

**TOWNSHIP OF COLTS NECK  
TOWNSHIP COMMITTEE MEETING  
DECEMBER 12, 2012  
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 Engel, followed by a salute to the flag led by Ms. Beth Kara, Deputy Municipal Clerk. The following statement was read by Township Clerk, Mr. 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 14, 2011 stating a meeting of the Colts Neck Township Committee would be held December 12, 2012 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 Jarrett Engel, Deputy Mayor Michael Fitzgerald, Committeemen Russell Macnow, James Schatzle and Thomas Orgo

Also Present: Administrator/Municipal Clerk Robert Bowden; Deputy Municipal Clerk Beth Kara; and Township Counsel Chris Ackerman, Esq.

Absent: None

1. **ANNOUNCEMENT:** Mayor Engel announced the next meeting of the Township Committee will be the 2013 Reorganization meeting on Saturday, January 5, 2013, at 4:00 p.m. in the Court House.
2. **APPROVAL OF MINUTES OF DECEMBER 6, 2012:** Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried.

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

3. **MAYOR'S 2012 YEAR END REMARKS:** Mayor Engel provided his remarks on the many accomplishments of the Mayor and Governing Body for the year 2012, a copy of which is appended.
4. **ORDINANCE 2012-14:** AN ORDINANCE ENTITLED THE 2013 SALARY ORDINANCE FOR THE TOWNSHIP OF COLTS NECK was read by title at second reading by Mayor Engel. Mr. Bowden stated this ordinance reflects the contract obligations for 2013 with increases as follows: white collar contract, 2% increase; police contract, 2% increase; blue collar contract, 1% increase effective 1/1/13, and 1% increase effective 7/1/13. Hearing no comment from the Governing Body, Mayor Engel opened public hearing.

Mr. Vince Domidion, a resident, stated the increases are a good thing in that the negotiated contracts resulted in reasonable settlements and reflect stability within the workforce.

Hearing no further comments, Mayor Engel closed the public hearing. 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 Engel			X			
Deputy Mayor Fitzgerald	M		X			
Macnow		S	X			
Schatzle			X			
Orgo			X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

5. **ORDINANCE 2012-15:** ORDINANCE OF THE TOWNSHIP OF COLTS NECK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, VACATING ALL OF THE RIGHT, TITLE AND INTEREST OF THE TOWNSHIP OF COLTS NECK IN TWO PORTIONS OF THE CURRENT GALLOPING HILL ROAD CUL-DE-SAC was read by title at second reading by Mayor Engel. Hearing no comment from the Governing Body, Mayor Engel opened the public hearing. Hearing no comment, Mayor Engel closed the public hearing. Mr. Orgo made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried

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

6. **RESOLUTION 2012-141:** RESOLUTION TO APPROVE AND ENDORSE THE ACQUISITION OF A DEVELOPMENT EASEMENT BY THE MONMOUTH COUNTY AGRICULTURE DEVELOPMENT BOARD, CICALESSE FARM, BLOCK 20, LOT 5 was read by title by Mayor Engel. Mr. Orgo stated the acquisition of this property was ten years in the making. This is a 16 acre parcel with one proposed non-severable exception, one single family residence and no agricultural labor housing units. Certified market value and purchase price is \$55,000 per acre for a total cost of \$880,000. The State share is \$524,000 (59.55%), the County share is \$211,981.82 (24.09%), and the Township's share \$144,018.18 (16.37%). Mayor Engel thanked Mr. Orgo and James Stuart for intervening and making this acquisition a reality. 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 Engel			X			
Deputy Mayor Fitzgerald	M		X			
Macnow		S	X			
Schatzle			X			
Orgo			X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

7. **RESOLUTION 2012-142:** RESOLUTION CONFIRMING 2013 TOWNSHIP COMMITTEE MEETING SCHEDULE was read by title by Mayor Engel. Mr. Bowden stated the meeting dates proposed remain the second and last Wednesdays of each month with two holiday-related exceptions, November 26 and December 18. Mr. Orgo made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried.

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

8. **RESOLUTION 2012-143:** RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL FOR BAL COLT'S NECK, LLC FOR YEARS 2008, 2009, 2010, 2011 AND 2012 was read by title by Mayor Engel. Mr. Bowden stated this involves Brandywine Assisted Living and has been going on for many years. Township Special Counsel Steib recommends approval. Mr. Fitzgerald made a motion to approve, seconded by Mr. Orgo and unanimously carried.

