

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
JUNE 27, 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 Anita and Emory Dedalis, Co-Chairs of the Township's Alliance for Drug and Alcohol Prevention. 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 the meeting of the Colts Neck Township Committee would be held June 27, 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:** TOWNSHIP COMMITTEE SUMMER MEETING SCHEDULE. Mayor Engel announced the 2012 summer meeting schedule with one meeting per month held July 11th and August 8th. Dress code for summer meetings is business casual.
2. **APPROVAL OF MINUTES OF JUNE 13, 2012:** 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						

3. **PRESENTATION:** REVIEW OF 2011 MUNICIPAL AUDIT. Mr. John Antonides, Chief Financial Officer, noted the fund balance for 2010 was \$1,359,000, while the fund balance for 2011 was \$1,763,000. Mr. Antonides stated there is a 99.29% collection rate and commended his staff for this rate. Mr. Antonides noted there are not as many tax appeals this year as in recent years. Mr. Antonides briefed the Governing Body on the audit report and noted one finding pertaining to tickets outstanding more than six months, which occurred when an officer retired with outstanding tickets. Mr. Antonides advised a corrective action plan was developed wherein the Court Administrator will monitor outstanding tickets on a consistent basis. Mr. Schatzle stated he was impressed with the comprehensive audit resulting in just one finding.
4. **RESOLUTION 2012-85:** GOVERNING BODY CERTIFICATION OF THE 2011 ANNUAL AUDIT was read by title by Mayor Engel. 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						

5. **SIGNING OF THE AUDIT AFFIDAVIT:** Mr. Bowden stated by law the Governing Body must sign the affidavit certifying they have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations." Mr. Bowden stated the record should reflect the affidavit has been signed by each member of the Governing Body this evening.

6. **DISCUSSION: SECTION 125 FLEXIBLE SPENDING PLAN.** Mr. Antonides stated offering a Section 125 Flexible Spending Plan to employees is required by State Law. Mr. Antonides stated he spoke with various providers, and AFLAC is willing to waive all fees for the life of the plan. Mr. Antonides stated the Township would fund the account up front, which would be repaid through payroll deduction by participating employees. Mr. Antonides stated he would advise all employees of this plan and AFLAC presentation dates with a notice attached to individual pay checks. Mr. Schatzle stated he hopes employees take advantage of this opportunity. The Governing Body is in favor of proceeding. Mr. Bowden stated a resolution will be on the next meeting agenda.

The Governing Body thanked Mr. Antonides for his presentations. Mr. Antonides left the meeting at 7:40 p.m.

7. **ORDINANCE 2012-11: AN ORDINANCE OF THE TOWNSHIP OF COLTS NECK IN MONMOUTH COUNTY, STATE OF NEW JERSEY, ESTABLISHING CHAPTER 42 OF THE CODE OF THE TOWNSHIP OF COLTS NECK DESIGNATED AS THE MUNICIPAL ALLIANCE TO PREVENT ALCOHOLISM** was read by title at first reading by Mayor Engel. This ordinance codifies the Township's Alliance Program. Mr. Macnow made a motion to approve, seconded by Mr. Schatzle and unanimously carried. Mayor Engel set the public hearing July 11, 2012.

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

8. **RESOLUTION 2012-86: RESOLUTION AUTHORIZING RENEWAL OF LIQUOR LICENSES (2012-2013)** was read by title by Mayor Engel. 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						

9. **RESOLUTION 2012-87:** RESOLUTION OF REQUEST FOR REVIEW AND APPROVAL OF AFFORDABLE HOUSING TRUST FUND SPENDING PLAN, AS AMENDED was read by title by Mayor Engel. 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						

10. **RESOLUTION 2012-88:** RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE TOWNSHIP OF COLTS NECK AND WESTERN MONMOUTH HABITAT FOR HUMANITY, A TITLE 15 NOT FOR PROFIT CORPORATION OF THE STATE OF NEW JERSEY, TO ASSIST THE TOWNSHIP IN MEETING ITS OBLIGATION TO PROVIDE AFFORDABLE HOUSING IN ACCORDANCE WITH THE FAIR HOUSING ACT AND AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE TOWNSHIP'S AFFORDABLE HOUSING TRUST FUND was read by title by Mayor Engel. Mr. Fitzgerald thanked Mr. Orgo for participating in all meetings. Mr. Fitzgerald stated much thought and time went into the recommendations including spot lots, rehabilitating existing homes, and working with developers to fulfill the COAH obligation. Mr. Fitzgerald noted COAH trust fund monies must be committed by July 17, 2012 or be taken by the State. Mr. Schatzle stated he appreciates all the work that went into the resolution presented this evening. 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						

