

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
JULY 15, 2015
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 Mr. Vincent Cerullo, Jr.. The following statement was read by Registered Municipal Clerk, Ms. Kara: "The notice requirements of the New Jersey Public Meetings Law have been satisfied by forwarding a News Release to the Asbury Park Press on June 13, 2015 stating that a regular meeting of the Colts Neck Township Committee would be held July 15, 2015 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 website and a copy is on file in the Office of the Township Clerk."

Roll call by Ms. Kara indicated the following:

Present: Mayor James Schatzle, Deputy Mayor Thomas Orgo; Committeemen, Michael Fitzgerald and Russell Macnow

Also Present: Interim Township Administrator Thomas Antus; Registered Municipal Clerk Beth Kara; and Township Counsel John O. Bennett, III, Esq.

Absent: Committeeman Jarrett Engel

Mayor Schatzle advised Committeeman Engel was away on business.

1. **APPROVAL OF MINUTES:** Meeting of June 24, 2015. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and carried by Messrs. Orgo, Fitzgerald and Macnow; Mayor Schatzle abstained noting he did not attend that meeting.

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

2. **SWEARING IN OF FIRE POLICE MEMBER PAUL G. FOURNIER**
Mayor Schatzle stated he has known Mr. Fournier and his family for many years. Mr. Fournier was sworn in by Mayor Schatzle while his wife, Mary, held the bible and his father observed. Mr. Frank Rizzuto pinned Mr. Fournier's badge while members of the Fire Police observed. Mr. Fournier received a round of applause and photographs were taken. Mayor Schatzle noted Paul began volunteering as a member of the Fire Department, then as a member of the First Aid Squad with his wife and children, and now as a member of the Fire Police.
3. **ORDINANCE 2015-12:** AN ORDINANCE AMENDING CHAPTER 68, VOLUNTEER INCENTIVES, was read by title at first reading by Mayor Schatzle. Mayor Schatzle stated this ordinance has been in place for many years, and tonight's ordinance clarifies the eligibility of Fire Department and First Aid members and family members and includes recreation program fees and some construction code fees. Mayor Schatzle advised in 2015 the incentives were used for nine campers, three exercise classes and an average of 4 permits per year over the past three years (excluding Hurricane Sandy-

related permits). Hearing no comments from the Governing Body, Mayor Schatzle called for a motion. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and unanimously carried. Mayor Schatzle set the public hearing August 19, 2015.

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

4. **ORDINANCE 2015-13:** AN ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE TOWNSHIP OF COLTS NECK, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATED THERETO, was read by title at first reading by Mayor Schatzle. Mayor Schatzle requested this ordinance be tabled since an item of information had not been received prior to the meeting. Mr. Fitzgerald expressed concern about the 5.5% interest rate included in the wording of the ordinance. Counsel Bennett discussed the necessity to introduce this at tonight's meeting to meet the timeframe for participation. Counsel Bennett advised the dollar figure (\$375,000) and interest rate (5.5%) within the resolution is a not to exceed figure and passing the ordinance would not commit the Township to participate. Discussion ensued. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and unanimously carried. Mayor Schatzle set the public hearing August 19, 2015.

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

5. **MOTION TO APPROVE CONSENT AGENDA:**
 (All items listed on the "Consent Agenda" are considered routine by the Township and are adopted or approved collectively by a single motion and roll-call vote of a majority of the Township Committee. If discussion is desired on any item, it is considered separately.)

***RESOLUTION 2015-86:** RESOLUTION AUTHORIZING RECREATION PROGRAM REFUNDS

***RESOLUTION 2015-87:** RESOLUTION AUTHORIZING ACCEPTANCE OF SPECIAL PERFORMANCE GUARANTEE, BLOCK 11, LOT 3.09, 5 MOCKINGBIRD DRIVE

***RESOLUTION 2015-88:** RESOLUTION AUTHORIZING RELEASE OF SPECIAL PERFORMANCE GUARANTEE, PLANNING BOARD APPLICATION NO. 565A, BLOCK 41.01, LOT 5.01 (\$15,000.00)

***RESOLUTION 2015-89:** RESOLUTION AUTHORIZING FIREWORKS DISPLAY ON AUGUST 20, 2015 (RAIN DATE AUGUST 21, 2015) COLTS NECK FAIR

Mr. Fitzgerald discussed the benefit of coordinating building demolitions with emergency services for training drills. Discussion ensued. 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 Schatzle			X			
Deputy Mayor Orgo			X			
Engel						X
Fitzgerald		S	X			
Macnow	M		X			

