TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
NOVEMBER 13, 2013
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 Fitzgerald followed by the Pledge of Allegiance. The following statement was read by Township Clerk, Mr. Bowden: "The notice requirements of the New Jersey Open Public Meetings Law have been satisfied by forwarding a News Release to the Asbury Park Press on December 12, 2012 stating a regular meeting of the Colts Neck Township Committee would be held November 13, 2013, 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, Michael Fitzgerald; Deputy Mayor, Russell Macnow; Committeemen James Schatzle, Thomas Orgo and Jarrett Engel (arriving late)

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

Absent: None

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1. **APPROVAL OF MINUTES: OCTOBER 30, 2013**. Mayor Fitzgerald noted a spelling correction on Page 6, fourth paragraph, third line. Mr. Schatzle made a motion to approve, as amended, seconded by Mr. Macnow and unanimously carried by voice vote.

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

2. **ANNOUNCEMENT:** Mayor Fitzgerald announced the November 26, 2013 Township Committee meeting is cancelled and stated two meetings will be held December 11 and December 18.

3. **MAYOR'S PROCLAMATION:** Mayor Fitzgerald proclaimed December 2013 as National Drunk and Drugged Driving (3D) Prevention Month within the Township of Colts Neck and read the proclamation in full. The proclamation calls upon all citizens, government agencies, business leaders, hospitals and health care providers, schools and public and private institutions in the Township 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.

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

4. **ORDINANCE 2013-17:** AN ORDINANCE AMENDING SECTION 98-3 AND SETTING FORTH NEW FEES FOR CONSTRUCTION PERMITS IN THE TOWNSHIP OF COLTS NECK was read by title at first reading by Mayor Fitzgerald. Mr. Schatzle commented it has been a while since the permit fees were reviewed and compared to surrounding towns. Mr. Bowden stated the Code needed to be amended to include new fees relating to generators and changes to make Township fees more consistent with surrounding municipalities. Mr. Orgo questioned if the cost of commercial farm buildings was increased, to which Mr. Bowden stated this fee has not changed. Mr. Macnow made a motion to approve, seconded by Mr. Schatzle and unanimously carried. Mayor Fitzgerald set the public hearing December 18, 2013.

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

5. **ORDINANCE 2013-18:** AN ORDINANCE ENTITLED THE 2014 SALARY ORDINANCE FOR THE TOWNSHIP OF COLTS NECK (POLICE DEPARTMENT AND DEPARTMENT OF PUBLIC WORKS) was read by title at first reading by Mayor Fitzgerald. Mr. Bowden stated the contractual raise for the Police Department is two percent and the contractual raise for Public Works is one percent effective January 1 and one percent effective July 1. Mayor Fitzgerald stated he would be abstaining noting although the Police contract includes a two percent raise, the sixth year salary raise and longevity equates to a 12 to 14 percent increase. Mr. Bowden stated it is a two percent increase plus step movement, with a two percent increase for the top step of a Patrolman. Mr. Orgo questioned why there was a two percent increase for those who have not started employment. Mayor Fitzgerald noted the new Police starting salary is $36,000+. Mr. Schatzle stated the Township would lose at arbitration if these increases were not approved. Counsel Bennett stated the Township is contractually obligated to effect these increases. Mr. Macnow made a motion to approve, seconded by Mr. Engel and carried by Messrs. Macnow, Schatzle, Orgo and Engel; Mayor Fitzgerald abstained. Mayor Fitzgerald set the public hearing December 18, 2013.

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

6. **RESOLUTION 2013-103:** RESOLUTION AUTHORIZING FORMAL TRANSFER OF FUNDS, 2013 BUDGET was read by title by Mayor Fitzgerald. This resolution transfers $70,000 from Snow Removal, Other Expenses, to Employee Group Health. Mr. Bowden stated the Township is self-insured for claims up to $40,000, and this funds transfer will cover additional claims. Mr. Schatzle made a motion to approve, seconded by Mr. Macnow and unanimously carried.

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

7. **RESOLUTION 2013-104:** RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE MID JERSEY MUNICIPAL JOINT INSURANCE FUND (JIF) was read by title by Mayor Fitzgerald. Mr. Bowden stated all members of the JIF are required to renew for a period of three years, which begins January 1, 2014 and ends January 1, 2017. Mayor Fitzgerald questioned why the workers compensation reserves are kept for a length of time. Mayor Fitzgerald requested a current list of liabilities and compensation. Mr. Macnow made a motion to approve, seconded by Mr. Schatzle and unanimously carried.

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

Mr. Macnow recused himself from the meeting and left the room.

