

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
NOVEMBER 9, 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, 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 November 9, 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. (arriving late), Michael Fitzgerald and Russell Macnow

Also Present: Administrator/Municipal Clerk Robert Bowden, Deputy Municipal Clerk Beth Kara, Township Counsel Chris Ackerman, Esq., and Counsel John O. Bennett, III, Esq. (arriving late)

Absent: None

Mr. Bowden stated Mr. Eastman would be arriving late this evening.

1. **MAYOR'S PROCLAMATION: PROCLAIMING DECEMBER 2011 AS NATIONAL DRUNK AND DRUGGED DRIVING (3D) PREVENTION MONTH WITHIN THE TOWNSHIP OF COLTS NECK.** Mayor Schatzle stated motor vehicle crashes kill over 40,000 people and injure three million people every year, and alcohol-related crashes account for approximately 38 percent of those deaths and injuries. Mayor Schatzle urged all citizens, government agencies, business leaders, hospitals and health care providers, schools and public and private institutions in the Township of Colts Neck to promote awareness of the impaired driving problem, to support programs and policies to reduce the incidence of impaired driving, to promote safer and healthier behaviors regarding the use of alcohol and other drugs, and to provide opportunities for all to participate in the "You Drink & Drive, You Lose" Campaign this December holiday season and throughout the year.
2. **APPROVAL OF MINUTES OF OCTOBER 26, 2011:** 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	
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded						

3. **ORDINANCE 2011-11:** AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE TOWNSHIP OF COLTS NECK, NEW JERSEY, TO CABLEVISION OF MONMOUTH COUNTY, LLC was read by title at first reading by Mayor Schatzle. Mr. Fitzgerald stated the Board of Public Utilities comments were incorporated in the ordinance presented this evening, and he recommends approval. Mr. Engel made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried. Mayor Schatzle set the public hearing November 30, 2011.

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					

Mr. Eastman arrived at 7:35 p.m.

4. **ORDINANCE 2011-12:** AN ORDINANCE AMENDING CHAPTER 41, MISCELLANEOUS FEES, OF THE CODE OF THE TOWNSHIP OF COLTS NECK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY was read by title at first reading by Mayor Schatzle. Mr. Bowden stated the Governing Body previously discussed changes to the current fees. This ordinance includes changes in per copy charges to reflect State law; includes copy charges for large engineering or architectural drawings; increases copy charges for certified copies of marriage, birth and death certificates; increases the vital statistic search fee; establishes a fee for formal bid packages; and establishes requirements and a fee schedule for filming within the Township. Mr. Macnow questioned if filming fees would apply to anyone filming within the Township. Mr. Bowden responded this is applicable to professional filming. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow, and carried by Messrs. Schatzle, Engel, Fitzgerald and Macnow; Mr. Eastman abstained. Mayor Schatzle set the public hearing November 30, 2011.

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					

5. **ORDINANCE 2011-13:** AN ORDINANCE AMENDING CHAPTER 73, ALCOHOLIC BEVERAGES, OF THE CODE OF THE TOWNSHIP OF COLTS NECK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY was read by title at first reading by Mayor Schatzle. Mayor Schatzle stated this ordinance raises the fees for both plenary retail consumption licenses and plenary retail distribution licenses within the Township to \$2,500.00 annually, the maximum allowed by State statute. Mr. Bowden stated other municipalities are also raising their fees. Mr. Fitzgerald made a motion to approve, seconded by Mr. Engel and unanimously carried. Mayor Schatzle set the public hearing November 30, 2011.

