

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
AUGUST 10, 2011
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, who noted the arrival of the World Trade Center steel on the meeting room table this evening, followed by a salute to the flag. The following statement was read by Township Clerk Bowden: "The notice requirements of the New Jersey Public Meetings Law has been satisfied by forwarding a News Release to the Asbury Park Press on December 8, 2010 stating the meeting of the Colts Neck Township Committee would be held on August 10, 2011 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 bulletin board and a copy is on file in the Office of the Township Clerk."

Roll call by Mr. Bowden indicated the following:

Present: Mayor James Schatzle, Deputy Mayor Jarrett Engel, Committeemen Edward Eastman, Jr., Michael Fitzgerald and Russell Macnow.

Also Present: Administrator/Municipal Clerk Robert Bowden, Deputy Municipal Clerk Beth Kara, and Township Counsel John O. Bennett, III, Esq.

Absent: None

- 1. APPROVAL OF MINUTES OF JULY 13, 2011:** Mr. Macnow made a motion to approve, seconded by Mr. Engel and carried by Messrs. Schatzle, Engel, Eastman and Macnow; Mr. Fitzgerald abstained.

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

- 2. RESOLUTION 2011-94A:** RESOLUTION SUPPORTING A NATIONAL MOMENT OF REMEMBRANCE OF THE 10TH ANNIVERSARY OF SEPTEMBER 11TH was read by title by Mayor Schatzle. Mayor Schatzle spoke of the Township's support of the United States Senate observance of a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011 in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001. Mr. Engel 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 Engel	M		X			
Eastman			X			
Fitzgerald			X			
Macnow	S		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded						

3. **PRESENTATION:** APPOINTMENT OF COLTS NECK POLICE OFFICER, MR. THOMAS J. WARD. Police Chief Kevin Sauter spoke of the staffing of Police Department, noting in 2010, there were 22 employees. Since then, two retirements and one lay off occurred, and the 2011 authorized strength is 19. One Officer resigned and the filling of the position this evening brings the staffing back to the authorized 19 employees. Mr. Ward, a lifelong resident of Monmouth County, completed his training through the alternate route and was No. 2 in his graduating class. He received a marksmanship award, and Chief Sauter stated he was proud to recommend Mr. Ward for a Police Officer position in the Colts Neck Police Department.
4. **RESOLUTION 2011-95:** RESOLUTION CONFIRMING APPOINTMENT OF COLTS NECK POLICE OFFICER THOMAS J. WARD was read by title by Mayor Schatzle. Mr. Fitzgerald made a motion to approve, seconded by Mr. Engel and unanimously carried.

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

5. **SWEARING IN OF POLICE OFFICER THOMAS J. WARD.** Mr. Bowden administered the Oath of Office while Mr. Ward's parents and fiancé observed. Mayor Schatzle presented Officer Ward with his badge, No. 55, and stated he feels Mr. Ward is a good fit in Colts Neck, an indicator of which was his response to the question of why he wanted to be a Police Officer was to protect those unable to protect themselves. Mr. Ward's mother pinned his badge, photographs were taken, and he received a round of applause.
6. **RESOLUTION 2011-96:** RESOLUTION CONFIRMING APPOINTMENTS TO THE ARCHITECTURAL REVIEW COMMITTEE was read by title by Mayor Schatzle. Mr. Rob Hesslein, Co-Chair of the Architectural Review Committee, stated Michael Taeschler and Cindy Feury were two of the three applicants to a recent website positing, Mr. Hesslein stated Cindy came before the Architectural Review Committee for her home and has first hand knowledge of the review process. Mr. Hesslein stated the Architectural Review Committee is looking forward to the addition of these two talented individuals. Mr. Engel 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 Engel	M	X			
Eastman		X			
Fitzgerald		X			X
Macnow	S	X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

7. **SWEARING IN OF ARCHITECTURAL COMMITTEE REVIEW MEMBERS MR. MICHAEL TAESCHLER AND MS. CINDY FEURY.** Mr. Bowden administered the Oaths of Office while Mr. Hesslein held the bible. Photographs were taken and both received a round of applause.