8. **RESOLUTION 2013-105:** RESOLUTION CONFIRMING AWARD OF BID, RECYCLING SERVICES TWO YEAR AWARD FOR 2014 AND 2015 WITH OPTION FOR THIRD YEAR 2016 was read by title by Mayor Fitzgerald. Mr. Bowden stated this year's award includes the provision for single stream recycling, which enables residential curbside collection to include all recyclables in one container. Mr. Bowden stated five bids were received, and Sakoutis Brothers Disposal Company, Colts Neck was the low bidder at $67,500 per year for the first two years and includes all costs of the containers at Public Works. Mr. Bowden noted the current annual contract cost is $70,000. Mr. Bowden noted due diligence was performed on the Sakoutis bid, and it was found to be acceptable. Mr. Engel noted single stream collection is a long time coming and should reduce the amount of recyclables blowing around. Mayor Fitzgerald stated he wants the message spread about single stream recycling. Mr. Bowden stated the recycling newsletter would be mailed to all residents and would highlight this change. Mr. Engel suggested placing the news on the Township's website. Mr. Engel made a motion to approve, seconded by Mr. Schatzle and carried by Messrs. Fitzgerald, Schatzle, Orgo, and Engel; Mr. Macnow was absent.

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

Mr. Macnow returned to the meeting.
Mr. Orgo recused himself from the meeting and left the room.

9. **RESOLUTION 2013-106**: RESOLUTION AUTHORIZING AWARD OF CONTRACT, PRIVATE SNOW PLOWING SERVICES, TWO-YEAR AWARD FOR 2013/2014 AND 2014/2015, WITH OPTION FOR THIRD YEAR 2015/2016 was read by title by Mayor Fitzgerald. Mr. Bowden provided a summary, in which it was noted bids were duly advertised, publicly read and rejected twice for reasons of cost. Pursuant to State law, the Township was free to negotiate for this service. Negotiations resulted in a two-year contract with an option for a third year at the rate of $3,000 per hour for twelve vehicles. Prior to this evening's meeting, a legal opinion was sought from the neutral law firm of Ansell, Grimm and Aaron of Ocean, New Jersey. The legal opinion concluded that the Township fully complied with the bid law throughout the process and that Committeeman Orgo should recuse himself from this discussion. Mr. Bowden recommended awarding the bid for private snow plowing services to Pine Tree Landscape Systems. Mr. Macnow made a motion to approve, seconded by Mr. Engel and carried by Messrs. Fitzgerald, Macnow, Schatzle and Engel; Mr. Orgo was absent.

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

Mr. Orgo returned to meeting.

10. **RESOLUTION 2013-107**: RESOLUTION AUTHORIZING GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT EXTENSION FOR JANUARY 1, 2014 TO JUNE 30, 2014 was read by title by Mayor Fitzgerald. Mr. Bowden noted the State is changing the Alliance grant to a State fiscal year cycle from a calendar year cycle. This resolution adds six months to the current grant period. Mr. Macnow commented he is proud of the work done by the Alliance, and the money will be put to good use. Mr. Macnow made a motion to approve, seconded by Mr. Schatzle and unanimously carried.

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

11. **MOTION TO ADOPT CONSENT AGENDA**:

12. ***RESOLUTION 2013-108**: RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTANCE OF MAINTENANCE GUARANTEE, PLANNING BOARD APPLICATION NO. 696 (ST. MARY'S CHURCH).

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

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

13. **ADMINISTRATIVE REPORT:** Mr. Bowden stated he had nothing to add to his report this evening. Mr. Bowden reported the bid specs for the replacement of the slate roof at Town Hall were finalized, and the bid opening is scheduled for Thursday, December 12, at 10:00 a.m. Mr. Bowden stated this work could take up to 25 days to complete, and it will be scheduled to start late March, early April 2014.

14. **MOTION TO APPROVE VOUCHERS:** Mayor Fitzgerald stated he reviewed the vouchers and recommends approval, as follows:

Animal Control	$87.62
Capital Fund	$226,516.60
Construction Trust	$10,084.81
Current Fund	$2,510,892.09
Escrow	$2,352.00
Grant Fund	$1,678.93
Law	$933.80
Trust Fund	$8,795.53
TOTAL:	$2,761,341.38

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 Fitzgerald		X			
Deputy Mayor Macnow	S	X			
Schatzle		X			
Orgo		X			
Engel	M	X*			
M - Moved S - Seconded X - indicates vote	NV - Not Voting		Ab - Absent		

15. **TOWNSHIP COMMITTEE REPORTS**

Mr. Orgo reported the Wildlife Committee is working on updating a draft of the "No Discharge" map to include various options based on the recent Wildlife Survey results.

Mr. Orgo reported the Colts Neck Business Association will be installing a new slate of officers, and Anna Appolonia will be the Association President.