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

9. **RESOLUTION 2012-144:** RESOLUTION AUTHORIZING FORMAL TRANSFER OF FUNDS, 2012 MUNICIPAL BUDGET was read by title by Mayor Engel. This resolution authorizes the transfer of \$61,500 from Board of Health, Other Expenses (\$1,500); and Streets and Road Maintenance, Salaries and Wages (\$60,000); to Employee Group Health (\$60,000); and Telephone (\$1,500); to cover additional expenses. Mr. Fitzgerald made a motion to approve, seconded by Mr. Orgo and unanimously carried.

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

10. **MOTION TO ADOPT CONSENT AGENDA:**
11. **\*RESOLUTION 2012-145:** RESOLUTION AUTHORIZING RELEASE OF ESCROW APPLICATION FUNDS, PLANNING BOARD APPLICATION NO. 501 (NEXTEL)
12. **\*RESOLUTION 2012-146:** RESOLUTION AUTHORIZING RECREATION PROGRAM REFUND
13. **\*RESOLUTION 2012-147:** RESOLUTION AUTHORIZING RELEASE OF ESCROW APPLICATION FUNDS, PLANNING BOARD APPLICATION NO. 681 (GARBER)
14. **\*RESOLUTION 2012-148:** RESOLUTION AUTHORIZING ACCEPTANCE OF SPECIAL PERFORMANCE GUARANTEES, STREET OPENING, BLOCK 35.02, LOT 9 (PEDUTO)

15. **\*RESOLUTION 2012-149:** RESOLUTION AUTHORIZING ACCEPTANCE OF SPECIAL PERFORMANCE GUARANTEES, STREET OPENING, BLOCK 51, LOT 2.09 (22 DEPUTY MINISTER DRIVE)
16. **\*RESOLUTION 2012-150:** RESOLUTION AUTHORIZING CANCELLATION OF MISCELLANEOUS CHARGES AND OUTSTANDING CHECKS
17. **\*RESOLUTION 2012-151:** RESOLUTION AUTHORIZING CANCELLATION OF 2012 TAX DEBIT AND CREDIT BALANCES OF LESS THAN \$5.00
18. **\*RESOLUTION 2012-152:** RESOLUTION AUTHORIZING SENIOR CITIZENS, DISABLED PERSONS AND VETERANS ALLOWANCE

Mr. Bowden asked the following resolution be added to the Consent Agenda:

19. **\*RESOLUTION 2012-152A:** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE, PLANNING BOARD APPLICATION NO. 702 (GANA)

With reference to Agenda Item No. 13, Mr. Fitzgerald questioned if there are any outstanding violations against the applicant. Discussion ensued, and Mr. Orgo stated Mr. Garber has been before the Zoning Board of Adjustment. Mr. Fitzgerald made a motion to approve all, with Resolution 2012-147 receiving conditional approval pending no outstanding violations, seconded by Mr. Schatzle and unanimously carried.

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

## 20. ADMINISTRATIVE REPORT

Mr. Bowden thanked Mayor Engel on behalf of all Township employees for his service this past year and for his concern for the employees.

21. **MOTION TO APPROVE VOUCHERS:** Mr. Fitzgerald reviewed the vouchers and recommended approval, as follows:

Animal Control	\$430.90
Capital Fund	\$34,243.50
Construction Trust	\$10,882.40
Current Fund	\$5,389,335.36
Escrow	\$17,697.84
Grant Fund	\$932.44
Trust Fund	<u>\$14,011.99</u>
TOTAL:	\$5,467,534.43

Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow, and carried by Messrs. Engel, Fitzgerald, Schatzle and Orgo; \*Mr. Macnow approved all but those from Sakoutis Brothers Disposal, Mazzara Trucking & Excavation, and Best Horticultural Services, for which he abstained.

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

## 22. TOWNSHIP COMMITTEE REPORTS

Mr. Orgo reported a special meeting of the Township Committee was held November 29, to discuss Deer Management and Control within the Township. The Deer Management Sub-Committee and State representatives presented information to the public. Mr. Orgo stated a Deer Management Council will be formed in 2013 to continue the Sub-Committee's work.

Mr. Orgo reported there are now 175 members in the Colts Neck Business Association. The Business Association will be sponsoring a window painting contest with Colts Neck High School students. In addition, the Business Association will be distributing "Shop Local" flyers reminding residents to support Colts Neck local businesses.

Mr. Schatzle reported First Aid Squad volunteers did an exceptional job during the recent Superstorm and recovery period. Squad members prepared comfort stations for use, responded to aided calls, and manned the comfort stations continuously. Mr. Schatzle made special mention of one volunteer who manned the comfort station from 10:00 a.m. to 6:00 p.m. each day for the two weeks of operation.