8. **PRESENTATION:** COLTS NECK FAIR. Ms. Jill Valentino stated this year's Fair, themed Run Away to the Circus, was successful during its three days of operation in early July. As a result of its success, the Fair Committee set dates for the 2012 Fair, June 29 and June 30, with the theme Grab Your Cowboy Hats and Welcome to the Rodeo. Ms Valentino urged residents to volunteer for this worthwhile and fun community event. Ms. Valentino presented checks in the amount of \$500 to the following groups: Colts Neck Fire Departments, Colts Neck First Aid Squad, Colts Neck Ladies Auxiliary, Colts Neck Fire Police, Colts Neck Lions Club, Colts Neck Cub Scouts, Colts Neck Girl Scouts, Colts Neck High School Band and Chorus, Colts Neck Historical Society, Colts Neck Community Church, Colts Neck Seniors, Colts Neck Alliance, Colts Neck Women's Club, Ashley Lauren Foundation, St. Mary's Men's Group, St. Mary's Youth Group, CNFAS Cadets, Venture Crew 290, and checks in the amount of \$250 to the following groups: Scuba Venture Crew 191 and Colts Neck Troop 290, for a total of \$9,500 in donations to community organizations. Mr. Engel commended the Fair Committee for thinking outside the box and creating a remarkable and successful fair. Mayor Schatzle thanked the two Fair Committee Chairs, Ms. Valentino and Ms. Martha Leonhardt, for their hard work and presented them with the Mayor's Appreciation Pin. All received a round of applause.

9. **ORDINANCE 2011-7:** AN ORDINANCE OF THE TOWNSHIP OF COLTS NECK IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 102 OF THE CODE OF THE TOWNSHIP OF COLTS NECK ENTITLED, "DEVELOPMENT REGULATIONS" was read by title at second reading by Mayor Schatzle. Mr. Bowden stated this resolution was prepared by Long Range Planning in response to a recent Municipal Land Use Law amendment and is a proactive approach to defining wind energy systems. Mr. Bowden highlighted the major provisions noting small wind energy systems will be a permitted accessory use in the A-1 Agricultural Residential, AG, Agricultural, Business and Industrial Zones. The minimum lot area for a small wind energy system is 30 acres. The maximum system height is 55 feet. The minimum setback is 150% of the system height. There is a maximum of one wind energy system per lot. Sound from the wind energy system shall not exceed 55 decibels, as measured from the property line. All transmission/power lines from the wind energy system shall be underground. In addition, Mr. Bowden stated this ordinance contains a solar component for the business zone. Mr. Bowden stated the ordinance was reviewed and approved by the Planning Board. Hearing no comments from the Township Committee, Mayor Schatzle opened the meeting to public comment.

Mr. Vince Domidion, a resident, stated he agrees with being proactive; however, he believes the proposed ordinance is too restrictive and wants to see an exception for wind energy systems below 35 feet and designed for residential neighborhoods. These smaller systems have no large arms revolving and no motor to start it, and he wants to see this smaller system actively encouraged. Mr. Domidion wants the Township Committee to have a manufacturer of this smaller system do a demonstration project to see if it is viable, stressing we must do what we can to support alternative energy systems.

Mayor Schatzle asked that the Environmental Commission provide recommendations to the Township Committee and keep an eye on evolving technology.

Mr. Fulton Wilcox, a resident, noted he understands the concern about large scale wind energy systems and suggested the Township Committee include the smaller scale systems in the proposed ordinance.

Mr. Fitzgerald responded that it was important to have an ordinance adopted before problems arise. Mr. Macnow noted he is on Long Range Planning and thus far no one has requested approval of a wind energy system. Mr. Macnow agrees with Messrs. Fitzgerald and Domidion, stating the technology is there. Mr. Domidion agreed to obtain the information and discuss the issue with the Environmental Commission.