Mr. Macnow reported there were shutters missing from the Library. After speaking with Mr. Thompson, he is happy to report the shutters are on the Library, which greatly enhances its appearance.

Mr. Schatzle reported the Historic Preservation Committee is sponsoring a re-enactment actor for a program at the Primary and Middle Schools. Mr. Schatzle reported the Historic Preservation Committee held a very successful house tour.

Mr. Engel had no report this evening.

Mayor Fitzgerald reported students are becoming involved in what the Township does, and have participated in the Historic Preservation Committee, Architectural Review Committee, and Recreation Committee activities. Mayor Fitzgerald stated in the he would like to involve students in Township workings at an earlier age, as they are the future of this town. Mayor Fitzgerald stated they participate during the school year and will provide a report at the end of their year.

Mr. Schatzle commented Student Government Day was a worthwhile, annual event that involved students in various departments for one day and was cancelled due to budget constraints and the lack of funding for transportation costs. With all in agreement to resurrect this program, Mayor Fitzgerald stated he would speak with the Regional Schools Superintendent and the Local Schools Superintendent.

Mr. Schatzle reported the Veterans Day commemoration was well attended. Mr. Schatzle noted Mayor Fitzgerald's speech was well done, noting Col Sfayer commended Mayor Fitzgerald.

Mr. Schatzle spoke of the importance of residents enrolling in the Police Department's Swift 911 emergency message program. Mr. Schatzle is looking to add another line on the Swift 911 Program enrollment form to include a video registry of residential security cameras and will speak with Chief Sauter about this. Mr. Engel noted unsecured vehicles are leading to personal property thefts.

16. PUBLIC COMMENT

With no further comments, Mayor Fitzgerald opened the meeting to public comment.

Ms. Judy Laufer, a resident and Recreation Committee Member, reported the Colts Neck Community Band would be performing at Colts Neck High School tomorrow evening, starting at 7:30 p.m. Ms. Laufer noted three different conductors would be part of the program, and the concert is free.

Ms. Elaine Mann, a resident, spoke of the Clean Communities workshop she attended and the publication available to schools free of charge if sponsored by the business community. Ms. Mann spoke of the funds available to keep storm sewer catch basins clean. Ms. Mann noted there are deer hunters in Wisconsin, Pennsylvania and West Virginia, and no one was killed. Ms. Mann stated the hunters keep the population of animals at bay.

Mr. Fulton Wilcox, a resident, questioned the reimbursements received by the Township thus far for Superstorm Sandy-related costs. Mr. Bowden stated the total borrowed was $2.5 million and the total expended was $2.1 million. Thus far, the Township received $1 million from FEMA and can expect to receive another $1 million from FEMA. Mr. Bowden stated the State Police review of FEMA reimbursement claims is extensive; however, the Township is pressing to receive the remainder of reimbursement funds. Mayor Fitzgerald stated the Township is ahead of the curve on receiving 50% of the FEMA reimbursement anticipated and thanked the efforts of Mr. Bowden, Chief Sauter, Mr. Thompson and the Public Works Department. Mr. Wilcox questioned if the $1 million received will be used to repay the debt, to which Mr. Bowden responded in the affirmative, and noted the unspent monies will be retired in February. The current debt will be changed to long-term debt to be repaid over the next four years.

Mr. Jeff Sauter, a resident, stated student involvement in the Township is a great idea. Mr. Sauter spoke of the volunteer benefits provided under the Municipal Code. Mr. Sauter referenced the addition of one name noted as a life member on the list of Fire Company 2 members eligible for volunteer benefits. Mr. Sauter questioned why all life members were not included on

the list and noted all should be treated fairly. Mr. Sauter questioned which membership list was being used for Fire Company 1. Mr. Bowden will speak with Mr. Sauter to clarify.

Ms. Mann questioned the bill paid to Sakoutis for wood chipping. Mayor Fitzgerald noted there was additional Superstorm Sandy materials that needed to be chipped prior to disposal which occurred after the majority of debris was disposed.

Hearing no further comments, Mayor Fitzgerald closed the public comment portion of tonight's meeting.

17. **RESOLUTION 2013-109:** EXECUTIVE SESSION. Mr. Engel made a motion to approve, seconded by Mr. Macnow and unanimously carried by voice vote. Mr. Bowden stated the Governing Body is not anticipating a return to public session tonight.

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

The public session meeting ended 8:25 p.m.

Motion by Mr. Orgo, seconded by Mr. Engel and unanimously carried to adjourn closed session.

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

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

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

Meeting adjourned at 9:15 p.m.

Robert Bowden, Administrator/Municipal Clerk