TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
DECEMBER 18, 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 December 18, 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

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. **ANNOUNCEMENT:** Mayor Fitzgerald announced the reorganizational meeting of the Township Committee will be held on Saturday, January 4, 2014, 4:00 p.m. in the Court House.

2. **APPROVAL OF MINUTES:** MEETINGS OF NOVEMBER 13, 2013 AND DECEMBER 11, 2013. 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 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	

3. **MAYOR'S YEAR END REMARKS** Mayor Fitzgerald stated he would provide his year-end remarks during the Township Committee Reports section of tonight's agenda.

4. **PRESENTATION:** OUTDOOR PAVILION, LAIRD ROAD PARK. - Mr. A.J. Garito advised the Colts Neck Sports Foundation is proposing to install a 24' x 30' pavilion at Laird Road Park 20' from the current snack shed between the 60' and 90' fields. The pavilion, which is one-half the size of the pavilion presently at Bucks Mill Park, would be equipped with picnic tables and would provide shade and shelter during inclement weather. The Planning Board reviewed the proposal and provided the following comments: NJ Green Acres approval will be required prior to installation; the pavilion should maintain a 20' separation from the snack shed; the Township should review the need for the current year round 24/7 security lighting at the snack bar; the Township may consider an alternative orientation, placement and/or screening to minimize the pavilion's visual impact from the Reynolds' dwelling on the adjoining property; and the Township should give guidance to the Recreation Director regarding usage. Mr. Garito advised if Green

Acres approval is required, it will be sought. Hearing no comments from the Governing Body, Mayor Fitzgerald opened the meeting to public comment:

Mr. Larry Reynolds, a resident, stated he is the closest neighbor to the adjacent ball field. Mr. Reynolds advised Green Acres funding was provided for Laird Road Park, and he was not notified before the snack shed was built. Mr. Reynolds stated the snack shed should be moved to the playground area near the swings or suggested placing the pavilion near the swings. Mr. Reynolds stated the snack shed and pavilion together will be open to everyone in the State of New Jersey and will attract more use, which will impact his residence. Mr. Reynolds stated this proposal is totally unreasonable.

Ms. Linda Stagliano, a resident, stated she is here tonight representing her neighborhood. Ms. Stagliano advised if the pavilion is rented out, current parking is insufficient. Ms. Stagliano noted an increase of youth in the park during the summer evenings, and she does not want the pavilion to turn into a hangout. Mayor Fitzgerald stated Laird Road Park closes at dusk, and the Police should be called about after-hours gatherings.

Mr. Scott Schauer, Sports Foundation Baseball Commissioner, commented there is already picnic tables in place, the pavilion would not change anything that is being done now, and there has been no evidence of vandals. Mr. Schauer stated the snack shed generates one-fourth the revenue necessary to maintain the ball fields (approximately $20,000). There is no intention to rent out the pavilion for private parties; parking is not adequate.

Mr. Brendan Dowd, Sports Foundation President, stated the pavilion would be a capital improvement for the entire town. Mr. Dowd stated the pavilion is a good thing in that it will increase revenue and provide the opportunity to elevate the perception of the town by visiting teams while providing funds to improve the playing fields. Mr. Dowd noted the planned pavilion is one-half the size of the pavilion at Bucks Mill Park.

Mayor Fitzgerald stated the pavilion's use will be controlled by the Recreation Department, and he is in favor of the pavilion. Mayor Fitzgerald stated the snack shed is there and it would be expensive to move it. Mayor Fitzgerald stated the pavilion will not be rented out for outdoor weddings and such, and usage parameters will be set for the Recreation Director. Currently, there is no place at Laird Road Park for protection from the elements.

Mr. Engel stated he is concerned about hanging out. Mr. Engel stated he will speak with the Chief of Police about his concerns. Mayor Fitzgerald stated he wants Mr. Engel to report back on this issue in January.

Mr. Macnow stated other towns have similar set ups. The pavilion would be used by parents and children, and he does not see this as a change of use. Mr. Macnow stated the Recreation Director will be provided direction on use limitations.

Mr. Orgo questioned the lighting of the pavilion. Mr. Orgo stated the area proposed for the pavilion is too crowded now, and this would put another thing in a crowded area.

Mr. Bowden stated the proposed pavilion would accommodate four to five picnic tables.

Mr. Reynolds requested a resolution limiting its rental. Mayor Fitzgerald stated this would be accomplished by the rules of usage to the Recreation Director. Mr. Reynolds stated the Township has the ability to restrict usage.

Counsel Bennett stated the pavilion would not be rented as a separate rental.

Mayor Fitzgerald stated the Planning Board reviewed the proposed project and the Township Committee must approve capital projects. Mayor Fitzgerald called for a motion to approve the pavilion, subject to the conditions in the Township Planner's memorandum of October 10, 2013, and urged careful consideration of the screening materials utilized to minimize the visual impact on the adjoining Reynolds property. Mr. Schatzle made a motion to approve, seconded by Mr. Engel.

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

During the roll call vote, Mr. Orgo amended the motion to include the provision that no lighting is to be installed within the pavilion. Mr. Orgo made a motion to approve the pavilion, as amended, seconded by Mr. Schatzle and unanimously carried.