Hearing no further comment, Mayor Schatzle closed the meeting. Mr. Macnow made a motion to approve, seconded by Mr. Engel and unanimously carried.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Schatzle		X			
Deputy Mayor Engel	S	X			
Eastman		X			
Fitzgerald		X			
Macnow	M	X			

X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded

10. **RESOLUTION 2011-97:** RESOLUTION REQUESTING THE PLACEMENT OF A REFERENDUM ON THE OFFICIAL BALLOT FOR THE NEXT GENERAL ELECTION OF NOVEMBER 8, 2011 AUTHORIZING THE USE OF A PORTION OF THE ANNUAL LEVY FOR OPEN SPACE, FARMLAND AND HISTORIC PRESERVATION FOR RECREATION AND CONSERVATION PURPOSES was read by title by Mayor Schatzle. Mayor Schatzle stated this resolution was discussed at several Township Committee meetings, and there is a deadline to submit an approved resolution for inclusion on the November ballot. Mr. Bowden discussed the impact of short term and long term financing in detail and recommended the Township Committee consider changing the referendum amount from the current not to exceed 20% of the revenues generated each year to not to exceed 15% of the revenues generated each year in both the question and the explanatory statement. Mr. Bowden noted he has been working with Mr. Wilcox on the financial impact of the referendum on the Open Space Tax Fund balance. Mr. Engel stated this is a job well done. Mayor Schatzle stated he agrees with reducing the percentage amount from 20% to 15%. Mr. Fitzgerald stated he does not want to lose the momentum on financing and turning short term debt into permanent debt. Mr. Fitzgerald noted the Township Committee has the ability to effect this change without a referendum; however, the Governing Body wants the voters to decide. Mayor Schatzle opened the meeting to public comment.

Ms. Elaine Mann questioned what percentage Historic Preservation uses from this fund. Mr. Bowden stated use of these funds is on a case-by-case basis, not tied to any percentage. Ms. Mann stated she wanted a delineation of the percentage used in each category and questioned who is managing these funds. Counsel Bennett stated the funds are collected to purchase open space and farmland and for historic preservation. The use of the funds is on a case-by-case basis with no set amount for each use. Counsel Bennett stated this referendum broadens the potential uses, limited by the referendum, and the decision for the funds use would remain with the Governing Body. Mr. Macnow stated if Historic Preservation wanted to have the Township purchase something with these funds, it would come to the Township Committee for approval.

Ms. Virginia Amend, Editor of the Colts Neck Calendar and a resident, stated she wants to have the exhibition fields rented. Mr. Engel stated they are trying to rent them to generate revenue; however, most fields can't be rented due to poor field conditions, noting field maintenance is not a current priority. The passage of the referendum would provide funds to maintain what the Township now owns.

Ms. Doris Resh, a resident, stated the referendum uses include "development and maintenance", noting develop is a very loose term; she considers it very open. Mr. Macnow stated the language was taken from the State Statute. Ms. Resh stated future Governing Bodies may want field lighting, etc., and fund it through this mechanism. Mr. Engel stated if the Governing Body wanted to do this, this would not be the funding mechanism used. Ms. Resh stated you won't be the Governing Body forever.

Mr. Tony Costa, a resident, stated he is against extending the debt questioning how much recreation can be maintained with \$50,000. Mr. Costa stated you will go forward with the referendum resolution, and the public will speak at the election. Mr. Costa stated to extend \$1.8 million is unconscionable, stating the interest is more than the revenue. Mr. Costa stated if Township Committee members are members of the Sports Foundation, they should recuse themselves from voting.

Ms. Donahue, a resident, questioned who gets the \$50,000, Recreation or Sports Foundation? She questioned do they apply to the Governing Body to authorize payments? Ms. Donahue stated any leftover funds are not carried over year to year and in government you spend every cent. Ms. Donahue questioned why do we need this additional money?

Ms. Roseann Scotti, former Mayor and resident, stated this is violation of the public trust to take Farmland Preservation and Open Space Tax funds. Ms. Scotti stated debt service is exceeding revenues, and Ms. Scotti asked the Governing Body to pay down the debt with these funds. Ms. Scotti stated the Farmland Preservation Committee came out in force opposing this referendum. Mayor Schatzle stated the economic times are extremely difficult and fields and trails become unusable unless something is done. Mayor Schatzle stated by putting the issue to a referendum, the voters will decide.

