2015. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and unanimously carried.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Schatzle		X			
Deputy Mayor Orgo		X			
Engel					X
Fitzgerald	M	X			
Macnow	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

- 2. MOTION TO APPROVE VOUCHERS:** Committeeman Macnow made a motion to move Agenda Item 16 to be the next agenda item, seconded by Mr. Fitzgerald and unanimously carried by voice vote. Mr. Fitzgerald stated he has reviewed the vouchers and recommends approval as follows:

Animal Control	\$85.68
Capital Fund	\$14,591.90
Construction Trust	\$11,103.89
Current Fund	\$3,638,406.92
Escrow	\$36,690.07
Grant Fund	\$10,198.40
Trust Fund	<u>\$8,324.02</u>
TOTAL:	<u>\$3,719,400.88</u>

Mr. Orgo made a motion to approve, seconded by Mr. Macnow and unanimously carried. Mayor Schatzle abstained from approving payment to T&M Associates.* Mr. Macnow abstained from approving payment to Sakoutis Brothers Disposal Incorporated**.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Schatzle		X*		X*	
Deputy Mayor Orgo	M	X			
Engel					X
Fitzgerald		X			
Macnow	S	X**		X**	
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

3. **PRESENTATION:** ANNUAL CLEAN COMMUNITIES AWARDS. Ms. Elaine Mann, Clean Communities Coordinator was joined by Ms. Desmond, Fourth Grade Teacher at Cedar Drive School, and Mayor Schatzle and presented the following awards to this year's Fourth Grade Clean Communities Poster Contest winners: First Place (\$100.00): Hidan Donohue, Abigail Sessa, Elena Kryzanekas, Julia Anne Kelly, Evan Montgomery; Second Place (\$50.00): Christina Dowd; Madison Burke; Christian Thompson; Lauren Alagna; Code Abutel; Third Place (\$25.00): Jared Krisman, Thomas Annunziata, Giavonna Clemente, Alexa Vieira, Patrick Keenan; Special Award (\$10.00): Sophie Deitrich, Frankie Rizzuto. The posters from the special award winners will be used in future Clean Communities advertisements soliciting groups to clean the roads within the Township. All winners received a round of applause, and photographs were taken with Mayor Schatzle, Ms. Desmond, and Ms. Mann.

4. **PRESENTATION:** APPOINTMENT OF NEW COLTS NECK POLICE OFFICER, MS. WHITNEY MOLINELLI, BY CHIEF KEVIN SAUTER AND MAYOR JAMES SCHATZLE. Chief Sauter commended the current Officers for doing a great job within the Township and for keeping the community safe and secure. Chief Sauter spoke of Ms. Molinelli's education and work experience noting she began her law enforcement career in Allenhurst as a Special Law Enforcement Officer, Class I, and achieved Class II status prior to her application to the Township. Chief Sauter stated Ms. Molinelli will be scheduled to attend the next Monmouth County Police Academy Basic Class starting August 3, 2015, part time, while working full-time for the Township.

5. **RESOLUTION 2015-75:** RESOLUTION CONFIRMING APPOINTMENT OF POLICE OFFICER WHITNEY MOLINELLI was read by title by Mayor Schatzle. This resolution confirms the appointment of Colts Neck Police Officer Whitney Molinelli, pursuant to the terms and conditions of an employment contract between P.B.A. Local 333 and the Township effective June 12, 2015. Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Schatzle		X			
Deputy Mayor Orgo		X			
Engel					X
Fitzgerald	S	X			
Macnow	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

6. **SWEARING IN OF POLICE OFFICER WHITNEY MOLINELLI:** Chief Sauter presented Ms. Molinelli with her shield, No. 60, which her husband, John, pinned. Mayor Schatzle swore in Ms. Whitney Molinelli, as her husband and children, Joseph and Rae Ann, held the bible. Also present were Ms. Molinelli's parents, Jacqueline and Harvey, a retired Corrections Officer. Ms. Molinelli received a standing ovation, photographs were taken and Mayor Schatzle called a five minute recess.

At 7:56 p.m. Mayor Schatzle called the meeting to order.

7. **PRESENTATION:** 2014 ANNUAL AUDIT. Mr. Antonides spoke of the change in fund balance, bond reserve and interest on investments. Mr. Antonides noted if no additional FEMA monies are received, the loan will be paid off over the next two years. Mr. Antonides stated there were no findings as a result of the 2014 audit. Mayor Schatzle noted it was a credit to Mr. Antonides and his staff that there were no findings this year, and he commended him for the great job they are doing.

8. **RESOLUTION 2015-76:** RESOLUTION CONFIRMING CERTIFICATION OF 2014 AUDIT. This resolution confirms the Governing Body have received and have familiarized themselves with, at least the “Comments and Recommendations” section of the 2014 annual audit. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and unanimously carried.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Schatzle		X			
Deputy Mayor Orgo		X			
Engel					X
Fitzgerald	M	X			
Macnow	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

9. **SIGNING OF AFFIDAVIT:** All members present signed the “Certification of Governing Body of the Annual Audit” this evening. Committeeman Engel signed an affidavit June 4, 2015. Both certifications will be sent to Trenton, as required by State statute.