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent

6. **DISCUSSION:** TRAFFIC LIGHT AT INTERSECTION OF STATE HIGHWAY (SH) 34, PHALANX ROAD, FLOCK ROAD. Mr. Macnow presented the traffic flow issue, which is made worse when Brookdale [Community College] is in session. Westbound traffic on Phalanx Road has two lanes where it intersects with SH 34, a right turn only lane and a combined straight/left turn lane. The traffic going to SH 34 southbound must wait for eastbound traffic on Flock Road to clear the intersection before making the left turn. Volume delays result in westbound motorists on Phalanx Road illegally utilizing the right turn only lane and proceeding through the intersection onto Flock Road resulting in accidents and near misses. Mr. Macnow noted work is planned for the intersection of County Road (CR) 537 and SH 34 next year, which is anticipated to increase the volume of traffic at the intersection of SH 34, Phalanx and Flock Roads. Mr. Macnow had Mr. Antus explore with NJDOT the possibility of staggering the light at the SH 34/Phalanx/Flock intersection, and Chief Sauter was consulted. NJDOT advised Mr. Antus the Township would be required to commit to pay 25% of the total cost of all improvements at the intersection. The estimated cost to change the light fixtures ranges \$30,000 to \$40,000, and if other improvements are required, e.g., new wiring, the Township would be responsible for 25% of the total project cost. To begin work, NJDOT requires a resolution from the Township agreeing to the 25% cost share. Mr. Antonides advised Mr. Antus the 25% cost would be bondable and could be included in the road improvements bond ordinance. Mr. Macnow stated this is a significant issue, which will be made even more significant next year. Discussion ensued. The Governing Body requested Mr. Antus prepare a resolution for the next meeting.

AGENDA ITEM 6.A. WAS ADDED TO THE MEETING AGENDA:

- 6.A. **INSURANCE COVERAGE – FIRE DEPARTMENT, FIRST AID SQUAD:** Mr. Fitzgerald reported he met with representatives from the Fire Department, First Aid Squad, Joint Insurance Fund, Administration and Finance to discuss the insurance coverage currently in place and the processes to follow for incident reporting. They were urged to ensure any activities held within their premises carry the appropriate insurance certificates. Mr. Antus was requested to put together a package that will include all coverages and policies. Mr. Fitzgerald will have a follow-up meeting with representatives from each volunteer organization.
7. **ADMINISTRATIVE REPORT:** Mr. Antus stated he had nothing to add to the Administrative Report.

Mr. Antus reported as part of the building maintenance plan, the library air duct cleaning is re-scheduled to July 30-31, from 8:30 a.m. to 1:00 p.m. prior to opening hours. Mr. Antus advised the Library will be closed to the public August 29 to September 8 for the installation of new carpeting. Mr. Antus reported 225 campers participated in this summer's recreation camp program and there was only one minor injury; a counselor with a broken

finger. Mr. Antus reported Mr. Thompson has returned to work on limited duty and will be working on vehicle maintenance scheduling. Mr. Antus reported emergency services statistics for the month of June: 64 First Aid calls, 11 Fire Department responses, 157 traffic stops, 107 traffic summonses issued and 17,343 patrol miles driven.

Mr. Antus advised the Colts Neck Fire Department is seeking approval to sell and serve beer at Bucks Mill Park during the Colts Neck Fair August 20 through August 23, 2015. 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 Schatzle		X			
Deputy Mayor Orgo		X			
Engel					X
Fitzgerald	S	X			
Macnow	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

8. **MOTION TO APPROVE VOUCHERS:** Mr. Fitzgerald stated he has reviewed the vouchers and with the exception of one voucher (Page 9, PO 15-01256, Dittmar Agency, in the amount of \$6,893), he recommends approval as follows:

Animal Control	\$86.88
Capital Fund	\$21,654.20
COAH	\$3,250.00
Construction Trust	\$10,309.84
Current Fund	\$5,893,104.00 (less \$6,893 above)
Escrow	\$5,608.11
Grant Fund	\$7,867.23
Trust Fund	\$10,561.99
TOTAL:	<u>\$5,952,442.25 (less \$6,893 above)</u>

Mr. Fitzgerald stated the payment in question relates to a Firemen's Accident and Health Policy, which he has not read as yet. Mr. Fitzgerald requested the voucher be set aside until the review is completed. Mr. Orgo questioned one voucher (Page 3, PO 15-01132, Edwards Tire Co., in the amount of \$250.38). Mr. Fitzgerald stated he would check the voucher and advise Mr. Orgo. Mr. Orgo made a motion to approve, seconded by Mr. Macnow and unanimously carried. Mayor Schatzle abstained from approving payments to T&M Associates* and Mr. Macnow abstained from approving payments to Sakoutis Brothers Disposal Inc.**

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

9. **TOWNSHIP COMMITTEE REPORTS**

Mr. Fitzgerald reported he attended the Sports Foundation meeting Monday evening. He noted a representative from the Cub Scouts was there, and it was noted the first grade this year will experience a drop off in population. Mr. Fitzgerald noted the condition of the Township fields was discussed. The Sports Foundation is in good financial condition, and the Board is comprised of 17 or 18 members. Board members are young and Mr.