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						

6. **ORDINANCE 2011-14:** AN ORDINANCE AMENDING CHAPTER 168 PEDDLERS, CANVASSERS AND SOLICITORS, OF THE CODE OF THE TOWNSHIP OF COLTS NECK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY was read by title at first reading by Mayor Schatzle. Mr. Bowden stated this ordinance establishes an application fee of \$100 to cover the cost of Police background investigation; revises current code, which refers to State Police; and includes a provision for residential signage barring solicitation. Mr. Eastman stated the ordinance did not include the definition of solicitor. Counsel Ackerman stated he will send the full ordinance to the Governing Body for their review. Mr. Fitzgerald stated there was no upper limit on the size of signage. Governing Body consensus tabled the ordinance to the next meeting.
7. **ORDINANCE 2011-15:** AN ORDINANCE REPEALING CHAPTER §177-42.B., OF THE CODE OF THE TOWNSHIP OF COLTS NECK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, REGARDING FIXED FEES FOR THE RECREATION PROGRAMS IN THE TOWNSHIP OF COLTS NECK was read by title at first reading by Mayor Schatzle. Mr. Bowden stated current Code includes Recreation Department fees set in 1998. This ordinance eliminates reference to individual fees in the Code, and fees would then be set by resolution of the Township Committee, at the recommendation of the Recreation Director. Mr. Eastman questioned if Mr. Hennessy made recommendations on increasing field fees, to which Mr. Bowden stated the fees recommended are within the norm and based on the condition of the fields. Mr. Fitzgerald noted the proposed field fees have increased from per season to per game. Mr. Bowden was asked to review the field fee schedule with Mr. Hennessy prior to the next meeting. Mr. Eastman made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried. Mayor Schatzle set the public hearing November 30, 2011.

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

8. **ORDINANCE 2011-16:** AN ORDINANCE AMENDING CHAPTER 198, STREETS AND SIDEWALKS, OF THE CODE OF THE TOWNSHIP OF COLTS NECK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY was read by title at first reading by Mayor Schatzle. Mr. Bowden stated the permit fee is being raised from \$50 to \$100 to cover the costs of the permit. Mr. Engel made a motion to approve, seconded by Mr. Macnow and unanimously carried. Mayor Schatzle set the public hearing November 30, 2011.

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						

9. **RESOLUTION 2011-134:** RESOLUTION AUTHORIZING REJECTION OF BIDS, PRIVATE SNOW PLOWING SERVICES was read by title by Mayor Schatzle. Mr. Bowden stated the first time this was bid, one bid was received that was deemed too high. It was then re-bid, and one bid was received by the same vendor higher than the first bid. Mr. Eastman 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	M		X			
Fitzgerald			X			
Macnow			X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded						

10. **RESOLUTION 2011-135:** RESOLUTION AUTHORIZING AWARD OF CONTRACT, PRIVATE SNOW PLOWING SERVICES, ONE YEAR AWARD FOR 2011/12, WITH OPTION FOR SECOND YEAR 2012/2013 was read by title by Mayor Schatzle. Mr. Bowden stated State law allows the Township to negotiate after rejecting two prior bids provided the end result is not higher than the bids received and the services provided are similar to what was bid. Mr. Bowden stated the current vendor cannot continue to provide this service. The contract period is one-year covering the period December 15, 2011 through April 15, 2012, with a 2nd year option at the first year price covering the period December 15, 2012 through April 15, 2013. The cost per hour was negotiated with Tri-County Turf, LLC, a new vendor, to \$3,075 per hour for 13 vehicles, noting this is \$640 per hour less than bid. Mr. Bowden stated Counsel Ackerman was part of the process. Mr. Fitzgerald stated he wanted Counsel Ackerman to review the bid specs to ensure the greatest response to future bids and suggested breaking up the Township to ensure more bidders qualify. Mr. Bowden stated after last year's storm, the State contracted with local vendors to plow the Parkway, which greatly reduced the field of qualified bidders. 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						

11. **RESOLUTION 2011-136:** RESOLUTION AUTHORIZING FORMAL TRANSFER OF FUNDS – 2011 MUNICIPAL BUDGET was read by Mayor Schatzle. This resolution transfers a total of \$18,000 from Mayor and Committee, Salaries and Wages (\$3,000); Streets and Road Maintenance, Salaries and Wages (\$3,000); Snow Removal, Other Expenses (\$12,000); to cover additional expenses in Legal Services, Other Expenses (\$11,000);

Employee Group Health (\$6,000); and Buildings and Grounds, Other Expenses (\$1,000). 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 2011-137:** RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM PURSUANT TO THE INTERLOCAL SERVICES ACT was read by title by Mayor Schatzle. Mr. Bowden stated the County receives Federal Development Program monies. Awards are based on population, and Colts Neck does not qualify for these monies, however, its participation aides the County. Mr. Fitzgerald stated the qualifying rules have changed and asked if there are sections of town that now qualify. Mr. Bowden stated he will research further. 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					