10. **ORDINANCE 2015-9:** AN ORDINANCE AMENDING CHAPTER 258 SEWAGE DISPOSAL SYSTEMS, SUBSECTION 2, FEES was read by title at first reading by Mayor Schatzle. Mayor Schatzle stated this ordinance as well as the following two ordinances introduced tonight were discussed in detail during a previous Township Committee meeting. The changes in fees are recommended by the Board of Health to make the Township’s fees consistent with similar municipalities and to cover the Township’s costs. Hearing no comments from the Governing Body, Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and unanimously carried. Mayor Schatzle set the public hearing June 24, 2015.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Schatzle		X			
Deputy Mayor Orgo		X			
Engel					X
Fitzgerald	M	X			
Macnow	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

11. **ORDINANCE 2015-10:** AN ORDINANCE AMENDING CHAPTER 263, WATER SUPPLIES, INDIVIDUAL AND SEMIPUBLIC was read by title at first reading by Mayor Schatzle. Hearing no comments from the Governing Body, Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried. Mayor Schatzle set the public hearing June 24, 2015.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Schatzle		X			
Deputy Mayor Orgo		X			
Engel					X
Fitzgerald	S	X			
Macnow	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

12. **ORDINANCE 2015-11:** AN ORDINANCE AMENDING CHAPTER 243, FOOD ESTABLISHMENTS, RETAIL was read by title at first reading by Mayor Schatzle. Hearing no comments from the Governing Body, Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and unanimously carried. Mayor Schatzle set the public hearing June 24, 2015.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Schatzle		X			
Deputy Mayor Orgo		X			
Engel					X
Fitzgerald	M	X			
Macnow	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

13. **RESOLUTION 2015-77:** RESOLUTION AUTHORIZING APPLICATION TO THE SUPERIOR COURT SEEKING DECLARATORY JUDGMENT GRANTING TEMPORARY IMMUNITY FROM MT. LAUREL LAWSUITS AND VERIFYING FULL COMPLIANCE WITH THE FAIR HOUSING ACT was read by title by Mayor Schatzle. Mr. Macnow advised the passing of this resolution declares the Township's intention to provide the Superior Court with an affordable housing plan to meet its third round housing obligation and authorizes the filing of an application for Declaratory Judgment to the Superior Court of New Jersey seeking temporary immunity from Mt. Laurel lawsuits and verifying full compliance with the Fair Housing Act through the granting of a ten-year Judgment of Compliance and Repose. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and unanimously carried.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Schatzle		X			
Deputy Mayor Orgo		X			
Engel					X
Fitzgerald	M	X			
Macnow	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

14. **RESOLUTION 2015-78:** RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES, PLANNING BOARD APPLICATION NO. 704, BLOCK 10, LOTS 2 AND 2.01, CROSS ROAD

Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald, and unanimously carried.

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Mayor Schatzle			X			
Deputy Mayor Orgo			X			
Engel			X			
Fitzgerald		S	X			
Macnow		M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

15. **DISCUSSION:** JOINT INSURANCE FUND (JIF). Mr. Fitzgerald stated a conversation began years ago to review insurance coverage annually. Recently, representatives from the JIF met at Town Hall to review the Township’s coverage. Mr. Fitzgerald advised this issue will continue to be reviewed annually.

16. **ADMINISTRATIVE REPORT:** Mr. Antus stated he had nothing to add to the Administrative Report.

Mr. Antus reported the Department of Public Works passed an on-site OSHA inspection. Mr. Antus thanked the Public Works staff for its hard work and a successful inspection.

Mr. Antus reported he spoke with a DOT representative, who indicated the Route 34 paving work will be scheduled for spring 2016. Mayor Schatzle has requested a portion of Route 34 be temporarily repaired, and a DOT site supervisor was dispatched to the area for evaluation.

Mr. Antus reported canvassers from the New Jersey Clean Water Action group will be in the area for the annual education and fundraising activities. This group is licensed by the State for door-to-door canvassing between the hours of 4:00 p.m. and 9:00 p.m. intermittently during the summer months, and are exempt from local ordinances. Mayor Schatzle suggested providing the group with the “Do Not Knock” list of Township residents not wanting door-to-door solicitations.

Mr. Antus reported the Monmouth County Park System 2014 Annual Report was recently received and can be found on their website (monmouthcountyparks.com).

17. **TOWNSHIP COMMITTEE REPORTS**

Mr. Fitzgerald reported an application in front of the Planning Board last evening was adjourned as the applicant failed to notify correctly.

Mr. Macnow reported Clean up Day went well and the Township was in compliance with the County and State requirements. Mr. Macnow stated Public Works staff did a great job in making sure the materials were placed directly in dumpsters and containers. Mr. Macnow commented the time may be adjusted one-half hour next year to be consistent with the receiving sites hours of operation.