Fitzgerald suggested they speak with former experienced members to gain historic knowledge about Sports Foundation issues. Mr. Fitzgerald requested Mr. Antus establish a relationship with the Sports Foundation, noting direct contact with Administration is more efficient to deal with the issues at hand.

Mr. Fitzgerald reported he attended the Planning Board meeting last night during which the Lakeside application was discussed. Mr. Fitzgerald noted the Township passed the scenic corridor in 2004 and the developer is requesting a variance. Discussion ensued regarding the impact of the required 75 ft. setback buffer, lots with two front yards, lots with three front yards, plans for bonus lots, and the number of lots that may present problems.

Mr. Macnow reported he has been working with Mr. Antus regarding abandoned properties where little or no maintenance has been done by property owners. Mr. Macnow noted the Township Administrator has notified property owners/banks who have 30 days to contest. Mr. Macnow thanked Mr. Antus for taking this action.

Mr. Orgo had no report this evening.

Mayor Schatzle reported Ms. MaryJane Garibay is the newly appointed Superintendent of Schools for the Colts Neck local schools. Ms. Garibay has been in the local School District for a number of years and was promoted from the position of Director of Curriculum. Mayor Schatzle commented he is looking forward to meeting with Ms. Garibay.

Mayor Schatzle stated the Colts Neck Fair is August 20-23 this year, and the Fair volunteers are looking for help with committees.

Mayor Schatzle discussed the clothing donation boxes being built and placed within the Township, the most recent addition being the one almost on Merchants Way. Mayor Schatzle is seeking approval from the Township Committee to have Ms. Kara gather ordinances from other municipalities for the licensing of the clothing donation boxes. Discussion ensued. Ms. Kara was asked to gather samples and Mayor Schatzle will speak with the owner of the property regarding the aforementioned donation box.

Mayor Schatzle met with the NJDOT representatives regarding the project to resurface State Highway (SH) 34 from end to end. Mayor Schatzle stated he was grateful for the paving plan; however he is concerned about the cement underlay and the durability of a newly paved roadway over the cement. The NJDOT met with representatives from Colts Neck, Holmdel and Marlboro and advised a full reconstruction of SH 34 is being planned and the cement underlay will be removed. A new road will be constructed and will increase the life span of the roadway from 4 years to 20 years. In the meantime, the NJDOT will mill and spot pave the existing roadway at night, which should be completed by the fall of 2015. The NJDOT is in contact with NJNG and JCP&L to see if the infrastructure improvements can be completed while the roadway is open. Mayor Schatzle stated he will be speaking with Counsel Bennett about the blanket permitting that was done in Oceanport with NJNG to see how it works. Mr. Fitzgerald suggested putting a moratorium on road openings after the road is resurfaced. Ms. Kara was asked to pull the ordinance on road opening permits.

10. COMMENTS FROM THE PUBLIC

Hearing no further comments, Mayor Schatzle opened the meeting to public comment.

Mr. Jeffrey Sauter, a resident, questioned why his request to include his official protest on his censorship in the June 10 minutes of the Township Committee meeting minutes was not included. Counsel Bennett stated although he was not at the meeting, in general, minutes do not have to be verbatim.

Ms. Diana Piotrowski, a resident, is in favor of the improvements to the intersection of SH 34, Phalanx and Flock Roads, and requested consideration to improve the traffic light intersection of SH 34, Laird Road and Conover Road, as this is a busy east west roadway and intersection. Ms. Piotrowski thanked the Township Committee for their dedication and talent to the Town and stated she applauds their restraint.

Ms. Elaine Mann, Clean Communities Coordinator and resident, thanked Mr. Antus for being very easy to work with. Ms. Mann stated there are portions of Bucks Mill Road with curbing where weeds are growing up at the curbing. In the sections of Bucks Mill Road with just macadam, there are no weeds. Ms. Mann suggests doing away with curbing.

Mr. Michael Viola, a resident, stated the use of buildings scheduled for demolition for emergency services drills is great and should be made standard operation procedure. Mr. Viola asked if the IT Subcommittee meetings mentioned during the Finance portion of this year's budget workshops are going to be held. Mayor Schatzle stated this is still a discussion topic and will be addressed by the next Administrator.

Mr. Jeffrey Sauter requested his protest be recorded in the official minutes.

Hearing no further comments, Mayor Schatzle closed the public comment portion of the meeting.

- 11. RESOLUTION 2015-90: EXECUTIVE SESSION was read by title by Mayor Schatzle. Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried by voice vote. Mayor Schatzle stated the Township Committee does not plan to return to Open Session this evening.**

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

The meeting adjourned at 8:47 p.m.

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

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

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

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

The meeting adjourned at 9:35 p.m.



Beth Kara, Registered Municipal Clerk