13. **MOTION TO ADOPT CONSENT AGENDA:**
14. ***RESOLUTION 2011-138:** RESOLUTION AUTHORIZING BUILDING PERMIT REFUND, 10 PADDOCK LANE (PRAS)
15. ***RESOLUTION 2011-139:** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ACCEPTANCE OF MAINTENANCE GUARANTEE, PLANNING BOARD APPLICATION NO. 596 (PHALANX ROAD, LLC/GRANOFF)

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					

16. **ADMINISTRATIVE REPORT:** Mr. Bowden stated he had nothing to add to his report. Mr. Bowden reported the liability insurance premiums will have no increase next year, and an \$11,000 refund is anticipated. Medical insurance is anticipated to increase five percent, which is well below the norm of 10-15 percent. Mr. Bowden stated QualCare has met the test of time and

noted the increase is not included in the two percent tax levy. Mr. Fitzgerald stated he wants to review the Workmen's Compensation surplus reserve from the 80s/90s. Mr. Bowden stated he has the information requested. Mr. Fitzgerald stated he wants to review the medical coverage.

17. **MOTION TO APPROVE VOUCHERS:** Mayor Schatzle stated he reviewed the vouchers, noting this bill list includes the County/schools pass through, and recommends approval as follows:

Animal Control	\$86.37
Capital Fund	\$6,303.00
Construction Trust	\$14,633.19
Current Fund	\$4,910,143.51
Escrow	\$1,542.30
Grant Fund	\$2,252.00
Tax Collectors Trust	\$69,881.00
Trust Fund	\$6,760.05
TOTAL APPROVED:	\$5,011,601.42

Mr. Fitzgerald made a motion to approve, seconded by Mr. Engel and carried by Messrs. Schatzle, Engel, Eastman and Fitzgerald. Mr. Macnow approved all but payments to T&M Engineering and Mazzara Trucking, for which he abstained.

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

18. **TOWNSHIP COMMITTEE REPORTS**

Mr. Fitzgerald stated the Senior Club is a well educated group speaking of pertinent, current topics during their monthly meetings.

Mr. Fitzgerald noted the Environmental Commission cancelled their meeting due to lack of agenda.

Mr. Fitzgerald reported the Township received the letter from Election District 12 Legislators (Sen. Beck, Assemblywoman Casagrande, Assemblyman O'Scanlon) advising the Little Soldiers Toy Drive for children of New Jersey military deployed overseas is underway. Mr. Fitzgerald noted this is a very valuable program and urged all to pick up a wish star or two at Town Hall.

Mayor Schatzle spoke of the Sustainable Energy Program, suggesting the Environmental Commission look into the Township's participation in this program as well as the number of solar projects and large scale installations within the Township. Mr. Fitzgerald stated the Architectural Review Committee would be looking at the solar issue from a different perspective. Counsel Ackerman stated the County would be doing a few projects, noting the Federal grant dollars expire this year.

Mr. Eastman reported he attended the Farmland and Open Space Preservation Committee meeting and membership unanimously opposed the referendum.

Mr. Eastman stated the Historic Preservation Committee funded a debate at Cedar Drive School by Alexander Hamilton and Thomas Jefferson. Mr. Eastman attended the debate and hopes such student events continue.

Mr. Macnow attended the Business Association meeting today, during which they discussed the upcoming window painting contest throughout the Business District. Mr. Macnow noted upcoming events of a business card exchange and luncheon. In addition, a committee is forming to plan next year's Colts Neck Day. Mr. Macnow noted they are working on a "Welcome to Colts Neck" business district sign, as the Route 18 signs are not going to be changed from the current "Matawan" exit signage. Mr. Macnow noted a property owner near the Route 18 exit is offering his property to locate the new welcome sign.

Mr. Macnow noted The Colts Neck Journal is planning to recognize excellence in the following categories: Business of the Year, Public Servant of the Year, Educator of the Year, Healthcare Professional of the Year, Student of the Year, and Unsung Hero of the Year. Mr. Macnow stated additional information is on The Journal's website.