Mr. Domidion stated there are numerous reasons he will vote against the referendum predicting a decrease in the youth population. Mr. Domidion questioned who makes the request for funds; would it be Public Works, Recreation, or some other entity? Mr. Domidion stated prior funding was for permanent things, not mowing grass. Mr. Domidion stated the priorities of government are public safety and infrastructure. Mr. Domidion stated he respects the good intentions but does not support this.

Mr. Frank Leccese, Sr., a resident, stated he has five grandchildren and sees surrounding towns have better fields. Mr. Leccese thinks this is an ingenious way of funding the improvements.

Ms. Laura Sheehy, a resident, stated young families are excited about the interest in improving the recreation facilities. Volunteers are coming forward and more are expected. Currently, playing fields have to be closed due to safety concerns. The funds from the passage of this referendum to improve the recreation facilities are an investment in the future. Funds would be expended based on the Governing Body's final recommendations.

Ms. Amend stated the Country Fair pays \$10,000, now \$11,000. Polo pays nothing. Ms. Amend stated if Polo pays its fair share, there would be \$50,000.

Hearing no further comment, Mayor Schatzle closed the meeting. Mr. Bowden stated as per consensus of the Governing Body, the resolution has amended from not to exceed 20% to not to exceed 15%. Mr. Engel 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 Engel	M		X			
Eastman			X			
Fitzgerald	S		X			
Macnow			X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded						

11. **RESOLUTION 2011-98:** RESOLUTION AUTHORIZING APPROVAL OF A-1 CONSENT FORM FOR NJDEP TREATMENT WORKS PERMIT FOR TRUMP NATIONAL GOLF COURSE (PLANNING BOARD APPLICATION NO. 672) was read by title by Mayor Schatzle. This resolution will authorize the Mayor to sign the certification that the application (to repair existing septic fields at the Trump National Golf Club) conforms with all municipal ordinances. The Township Planner has reviewed this application and recommends passage of this resolution. Mr. Fitzgerald made a motion to approve, seconded by Mr. Engel and unanimously carried.

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

12. **RESOLUTION 2011-99:** RESOLUTION AUTHORIZING APPROVAL OF A-1 CONSENT FORM FOR NJDEP TREATMENT WORKS PERMIT FOR COLTS NECK REFORMED CHURCH (ZONING BOARD APPLICATION NO. 858) was read by title by Mayor Schatzle. This resolution will authorize the Mayor to sign the certification that the application conforms with all municipal ordinances. The application is to permit an increase in the sanitary sewerage discharge resulting from the conversion of a single family dwelling into administrative offices and classrooms/meeting rooms at the Colts Neck Reformed Church. The Zoning Board approved the conversion of this facility. The Township Planner has reviewed this application and recommends passage of this resolution. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and carried by Messrs. Schatzle, Eastman, Fitzgerald and Macnow, Mr. Engel abstained.

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

13. **RESOLUTION 2011-100:** RESOLUTION AUTHORIZING STATE DEPARTMENT OF AGRICULTURE TO CONDUCT GYPSY MOTH EGG MASS SURVEYS WITHIN THE TOWNSHIP OF COLTS NECK was read by title by Mayor Schatzle. Mr. Bowden noted there is no charge for this inspection. 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 Engel			X			
Eastman			X			
Fitzgerald	S		X			
Macnow	M		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded						

14. **RESOLUTION 2011-101:** AUTHORIZING PROFESSIONAL APPRAISAL OF BLOCK 20, LOT 5, PURSUANT TO STATE AND COUNTY REQUIREMENTS FOR EASEMENT ACQUISITIONS was read by title by Mayor Schatzle. Mayor Schatzle stated this is the first farmland preservation application in a number of years, and the property is on the corner of Phalanx and Laird Roads (Gladiola Lady). Mayor Schatzle stated he was pleased to receive this application, and to proceed, two appraisals are required. Mr. Bowden stated bids were solicited, four responses were received, and this is one of the two lowest bidders. This resolution authorizing the Johnson Realty Services of Sea Girt, New Jersey, to perform an appraisal for the amount of \$2,885.00. Mr. Bowden stated this vendor is on the approved list of appraisers. 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 Engel			X			
Eastman			X			
Fitzgerald	M		X			
Macnow	S		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded						

15. **RESOLUTION 2011-102:** AUTHORIZING PROFESSIONAL APPRAISAL OF BLOCK 20, LOT 5, PURSUANT TO STATE AND COUNTY REQUIREMENTS FOR EASEMENT ACQUISITIONS was read by title by Mayor Schatzle. Mayor Schatzle stated this is the second lowest bidder (refer to Item No. 14 above) authorizing Martin Appraisal Associates of Lawrenceville, New Jersey, to perform an appraisal for the amount of \$3,200. Mr. Bowden stated this vendor is on the approved list of appraisers. Mr. Engel made a motion to approve, seconded by Mr. Fitzgerald and unanimously approved.