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		

5. **ORDINANCE 2013-17:** AN ORDINANCE AMENDING SECTION 98-3 AND SETTING FORTH NEW FEES FOR CONSTRUCTION PERMITS IN THE TOWNSHIP OF COLTS NECK. Mr. Bowden stated this ordinance requires substantial revision and requested the record reflect no action taken. Mr. Bowden stated the ordinance will be re-introduced in 2014.

6. **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 second reading by Mayor Fitzgerald. Mr. Macnow stated the salary increases have already been agreed to contractually. Mayor Fitzgerald stated he will abstain as he wants the issues of longevity, education and steps for new employees dealt with in the next Police contract. Mr. Engel made a motion to approve, seconded by Mr. Macnow and carried by Messrs. Macnow, Schatzle, Orgo and Engel; Mayor Fitzgerald abstained.

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		

7. **RESOLUTION 2013-118:** RESOLUTION AUTHORIZING FORMAL TRANSFER OF FUNDS, 2013 BUDGET was read by title by Mayor Fitzgerald. This resolution transfers $28,625 from Streets and Road Maintenance, Salaries and Wages, to the following accounts: General Administration, Salaries and Wages ($750); Police Department, Salaries and Wages ($20,000); and Shade Tree Commission, Salaries and Wages ($125) to cover additional salaries; and Legal Services (Legal Department), Other Expenses ($7,500); and Telephone ($250) to cover additional expenses. 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		

8. **RESOLUTION 2013-119:** RESOLUTION CONFIRMING PURCHASE OF CASE/FARM-ALL 85C TRACTOR WITH SIDE MOWER AND REAR FLAIL MOWER THROUGH THE NATIONAL JOINT POWERS ALLIANCE ($82,495.90) was read by title by Mayor Fitzgerald. Mr. Bowden stated the funding for this purchase was done by ordinance last year. Mr. Bowden commended Mr. Thompson, noting he did a good job shopping around for the best price. Mr. Bowden stated when purchase is made through cooperative purchasing, it must be placed on an agenda for approval. 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 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		

9. **RESOLUTION 2013-120:** RESOLUTION CONFIRMING PURCHASE OF 2014 INTERNATIONAL WORK STAR CHASSIS WITH AERIAL LIFT AND FORESTRY BODY THROUGH THE OCEAN COUNTY COOPERATIVE BID SYSTEM ($184,713.00) was read by title by Mayor Fitzgerald. Mr. Bowden stated this resolution is the same story as the previous resolution. Mr. Bowden stated this will replace the bucket truck that no longer meets current safety standards. 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		

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

11. ***RESOLUTION 2013-121:** RESOLUTION AUTHORIZING REDUCTION IN PERFORMANCE GUARANTEES, PLANNING BOARD APPLICATION NO. 673A (SPENCER)

12. ***RESOLUTION 2013-122:** RESOLUTION AUTHORIZING CANCELLATION OF 2013 TAX DEBIT AND CREDIT BALANCES OF LESS THAN $5.00

13. ***RESOLUTION 2013-123:** RESOLUTION AUTHORIZING CANCELLATION OF MISCELLANEOUS CHARGES AND OUTSTANDING CHECKS

14. ***RESOLUTION 2013-124:** RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO CANCEL 2012 SANDY EMERGENCY APPROPRIATION RESERVES AGAINST THE EMERGENCY NOTE PAYABLE

Mr. Bowden stated Resolution 2013-124 cancels $300,000 of the $2.5 million borrowed for Superstorm Sandy, which reduces the amount borrowed to $2.2 million. Counsel Bennett stated he has spoken with the DCA Commissioner about Sandy reimbursements and was advised all vouchers are being reviewed by OMB to ensure the accuracy of claims. Counsel Bennett relayed the how difficult a lengthy review process is on municipalities, as they are paying interest on amounts borrowed for Sandy clean-up costs. 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. **ADMINISTRATIVE REPORT:** Mr. Bowden stated he had nothing to add to his report this evening. Mr. Bowden reported Monmouth County is participating in an assessment demonstration program which calls for an annual qualified reassessment whereby 20% of the properties would be reassessed each year for the next five years in the hope this would decrease the number of annual tax appeals filed and determine if changes are needed to the current assessment system. All Monmouth County municipalities are required to complete a total revaluation or begin an annual qualified reassessment. Mr. Magnani is working with Mr. Anfuso and Mr. Domidion, a resident volunteer on this project, to identify neighborhoods for use during the revaluation. Mr. Domidion stated he is working with the Tax Assessor and they are sensitive to the nuances of each neighborhood and are identifying the unique sub-markets. Mr. Domidion stated they are taking pains to make the determinations as fair as possible. Mr. Bowden is seeking authorization from the Township Committee to send out an RFP for appraisal services. Mayor Fitzgerald stated he fears an incredible spike in tax appeals in a down market. Counsel Bennett stated the number of tax appeals is a real problem and he plans to speak with Mr. Bowden about the content of the RFP for appraisal services. Discussion ensued. It was agreed to delay issuing the RFP until Mr. Magnani and Mr. Anfuso provide a presentation to the Governing Body addressing this issue during a future meeting.