Mr. Schatzle reported the Board of Health met to plan the upcoming Rabies Clinic scheduled for January 5, 9:00 a.m. to 10:30 a.m., at the Bucks Mill Park Recreation Center. Mr. Schatzle reported the Health Officer is a member of the Deer Management Sub-Committee.

Mr. Macnow had no report this evening.

Mr. Fitzgerald reported he and Mr. Schatzle have spent a lot of time at the Public Works yard and addressing the storm-related brush situation within the Township. Mr. Fitzgerald reported between 50,000 to 60,000 cubic yards of brush is now piled at the DPW yard, and the best estimate is there is near that amount still remaining on the Township streets awaiting collection, which will take an estimated 10 to 15 days to collect. Mr. Fitzgerald spoke of the costs of brush collection (\$11.70 per cubic yard), grinding (\$3.25 per cubic yard), and the cost for the wood chips to be transported elsewhere (cost to be determined). Mr. Fitzgerald stated FEMA representatives met with Township officials Monday, and the Township is hoping to be reimbursed \$.75 per \$1.00 expended for storm-related costs. Mr. Fitzgerald stated removing brush from the 32 miles of Township streets is a priority. Mr. Orgo commented a date must be set to stop brush collection, and noted once a collection is made, additional materials are being placed curbside. Mr. Orgo noted if brush is not placed parallel to the curb, it takes longer to pick up.

Mayor Engel reported he and Mr. Macnow attended a memorable Menorah lighting at the Orchards Shopping Center last week. Mayor Engel also attended the special menorah lighting at the PNC Arts Center.

Mayor Engel reported he attended the Township's tree lighting ceremony, during which he recognized over 200 volunteers for their efforts during recent Superstorm Sandy and throughout the power restoration period. Mayor Engel stated these are true heroes within this community.

Mayor Engel stated the local Office of Emergency Management debriefing meeting was held, and suggestions were advanced on areas to be more proactive in the face of impending significant storms. Mayor Engel thanked all participants in this process.

Mayor Engel reported the Assistant Secretary of the Department of Energy visited Colts Neck with his entourage from Washington, D.C. The Department of Energy staff was instrumental in having the power restored to Colts Neck after the recent Superstorm. The biggest takeaway from our discussions was that the Township has a plan in place, but no power plant. JCP&L will be providing the power grid maps to the Township for future emergency planning, and they are discussing the development of an app for power outages. JCP&L representatives will be touring the Township with Mayor Engel to view utility poles. Mayor Engel requested residents contact the Administrator's Office to report damaged poles needing replacement (732-462-5470, x 100). Mayor Engel asked that the pole number (found on the pole) and location be provided at the time of the call.

Mayor Engel reported many people from the Township are actively involved in the "Adopt Union Beach" initiative. Recently, the PTOs from Union Beach and Colts Neck paired to provide Santa's workshop to Union Beach residents, and the Colts Neck Sports Foundation provided soccer balls to the Union Beach Sports Foundation. Mayor Engel stated he was proud of the Township and of Col. Jim Sfayer's steering this ship.

### 23. COMMENTS FROM THE PUBLIC

Hearing no further comments from the Township Committee, Mayor Engel opened the meeting to public comment.

Mr. Vince Domidion, a resident, congratulated Mayor Engel on a good year as Mayor. He commended Mayor Engel for taking on controversial issues and handling them well. Mr. Domidion stated the management of the storm events was superlative, and all involved did a great job. Mr. Domidion stated he was proud of the Township and its leaders. Mr. Domidion stated he is pleased the Cicalese Farm is preserved, and noted this is a true Colts Neck farming family that has been farming for many years. Mr. Domidion suggested the power grid mapping be done by the County GIS. Mr. Domidion spoke with Eric Anderson at the County, and the mapping can be done on any base desired. Mr. Domidion would like the entire County mapped.

Mr. Bill Phelan, a resident, stated JCP&L, an Ohio-based company, is poorly run, noting they lied to Mayor Engel and Chief Sauter. Mr. Phelan questioned what was going to be done? Mayor Engel stated there is no faith in JCP&L, and it was the Department of Energy that worked to restore power in Town. Mayor Engel stated the current power system is antiquated and tired and needs to change. Mayor Engel noted when he called JCP&L to report a power outage Sunday, he was told "we don't guarantee power". Mayor Engel stated the Township Committee acted like the "800" JCP&L information line during Superstorm Sandy. Mayor Engel noted one reason power was restored quickly after the Department of Energy was involved was the Township was deemed to have a sanitation issue. Mayor Engel stated newer homes use electricity to pump toilet waste into septic systems. Mayor Engel noted JCP&L does not have the ability to prioritize power restoration. Mr. Phelan questioned if the Colts Neck Post Office is staying open and is delivery moving to Freehold? Mr. Schatzle responded the letter carriers are dispatched out of Freehold; however, the Colts Neck Post Office still maintains post office boxes and sells stamps.