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

16. **RESOLUTION 2011-103:** RESOLUTION AUTHORIZING APPLICATION FOR COLTS NECK ALLIANCE FOR THE PREVENTION OF ALCOHOLISM AND DRUG ABUSE GRANT FUNDING was read by title by Mayor Schatzle. Mayor Schatzle state this grant application covers the 2012 term year and requests \$10,663 in grant funding. Mr. Engel 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 Engel	M		X			
Eastman			X			
Fitzgerald	S		X			
Macnow			X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded						

17. **MOTION TO APPROVE CONSENT AGENDA:**
18. ***RESOLUTION 2011-103A:** RESOLUTION REFUNDING TAXES IN ACCORDANCE WITH A STIPULATION OF SETTLEMENT FOR THE TAX APPEAL OF THOMAS BENDER
19. ***RESOLUTION 2011-104:** RESOLUTION AUTHORIZING RELEASE AND RETURN OF PERFORMANCE GUARANTEE, PLANNING BOARD APPLICATION NO. 538 (C.S. HOMES OF COLTS NECK, LLC)
20. ***RESOLUTION 2011-105:** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE, PLANNING BOARD APPLICATION NO. 585 (PARISI)
21. ***RESOLUTION 2011-106:** RESOLUTION AUTHORIZING ACCEPTANCE OF SPECIAL PERFORMANCE GUARANTEE, HOME DEMOLITION, BLOCK 12, LOT 12 (50 CEDAR DRIVE)
22. ***RESOLUTION 2011-107:** RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEE, PLANNING BOARD APPLICATION NO. 691 (FEILER)
23. ***RESOLUTION 2011-108:** RESOLUTION AUTHORIZING RECREATION PROGRAM REFUNDS
24. ***RESOLUTION 2011-109:** RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEES, PLANNING BOARD APPLICATION NO. 665 (RADA)

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 Engel			X			
Eastman			X			
Fitzgerald	M		X			
Macnow	S		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded						

25. **DISCUSSION:** 2011 CAPITAL PROJECTS. Additional information was needed from the Fire Department for this discussion. Motion to table this discussion made by Mr. Engel, seconded by Mr. Fitzgerald and unanimously carried.

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

26. **DISCUSSION: BEST PRACTICES INVENTORY.** Mr. Bowden stated last year there were 83 questions; this year there are 50 questions. The Township responded yes to 45 questions and no to 5 questions. The minimum needed for no financial aid penalty is 41 yes answers. Mr. Bowden stated administratively, this is a well run town. Mayor Schatzle stated he would like the best practices inventory placed on the Township website.

27. **DISCUSSION: VARIOUS USER FEES.** Mayor Schatzle stated this review of user fees is necessary to keep the Township consistent with surrounding communities. Discussion ensued. Mr. Fitzgerald disagreed with increasing the Mercantile License Fee and suggested the Certified Marriage/Birth/Death fee be changed to \$20 for the first copy and \$5 for each additional copy. Mr. Bowden is to check the maximum percentage increase for liquor license increases. Mr. Bowden stated this will be on a future agenda for continued discussion.

28. **ADMINISTRATIVE REPORT:** Mr. Bowden stated he had nothing to add to his report. Mr. Bowden stated the Rockfest organizer has contacted his office requesting approval to hold this event on September 10, 2011 in the Cedar Drive football field. Mr. Bowden noted there have been no problems with this event in the past, and the organizer will be providing the Township with the required certificate of insurance. Mr. Fitzgerald made a motion to approve, seconded by Mr. Eastman and unanimously carried.

