

**TOWNSHIP OF COLTS NECK  
TOWNSHIP COMMITTEE MEETING  
OCTOBER 26, 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 led by Eagle Scouts Christopher Motola and Robert Sherman. 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 October 26, 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 Chris Ackerman, Esq.

Absent: None

- 1. APPROVAL OF MINUTES OF OCTOBER 12, 2011:** Mr. Engel made a motion to approve, seconded by Mr. Macnow and carried by all, excepting Mr. Macnow for the portion of the meeting during which he recused himself.

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

- 2. MAYOR'S PROCLAMATION: DECLARING NOVEMBER AS PANCREATIC CANCER AWARENESS MONTH WITHIN THE TOWNSHIP OF COLTS NECK.** Mayor Schatzle noted pancreatic cancer is one of the deadliest cancers and the fourth leading cause of cancer death in the United States, and urged increased awareness about pancreatic cancer and research into early detection, causes and effective treatments to maintain the good health and well being of the residents of the Township.
- 3. PUBLIC RECOGNITION: HONORING CHRISTOPHER MOTOLA AND ROBERT SHERMAN ON ATTAINMENT OF THE RANK OF EAGLE SCOUT.** At Mayor Schatzle's request, both Eagle Scouts explained their projects. Mr. Motola built an outdoor classroom at the local school, constructing benches and a podium that proved beneficial to teachers and students. Mr. Sherman improved a local nature preserve by re-establishing trails and installing benches, which was beneficial to the community. Mr. Motola noted they also participate in the program to mentor young Scouts. Mayor Schatzle noted Presidents of the United States were recognized as Eagle Scouts and thanked them for improving this community. Mayor Schatzle presented both Scouts with Certificates of Recognition, photographs were taken, and the Scouts received a round of applause.

4. **BOND ORDINANCE 2011-9:** BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT APPROPRIATING \$3,121,255 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,772,441 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF COLTS NECK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY was read by title at first reading by Mayor Schatzle. This bond ordinance includes funding for road paving and reconstruction, a Fire pumper truck, Public Works equipment, buildings and grounds improvements, and the Police base station. Mr. Fitzgerald 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			X			
Eastman			X			
Fitzgerald	M		X			
Macnow	S		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded						

Mr. Eastman recused himself and left the meeting.

5. **ORDINANCE 2011-10:** AN ORDINANCE AMENDING CHAPTER 102, DEVELOPMENT REGULATIONS, 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 allows a group home to be a component of meeting the affordable housing obligation. Mayor Schatzle stated the ordinance incorporates comments of the previous meeting's discussion. Mr. Fitzgerald discussed two ways to do the PILOT (payment in lieu of taxes) Program. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and unanimously carried by all present. 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						

Mr. Eastman returned to the meeting.

6. **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. Mr. Fitzgerald noted the ordinance needed to be reviewed by the Board of Public Utilities and stated it should be ready for introduction at the next Township Committee meeting. Mr. Bowden stated he will place this ordinance on the next meeting agenda.

7. **MOTION TO ADOPT CONSENT AGENDA:**
8. **\*RESOLUTION 2011-130:** RESOLUTION CONFIRMING CHANGE ORDER NO. 1, REPAIR OF GLENWOOD ROAD (+\$9,500)
9. **\*RESOLUTION 2011-131:** RESOLUTION AUTHORIZING RELEASE OF INSPECTION FEES – ZONING BOARD APPLICATION NO. 637 (HERMAN)
10. **\*RESOLUTION 2011-132:** RESOLUTION AUTHORIZING RECREATION PROGRAM REFUND

Mr. Fitzgerald questioned the Glenwood Road resolution, and Mayor Schatzle responded this was an emergency that needed to be done as soon as possible. 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. **ADMINISTRATIVE REPORT:** Mr. Bowden stated he had nothing to add to his report.
12. **MOTION TO APPROVE VOUCHERS:** Mayor Schatzle stated he reviewed the vouchers and recommends approval as follows:

Animal Control	\$82.77
Capital Fund	\$183,920.37
Construction Trust	\$9,561.88
Current Fund	\$2,303,393.05
Escrow	\$14,175.43
Grant Fund	\$300.00
Trust Fund	\$6,552.14
<b>TOTAL APPROVED:</b>	<b>\$2,517,985.64</b>

Mayor Schatzle stated he wanted to include a payment to the Mazzara Trucking, the company doing the storm related restoration work on Glenwood Road, in the amount of \$22,500.00. Mayor Schatzle stated this is 50% of the total payment for this job, and the Township Engineer certified the work performed. Mr. Fitzgerald made a motion to approve the bills list, as amended, seconded by Mr. Engel and unanimously carried. 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						

13. **TOWNSHIP COMMITTEE REPORTS**

Mr. Macnow reported the Executive Fire Council met. Mr. Rich Galinski will be Fire Chief and Mr. Mike Burke will be Deputy Fire Chief next year. Mr. Macnow stated they recently had a very successful fund raiser.

Mr. Engel had no report this evening.