Mr. Macnow reported two Colts Neck cheerleading squads took first place in Trenton, and both will represent the State of New Jersey in competitions in Florida.

Mr. Engel reported there is much holiday talk in Recreation with Santa's mailbox arriving at Town Hall November 21st, and the annual holiday tree lighting and holiday program at Town Hall on December 4th, which coincides with the annual Friends of the Library art show and sale.

Mayor Schatzle reported four new businesses are coming to Town, noting this is very nice to see.

Mayor Schatzle stated he enjoys every aspect of his service this year, noting he participated in a visit from the First Lady of New Jersey, Mrs. Mary Pat Christie, at 180, Amanda's Easel. Mayor Schatzle noted Amanda's Easel provides children with therapy through art, and Sen. Bennett, Township Counsel, was instrumental in starting this program. During her visit, Mrs. Christie viewed ornaments and selected one for the White House tree. Mayor Schatzle stated it was a pleasure to represent Colts Neck at this event.

19. COMMENTS FROM THE PUBLIC

Mayor Schatzle opened the meeting to public comment.

Ms. Elaine Mann, a resident, questioned who was the vendor selected for snow plowing. Mr. Bowden responded Tri-County Turf, LLC of Cranbury, New Jersey.

Counsel Bennett arrived at 8:24 p.m., at which time Counsel Ackerman departed.

Mr. Fulton Wilcox, a resident, questioned if the Township will be under budget constraints or use the snow plow vendor more this year. Mayor Schatzle stated it will be business as usual noting if there is snow on the ground, it will be taken care of. Mayor Schatzle noted Mr. Thompson, DPW Director, is an expert on snow removal. Mr. Thompson directs resources during snow storms noting one-half of the Town is plowed by Township employees and one-half is plowed by the private vendor. Mr. Wilcox requested a spread sheet showing the number of storms and resultant costs. Mr. Bowden stated storm-related costs will be budgeted accordingly during the annual budget process.

Ms. Susan Wilcox, a resident, spoke of over/under and where the bidding should go. Mayor Schatzle stated this year's contract was market driven based on the intensity of last year's storms and available qualified vendors.

Mr. Vince Domidion, a resident, noted the Recreation fees being set by resolution and questioned if other fees may be set by resolution. Mr. Bowden stated this issue will be reviewed. Mr. Domidion stated he met with Ms. Sashe Annette, and they are working with Long Range Planning to capture evolving wind power technologies, which changes the focus from impact on neighbors to technologies. Mr. Domidion noted the County has seen solar projects and subdivisions are now solar farms. Mr. Domidion noted the election results defeating the referendum and question if there is a clear message to every interest in Town to pursue your dreams within your own means.

Hearing no further comment, Mayor Schatzle closed the meeting.

20. **RESOLUTION 2011-140: EXECUTIVE SESSION** was read by title by Mayor Schatzle. Mr. Fitzgerald made a motion to approve, seconded by Mr. Engel and unanimously carried by voice vote.

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 the Governing Body may return to public session regarding the possible appointment of a new Labor Attorney. Meeting adjourned at 8:32 p.m.

Mr. Eastman left the meeting for the evening.

Motion by Mr. Fitzgerald, seconded by Mr. Engel, and unanimously carried to adjourn closed session and reconvene in public session. Township Committee reconvened in public session at 9:15 p.m.

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						

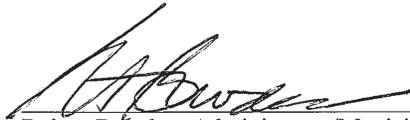
21. **RESOLUTION 2011-141: RESOLUTION AUTHORIZING APPOINTMENT OF JAMES L. PLOSIA, JR. AS TOWNSHIP LABOR COUNSEL** was read by title by Mayor Schatzle. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and unanimously carried.

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						

22. **MOTION TO ADJOURN**: Motion by Mr. Macnow, seconded by Mr. Engel and unanimously carried to adjourn meeting.

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						

Meeting adjourned at 9:16 p.m.



Robert Bowden, Administrator/Municipal Clerk