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

Mr. Bowden stated the DOT grant application for 2012 is to be prepared for approval at the next Township Committee meeting. Based on previous discussions, Mr. Bowden questioned if all were still in agreement on having Stone Hill Road from Five Point Road to the Freehold border the selected project. Mr. Fitzgerald made a motion to approve, seconded by Mr. Engel and unanimously carried.

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

Mr. Bowden stated he received notification today that the Trump water diversion application was approved by the DEP. The Township or any person alleging to be adversely affected by this decision may contest the decision and request a contested hearing within 20 calendar days of receipt of the decision. The DEP can disapprove the request for a hearing. If the request for a hearing is approved, it will be heard by an Administrative Law Judge. Counsel Bennett stated he does not want to have a long discussion about this in public, as it is litigation. Mr. Macnow made a motion, seconded by Mr. Engel and unanimously carried to have the Township Attorney file a notice for hearing.

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Mayor Schatzle			X			
Deputy Mayor Engel		S	X			
Eastman			X			
Fitzgerald			X			
Macnow		M	X			

X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded

29. **MOTION TO APPROVE VOUCHERS:** Mayor Schatzle stated he reviewed the vouchers and recommends approval as follows:

Animal Control	\$165.55
Capital Fund	\$16,778.11
Construction Trust	\$20,061.20
Current Fund	\$569,028.45
Escrow	\$10,153.00
Grant Fund	\$616.86
Trust Fund	<u>\$12,947.36</u>
TOTAL APPROVED:	\$629,750.53

Mr. Eastman stated he takes exception to payments to Classic Cruisers, Inc. (\$6,750.00) for trips to Resorts Casino (\$955) and to Williamsburg, Virginia (5,795) and to Rooneys Ocean Crab House for a luncheon (\$1,050). Mr. Eastman stated he participates in the advisory committee for Monmouth County, and funds are used for trips for shut-ins or for food shopping for seniors. Mr. Eastman stated these trips do not seem appropriate from tax dollars. Mr. Eastman made a motion to approve, seconded Mr. Fitzgerald, and carried by Messrs. Schatzle and Engel; Mr. Eastman approved all but the aforementioned three payments, of which he opposed, Mr. Macnow approved all but payments to the following vendors, for which he abstained: Mazzara Trucking and Excavation, Colts Neck General Store, and the Township Engineer (T&M Associates).

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Mayor Schatzle			X			
Deputy Mayor Engel			X			
Eastman		M	X*	X*		
Fitzgerald		S	X			
Macnow			X*		X*	

X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded

30. **TOWNSHIP COMMITTEE REPORTS**

Mr. Macnow reported he attended the Business Association meeting this morning, and they are working on the logo and tag line slogan: "Colts Neck, Enjoy the Experience". Mr. Macnow stated they are emphasizing quality service and integrity for businesses and organizations in Town.

Mr. Fitzgerald had no report this evening.

Mr. Eastman had no report this evening.

Mr. Engel had no report this evening.

Mayor Schatzle reported brush collection would resume August 15, 2011. Mayor Schatzle stated once brush has been collected, no additional brush should be put curbside for collection until Spring 2012.

Mayor Schatzle reported with the assistance of Mr. Bowden and Ms. Kara, the World Trade Center steel was received and will be dedicated at this year's September 11th ceremony. Mayor Schatzle stated he will be reviewing the municipal core site tomorrow to review the work to be done before the September 11th ceremony.

31. COMMENTS FROM THE PUBLIC

Mayor Schatzle opened the meeting to public comment.

Ms. Amend questioned if a check was received from the insurance company for Fire House #2. Mr. Bowden stated there are two levels of insurance, the JIF, which is comprised of 13 municipalities. A check for \$49,000 was received; the JIF covers losses up to \$50,000. The MEL is the second insurance, and this claim is in process.

Ms. Michele Werendorf, a resident, questioned the status of the roundabout. Mr. Bowden stated this project is on the County's radar screen and is still going forward. Mayor Schatzle requested Mr. Bowden follow-up with the County for specifics.

Mr. Phil Welch, a resident, thanked the Township for putting the Senior Citizens group under the JIF insurance. He questioned coverage for errors and omissions and would like an answer in writing. Mr. Bowden will work with Mr. Walsh and Mr. Welch.