Mr. Bowden reported the bids for the Town Hall slate roof replacement were received and exceeded the cost estimates developed for the project. Mr. Bowden noted this project would be completed at a prevailing wage, which increased the project cost approximately $30,000. Mr. Orgo commented the cupola repair should be done by a carpenter at the time of roof replacement, which will also increase job costs. Counsel Bennett stated the bond ordinance could be amended the first meeting in January and approved the first meeting in February to include another $50,000 to cover the cost of the entire project. Counsel Bennett advised there was no choice but to reject the bids at this time. Mr. Bowden stated there is a motion before the Township Committee this evening to reject the slate roof bids received for cost and authorizing the re-bid of the slate roof project. 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 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		

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

Animal Control	$82.81
Capital Fund	$109,293.45
COAH	$217.50
Construction Trust	$9,930.41
Current Fund	$2,776,898.88
Escrow	$3,721.00
Grant Fund	$4,790.99
Tax Collectors Trust	$115,933.97
Trust Fund	$10,261.36
TOTAL:	$3,031,130.37

In addition to the above, approval of a reimbursement to the Colts Neck Sports Foundation in the amount of $2,500 for a purchase (not a contribution) that did not make the above bills list was placed before the Governing Body. Mr. Engel made a motion to approve, as amended, 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		X	
Schatzle		X		X	
Orgo		X		X	
Engel	M	X			
M - Moved S - Seconded X - indicates vote	NV - Not Voting		Ab - Absent		

17. **TOWNSHIP COMMITTEE REPORTS**

Mr. Engel stated the job of Mayor is a difficult one, and he thanked Mayor Fitzgerald for being proactive and thinking outside the box with an Energy Aggregation Program. Mr. Engel noted while the Energy Aggregation Program does not benefit the Township's municipal government, it is a way for Township residents to reduce their electricity costs. Mr. Engel stated he understood the Energy Aggregation Program information session went well and he again thanked Mayor Fitzgerald for his innovative thinking.

Mr. Orgo had no report this evening.

Mayor Fitzgerald presented his year end remarks summarizing what was accomplished during his Mayoral term, a copy of which is appended. Mayor Fitzgerald personally thanked Mr. Bowden, Ms. Kara, Mr. Antonides, Mr. Anfuso and Township staff for the great job they do which makes the person at the helm look good. Mayor Fitzgerald noted while the Governing Body members are all of the same political party, they do have differing viewpoints, which is a great testimony to democracy. Mayor Fitzgerald thanked the Township Committee for their support and stated he looks forward to passing the gavel to Mr. Macnow. Mayor Fitzgerald received a round of applause.

Mr. Macnow had no report this evening.

Mr. Schatzle had no report this evening.

Mr. Bowden stated Mayor Fitzgerald is fondly known as "the fixer", as he has a knack for clearly seeing the issues and working collaboratively to resolve them. Mr. Bowden thanked Mayor Fitzgerald for his leadership.

18. PUBLIC COMMENT

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

Mr. Vince Domidion, a resident, commended Mayor Fitzgerald for being proactive and vigilant during his term as Mayor. Mr. Domidion noted Mayor Fitzgerald dealt fairly and lead well, which is an excellent example of how well a local government works. Mr. Domidion thanked Mayor Fitzgerald for his leadership.

Mr. Jeff Sauter, a resident, stated he had no comments this evening.

Mayor Fitzgerald stated a Proclamation honoring Jacquie Lee was prepared for presentation this evening; however, this Proclamation will be made on a more appropriate day.

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

19. MOTION TO ADJOURN: Mr. Engel made a motion to adjourn, 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		X			
Orgo		X			
Engel	M	X			
M - Moved S - Seconded X - indicates vote		NV - Not Voting		Ab - Absent	

The meeting adjourned at 8:33 p.m.

Robert Bowden, Administrator/Municipal Clerk

MAYOR'S 2013 YEAR END REMARKS

- Adopted some 120 Resolutions and 17 Ordinances.
- Completed Township-wide clean-up of Superstorm Sandy by early January.
- Revised Development Regulations Ordinance pertaining to building height, drive-thru retail stores, and performance guarantees, accessory structures in certain zones, lot size averaging.
- Formed reconstituted Wildlife Committee.
- Sponsored County-wide paper shredding recycling event.
- Adopted $10.99 million municipal budget, with minimal tax increase.
- Executed agreement with Western Monmouth Habitat for Humanity to satisfy Affordable Housing requirements.
- Honored Ms. Alexis Pollitto, finalist in Warren Buffet National "Grow Your Own Business" competition.
- Adopted $2.95 million bond ordinance for road improvements and Public Works equipment.
- Authorized purchase of Pierce Fire Pumper in amount of $483,946.
- Adopted ordinance establishing a Colts Neck Energy Aggregation Program.
- Authorized change to single-stream recycling and awarded a bid pertaining to same.
- Promoted Patrolman Brian Caswell to rank of Sergeant.