Mr. Fitzgerald stated the Architectural Review Committee will have a vacancy on its committee when Mr. Rob Hesslein moves out of town in December. Mr. Fitzgerald noted Mr. Hesslein will be missed, and the Committee will need a new co-chair.

Mr. Eastman stated there was a special meeting of the Farmland and Open Space Committee on Monday, noting this committee is opposed to the referendum placed on the November ballot pertaining to the open space set aside. Mr. Eastman stated the Committee plans to send a letter to the taxpayers noting their opposition.

Mayor Schatzle stated the Historic Preservation Committee sponsored the Halloween Festival at Bucks Mill Park, which included an Edgar Allen Poe event at the Montrose Road School House. Mayor Schatzle stated he attended the Bucks Mill event with his sons, and this was a great community event. Mayor Schatzle stated the School House was a wonderful location for the Edgar Allen Poe event. Mayor Schatzle gave kudos to Mr. Frank Rizzuto, the newest member of the Historic Preservation Committee and coordinator of this event, and to the Historic Preservation Committee.

14. **COMMENTS FROM THE PUBLIC**

Mayor Schatzle opened the meeting to public comment.

Ms. Virginia Amend, a resident and Editor of the Colts Neck Calendar, questioned the fees for parks usage. Mr. Bowden stated there will be two or three ordinances on the next meeting agenda, which will include parks fees. Ms. Amend questioned who was handling Fire Company No. 2 finances and who is the auditor? Mr. Macnow will provide Ms. Amend with that information.

Ms. Elaine Mann, a resident, questioned how much debt is currently outstanding. Mr. Bowden stated while he does not have this information tonight, it will be available at the public hearing, and he suggested Ms. Mann speak with him tomorrow.

Mr. Fulton Wilcox, a resident, stated the public is being asked to vote on the open space issue, and asked for further information on uses. Mr. Macnow stated any entity could request the Governing Body approve a proposal for funds to make improvements to what the Township now owns. Mr. Macnow gave the example of Seniors asking for addition lighting at the Library. Mr. Wilcox stated this is a dedicated revenue source for capital expenditures/buying property, and the establishing vote was not for improving playing fields or installing additional lighting, noting if the referendum passes, the dedicated funds can be spent on maintenance of lands. Mayor Schatzle stated this purpose was part of State regulations, and did not have to be brought to referendum; however, the Governing Body opted to place this referendum on the ballot to gain the sentiment of the voters. Mayor Schatzle stated unfortunately, the number of words is limited on the ballot.

Ms. Mann stated previous meeting minutes reflected a change from 20% to 15% for the referendum. Mr. Fitzgerald stated he wanted to decrease the

percentage to 15%, and this would mean not more than 15% of the dedicated open space funds could be used for this purpose. Mr. Fitzgerald stated the State statute has no limitation on where funds can be used. If the referendum passed, a limitation of 15% could be used for this purpose with 85% going to open space, farmland and historic preservation purposes. If the referendum is not passed, by State statute, up to 100% of the dedicated funds could be used for this purpose. Mr. Fitzgerald urged all to read the State statute.

Mr. Ernest Janssen, a resident, questioned the use of the dedicated funds for lighting. Mr. Janssen stated either it would be going toward playing fields or used for open space, and he doesn't understand the other uses. Mr. Fitzgerald stated there would be a limited use of open space funds to 15% and gave the example of relocating a historic building to a central site, noting this is neither a baseball field nor an open field. Mayor Schatzle stated the funds could be used for improvements to trails and horse trails.

Ms. Amend questioned why the repair of fields aren't under capital expenditures. Ms. Amend stated Mr. Jacoby and Mr. Malinowski, Farmland and Open Space Committee, oppose the passage of the referendum.

Mr. Frank Leccese, Sr., a resident, questioned if the fire pumper being replaced was properly depreciated over the past 21 years and was money set aside for its replacement. Mr. Leccese questioned if other Fire Department equipment is being depreciated correctly and are funds being set aside for replacement. Mayor Schatzle stated the money budgeted from the Township to the Executive Fire Council is vouchered through the Township. The donations made to Fire Company No. 2 met with an unfortunate situation. Mayor Schatzle stated the Township had set aside funds for equipment replacement; however, the budget constraints under which the Township has had to operate have impacted the ability to continue the set asides for replacement. Mayor Schatzle stated Fire equipment is very expensive.

Hearing no further comment, Mayor Schatzle closed the meeting.

15. **RESOLUTION 2011-133:** 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 was not anticipated to return into Public Session this evening. Meeting adjourned at 8:15 p.m.

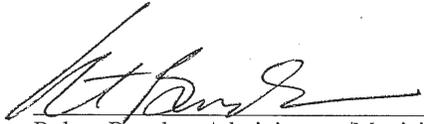
Motion by Mr. Engel, seconded by Mr. Macnow, and unanimously carried to adjourn closed session and reconvene in public session.

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

Motion by Mr. Engel, seconded by Mr. Macnow and unanimously carried to adjourn meeting.

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						

Meeting adjourned at 9:15 p.m.



Robert Bowden, Administrator/Municipal Clerk