Ms. Michele Battista, a resident, stated Fair Haven is applying for a Monmouth County Open Space Grant and questioned if the Township would apply also. Mr. Bowden stated the County will not provide funds for maintenance, but they would for irrigation and capital expenditures. Mr. Bowden stated the Township received partial funding for the five-acre parcel on Route 520 near Route 34. Ms. Battista questioned if the time to appeal the Trump water diversion approval is the 20th day from the 5th (date of letter) or the 10th (date of receipt). Mr. Bowden stated we have until August 30th to appeal the decision. Mr. Bowden stated he called the DEP to ascertain if the 20 day rule can be relaxed. Mr. Bowden was advised no, it cannot. Ms. Battista stated this is a ten year permit, and while this is not supposed to affect us what if it does; Township residents should not have to bear the brunt of going dry. Ms. Battista stated the property at 37 Acorn Place has been under construction for the past three years and is now weed filled. Mr. Bowden stated he will look into it.

Mr. Domidion suggested considering a five year Capital Improvement Plan, which would include an orderly process for road paving. Everything would be integrated and would save on discussions. Mr. Domidion stated he went into a field with Mr. Frank, Health Officer, to perform stream sampling. Mr. Domidion stated Mr. Frank is an exemplary employee fielding questions well beyond the boundaries of a Health Officer.

Ms. Scotti raised the issue of debt service exceeding the amount taken in. Counsel Bennett stated the Bond Anticipation Notes (short term) and Long Term Financing added together look to have a deficit today. Under short term financing, large principal payments are made. The Smith property notes will be paid off in five years. Under long term financing, repayments

are made over a longer term. As the debt is structured today, there is an imbalance; however, the debt will be re-structured. Mr. Bowden stated the surplus would have to be used if the Cicalese property was paid in full and the Smith property is paid in five years. If the Cicalese and Smith properties were paid over longer period of time, the surplus would not be impacted. Ms. Scotti discussed the purchase of the Dittmar Farm, when it was already protected. Ms. Scotti stated she hopes this referendum will be defeated.

Ms. Resh questioned if the insurance money received would be returned to the budget. Mayor Schatzle stated it would be returned to Fire Company 2 to maintain the building, pay the mortgage, etc. Mayor Schatzle stated if the Township took over Fire Department operations, the cost would be astronomical, and this volunteer department has saved the Township millions over the years. Mr. Macnow stated if there are no volunteers, taxpayers would have to pay for fire service. Mr. Macnow stated the Fire Company was not looking to be ripped off; to blame volunteers for a theft by one person is penalizing the entire Fire Department. Mr. Fitzgerald stated he wants to use a portion of the \$300,000 to purchase Fire equipment.

Ms. Mann stated she needs a letter for Sandy Huber stating Clean Community funds were used for the annual Clean Up Day. Mr. Bowden will work with Ms. Mann.

Ms. Leccese stated leaf pick up is in October, but the leaves in her area fall in November. Her lawn was a disaster last year.

Mr. Wilcox stated he has difficulty using a portion of the farmland and open space taxes for maintenance fees. Mr. Wilcox questioned if there was a business plan for recreation and if it could be placed on the website. Mr. Wilcox stated if more data is available, this issue will be more understandable and very helpful.

Ms. Amend stated she received a report from Mr. Hennessy indicating \$70,000 of in-kind services was received; however there was no documentation or cancelled checks to substantiate this figure. Ms. Amend questioned what is required for in kind services. Mayor Schatzle stated he does not know where Mr. Hennessy got his figures.

Ms. Mann thanked Mr. Eastman for the courage to speak up regarding the Seniors and spending excesses.

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

32. **RESOLUTION 2011-110: EXECUTIVE SESSION** was read by title by Mayor Schatzle. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and unanimously carried by voice vote.

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

Meeting adjourned at 10:05 p.m.

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

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

Motion by Mr. Fitzgerald, seconded by Mr. Eastman and unanimously carried to adjourn meeting.

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

Meeting adjourned at 10:40 p.m.



Robert Bowden, Administrator/Municipal Clerk