Mr. Orgo reported the Colts Neck Business Association is looking into renting billboard space to advertise upcoming events, similar to what is done in Lancaster.

Mayor Schatzle reported he attended the PTO recognition dinner and presented a Proclamation honoring Ms. Ellen Schauer for her years of service on the Board.

Mayor Schatzle reported the Colts Neck Fair is scheduled for August 20 through August 23, 2015. Volunteers are needed.

Mayor Schatzle reported the roundabout opened and is performing its goal of calming traffic. Mayor Schatzle thanked Mr. Antus for his follow-up with Mr. Passegio of the County Engineer's Office to ensure the project went smoothly and our residents received project updates. Mayor Schatzle advised the landscape and lighting at the roundabout will be tweaked and the project should be completed by early fall, when plantings can be installed within the center.

Mayor Schatzle reported the Colts Neck Sports Foundation continues to do a spectacular job with the Township's programs. This is now an exciting time as the teams are now in the playoffs for the championships.

Mayor Schatzle noted the Garito family Home Run Derby is scheduled for this Saturday, and he is thinking of participating.

Mayor Schatzle thanked the Colts Neck Woman's Club for the excellent work they do in supporting the various Township activities, most recently, the Memorial Day Parade, and for their landscape efforts at the 9/11 Memorial and Library.

Mayor Schatzle welcomed Mr. Peter Elacqua, reporter from the News Transcript, this evening at his first meeting of the Township Committee.

18. COMMENTS FROM THE PUBLIC

Hearing no further comments, Mayor Schatzle opened the meeting to public comment.

Mr. Jeffrey Sauter, a resident, commended Mr. Antonides for the great job resulting in a no findings audit report. Mr. Sauter commended Ms. Mann for coordinating the Clean Communities Program and the awards presentation this evening. Mr. Sauter began to read a prepared letter regarding the relevance of his May 27 public comment regarding the Mayor's involvement with the fire department; however Counsel Bennett advised Mr. Sauter-that the purpose of the public comment was not for personal attacks, and that he (Counsel Bennett) was of the opinion that Mr. Sauter's comments constituted a personal attack. Mr. Sauter was also advised that he could read whatever he wanted into the record, provided it did not constitute a personal attack. Mr. Sauter began his comments again, and was informed by Counsel Bennett that he was again making a personal attack, and that although Mr. Sauter could not finish reading the letter, he could provide the Clerk's Office with a letter for the file, which is on file in the office of the Clerk. Mr. Sauter read a prepared letter protesting the censorship of his comments. (Mr. Sauter gave his letter regarding the relevance of his comment to Ms. Kara.).

Mr. Alan Ryan, a resident, spoke of the contribution of volunteers within the community. Mayor Schatzle thanked Mr. Ryan for his continued years of service in the community.

Ms. Elaine Mann, resident and Clean Communities Coordinator, spoke of the event she attended in Long Branch, where approximately 1,450 children volunteered and cleaned the beach. Ms. Mann noted the event included a Clean Communities Conference and dinner. Ms. Mann reported many things were discussed and this was a worthwhile event.

Ms. Ruth Bender, a resident and member of the First Aid Squad, stated she has been a Squad member for nine years as its Training Officer and volunteer. Ms. Bender stated she does not appreciate the attacks made during each meeting's public comments.

Mr. Fulton Wilcox, a resident, questioned the COAH resolution passed this evening. Mr. Macnow responded the Township is following what the Supreme Court laid out and other municipalities are also doing this. Mr. Fitzgerald stated the Court set a July 9th deadline and we are ahead of the curve. Mr. Fitzgerald noted it will take a while for the Judge in each county to hear these cases. Mr. Macnow noted if they don't grant this, the courts will be clogged with builders remedy lawsuits.

Mayor Schatzle noted this was a wonderful night, hiring a new Police Officer and recognizing the children for their achievements.

Hearing no further comments, Mayor Schatzle closed the public comment portion of the meeting.

19. **RESOLUTION 2015-79:** EXECUTIVE SESSION was read by title by Mayor Schatzle. Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried by voice vote. Mayor Schatzle stated the Township Committee does not plan to return to Open Session this evening.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Schatzle		X			
Deputy Mayor Orgo		X			
Engel					X
Fitzgerald	S	X			
Macnow	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

The meeting adjourned at 8:55 p.m.

Motion by Mr. Orgo, seconded by Mr. Macnow and unanimously carried to adjourn Closed Session.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Schatzle		X			
Deputy Mayor Orgo	M	X			
Engel					X
Fitzgerald		X			
Macnow	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

Motion by Mr. Orgo, seconded by Mr. Fitzgerald and unanimously carried to reconvene in public session and adjourn meeting.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Schatzle		X			
Deputy Mayor Orgo	M	X			
Engel					X
Fitzgerald	S	X			
Macnow		X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

Meeting adjourned at 9:25 p.m.

Beth Kara, Registered Municipal Clerk