11. **RESOLUTION 2012-89:** RESOLUTION AUTHORIZING AWARD OF BID, FY 2012 CAPITAL ROADWAY IMPROVEMENTS, PHASE II was read by title by Mayor Engel. Mr. Bowden stated nine bid packages were issued and eight bids were received ranging from \$728,013.13 to \$1,000,000.00; the Engineer's estimate is \$887,965.00. The Engineer recommends award to the lowest responsible bidder, Earle Asphalt Company, Farmingdale, New Jersey, with a bid of \$728,013.13, noting Earle Asphalt's last satisfactory job in the Township was Heyers Mill Road. Mr. Bowden stated this resolution includes improvements to Colts Neck Boulevard, Manor Drive, Laurelwood Drive, the

entrance road to Public Works and the Town Hall parking lot. Mr. Macnow stated the Township has kept in contact with The Grande Association, and The Grande is exploring its options. 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 Engel			X			
Deputy Mayor Fitzgerald			X			
Macnow	S		X			
Schatzle	M		X			
Orgo			X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

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

13. ***RESOLUTION 2012-90:** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES, PLANNING BOARD APPLICATION NOS. 101/343 (K.G. PROPERTIES)

14. ***RESOLUTION 2012-91:** RESOLUTION AUTHORIZING REDUCTION IN PERFORMANCE GUARANTEE, PLANNING BOARD APPLICATION NO. 691 (FEILER)

Mr. Macnow 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	M		X			
Schatzle			X			
Orgo			X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

15. **DISCUSSION:** RESIDENTIAL EASEMENT RESTRICTION REQUESTS.

Mr. Fitzgerald stated he is liaison to the Environmental Commission, and its Chair is questioning how easements are being changed without their review. Mr. Fitzgerald noted if the Environmental Commission had reviewed the request made at the prior Township Committee meeting, the land exchange could have been worked out prior to the presentation to the Governing Body. Mr. Fitzgerald suggested establishing procedures whereby residential requests are presented to the Environmental Commission and their recommendations, together with input from the Township Planner, is provided to the Governing Body for prior to placement on a Township Committee meeting agenda. Mr. Fitzgerald made a motion to approve, seconded by Mr. Schatzle and unanimously carried by voice vote.

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						

Mr. Fitzgerald questioned why relief granted is not included in deeds, noting requests always involve lot averaging in the two acre zone. Mr. Orgo commented swimming pools are not part of lot coverage. Mr. Fitzgerald stated

the Environmental Commission wants to have information for each lot posted on the website for prospective buyers.

16. **ADMINISTRATIVE REPORT:** Mr. Bowden stated he had nothing further to add to his Administrative Report.
17. **MOTION TO APPROVE VOUCHERS:** Mr. Fitzgerald reviewed the vouchers, noting the lion's share of vouchers were payments to the schools, and recommended approval as follows:

Animal Control	\$82.90
Capital Fund	\$18,663.49
Construction Trust	\$12,387.50
Current Fund	\$2,458,464.88
Escrow	\$1,683.33
Grant Fund	\$507.23
Trust Fund	\$6,962.90
TOTAL:	\$2,498,752.23

Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow, and unanimously carried. Mr. Macnow abstained from approving all bills for T&M Associates.

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						

18. **TOWNSHIP COMMITTEE REPORTS**

Mr. Orgo questioned the current situation on Hillsdale. Mr. Bowden responded the Engineer is keeping an eye on this and reports it has not gotten worse.

Mr. Orgo reported the Deer Committee plans to recommend following State regulation pertaining to bow and arrow deer hunting, which would include changing the Township's 450 feet limit to a 150 feet limit at a downward angle, open hunting on farmland assessed property, and retain the ban for public land. Counsel Ackerman stated he is working on the ordinance as well as any recommended revisions to the Township's Discharge Map. Mr. Fitzgerald stated the number of groups should be addressed.

Mr. Macnow reported he spoke with the new Librarian and many new programs and movies are planned for children this summer. Mr. Macnow reported Matthew Bell won the Fourth Grade Spelling Bee this year. Mr. Macnow reported the Friends of the Library want to have pathway lighting installed along the lower level pathway.

Mr. Macnow reported the Alliance met Monday, and the Co-Chairs are planning to attend three training sessions in the fall.

Mr. Fitzgerald reported the Architectural Review Committee met last evening during which an architect spoke of the loophole in third floor habitable space which doesn't require fire suppression. Discussion ensued. Mr. Macnow stated the space does have to be within Code. Mr. Orgo stated most times third floor space is used for air conditioners and heating units.

Mayor Engel reported the Colts Neck Fair is scheduled for Friday and Saturday, and he urged all to attend.

19. COMMENTS FROM THE PUBLIC

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

Ms. Elaine Mann, a resident, stated she recently attended an Executive Fire Council meeting. Ms. Mann questioned the use of Township equipment for pool fills. Mr. Ackerman stated he will research and advise. Ms. Mann stated East Hanover and Highlands received Federal funding to purchase fire trucks. Mr. Schatzle stated grants are applied for each year; however, Colts Neck does not get chosen each year. Mr. Schatzle noted the last grant received funded the purchase of Scot Air Pacs.

Hearing no further comments; Mayor Engel closed the meeting.

- 20. MOTION TO ADJOURN:** Mayor Engel stated a Closed Session is not required tonight and called for a motion to adjourn. Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried by voice vote.

RECORD OF VOTE						
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						

Meeting adjourned 8:30 p.m.



Robert Bowden
Administrator/Municipal Clerk