Ms. Elaine Mann, a resident, stated JCP&L has requested a rate increase, and she requested a resolution be written opposing the rate increase. Ms. Mann thanked Mr. Bowden and Mayor Engel for their numerous presentations to the students of Cedar Drive School on the Town Hall pond dredging operation. Ms.

Mann stated the students are planning to monitor the quality of the pond water and will be cleaning the pond area. Ms. Mann questioned if the Township Committee has made a decision on the bonding of a new fire truck. Mr. Fitzgerald responded in the negative.

Mr. Chuck Camarata, a resident, stated at the last meeting, funding of \$750,000 was approved for storm-related expenses. Tonight, funding of \$1,500,000 was mentioned. Mr. Fitzgerald responded the resolution authorizing \$750,000 was rescinded and a resolution authorizing \$1,500,000 was adopted during the special meeting of the Township Committee December 6th. Mr. Fitzgerald stated the resolution was amended to include the provision that all FEMA payments received would be applied to retire the storm-related debt.

Mr. Fulton Wilcox, a resident, questioned the 2012 budget transfer of \$61,000 to employee health. Mr. Bowden responded the employee health benefits program is self-insured with \$40,000 per insured life based on actuarial estimates. This year's claims experience exceeded budgeted estimates.

Ms. Susan Wilcox, a resident, stated she visited the giftcards.com website and found Colts Neck Recreation Committee as an option. Ms. Wilcox questioned who was receiving the money from the purchase of these gift cards? Mayor Engel stated the Governing Body and the Administrator have no knowledge of this program. Mr. Fitzgerald commented that it may not be sponsored by the Recreation Committee. Mayor Engel stated it will be researched.

Ms. Elaine Mann stated areas within the Township have received one brush collection, yet residents have piled substantial amounts of brush through the rear of their properties repeatedly on Flock Road between the Route 34 intersection and the street entrance near the Golf Club.

Mr. Domidion questioned the length of time for repayment of non-FEMA reimbursed storm-related expenses. Mr. Bowden responded the funds can be repaid in five years, one year or any time period in between.

Hearing no further comments, Mayor Engel closed the meeting.

24. **RESOLUTION 2012-153:** EXECUTIVE SESSION was read by title by Mayor Engel. Mr. Fitzgerald made a motion to close the public meeting and adjourn to Executive Session, seconded by Mr. Orgo and unanimously carried by voice vote. Mr. Bowden stated the Township Committee is not returning to Public Session this evening.

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

Meeting adjourned 8:40 p.m.

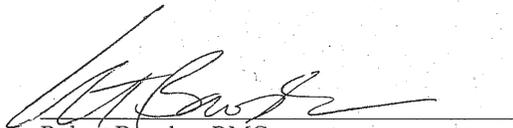
Motion by Mr. Orgo, seconded by Mr. Macnow and unanimously carried to adjourn Closed Session.

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

Meeting adjourned at 9:55 p.m.



Robert Bowden, RMC  
Administrator/Municipal Clerk

Attachment

MAYOR'S YEAR END REMARKS  
2012  
MAYOR JARRETT R. ENGEL

- Adopted 152 resolutions.
- Adopted 15 ordinances.
- Adopted \$10.3 million budget with .6 (six-tenths) of one cent tax increase.
- Approved refinancing of existing Township debt with projected savings of \$280,000.
- Settled three-year contract with White Collar Union.
- Settled three-year contract with Police P.B.A. Union.
- Settled three-year contract with Blue Collar Union.
- Entered into shared services agreement with Marlboro for use of Swim Club.
- Entered into shared services agreement with County for pond dredging.
- Purchased two marked Police vehicles, license plate reader, and mobile radios for Police Department.
- Purchased front-end loader, dump truck and pickup truck for Public Works.
- Hired two new Police Officers and two Public Works Laborers.
- Promoted Kristian Devito to Sergeant.
- Heard Recreation Facilities Plan by Director of Recreation.
- Awarded \$728,000 contract for road improvement projects.
- Approved use of \$225,000 of developer impact fees to Western Monmouth Habitat for Humanity to satisfy affordable housing requirement.
- Approved litigation to oppose Trump helistop.
- Renegotiated third year option for curbside recycling contract, saving \$22,000.
- Established Deer Management Sub-Committee, and conducted special deer management meeting.
- Approved film permit regulations.
- Approved ten-year franchise agreement with Cablevision.
- Dealt with Superstorm Sandy – emergency appropriation of \$1,500,000.
- Performed six wedding ceremonies.