

**TOWNSHIP OF COLTS NECK  
TOWNSHIP COMMITTEE MEETING  
JUNE 12, 2013  
7:30 P.M. AT TOWN HALL**

The meeting of the Colts Neck Township Committee was called to order at 7:35 p.m. by Mayor Fitzgerald followed by a salute to the flag, which at the Mayor's request, was led by Ms. Alexis Pollitto. 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 June 12, 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 Counsel John O. Bennett, III, Esq.

Absent: None

1. **APPROVAL OF MEETING MINUTES – MAY 29, 2013:** Mr. Orgo 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		M	X			
Engel			X			
M - Moved	S	Seconded	X	indicates vote	NV - Not Voting	Ab - Absent

2. **PUBLIC RECOGNITION:** Ms. Alexis Pollitto, a Junior in Colts Neck High School, was publicly recognized by Mayor Fitzgerald and the Governing Body for her successful participation in the Warren Buffett "Grow Your Own Business" challenge. Ms. Pollitto's Pool Accident Prevention Association business proposal included a pool safety device with sensors and a safety bracelet that sends an alert when a young child enters an unsafe area of a pool. Mayor Fitzgerald commended Ms. Pollitto for her outstanding achievement in this Nation-wide competition and presented her with a Certificate of Recognition. Ms. Pollitto received a standing ovation and photographs were taken.

3. **PRESENTATION:** POND WATER TESTING AND CLEAN-UP. Ms. Suzanne Cooper, Teacher at the Cedar Drive School, initially described the water monitoring project conducted by her students, which began in the fall. A power point presentation describing the project and findings was made by the following students: Audrey Rose Litto, Faith Stavola, Autumn Miller, Dana Schladebeck, Sophie Montgomery, Elizabeth O'Horo, Kian Thayer, and Stephanie Mondella. Results indicated the water quality index of Bucks Mill pond is good, while Yellowbrook and Town Hall is excellent. Data collection is expected to continue in the fall. Ms. Elaine Mann, Clean Communities Coordinator, thanked the students and Ms. Cooper on behalf of the Clean Communities Program, noting the students are able to publish their results, and stated this early exposure could lead to becoming global

student activists. Mayor Fitzgerald thanked all participants present this evening on behalf of the Township. Ms. Cooper and her students received a round of applause and photographs were taken.

Mayor Fitzgerald left the meeting with Ms. Cooper and the students, and Deputy Mayor Macnow assumed the gavel.

4. **ORDINANCE 2013-9: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 10, ARTICLE VI, SUBSECTION 102-46.5 OF THE CODE OF THE TOWNSHIP OF COLTS NECK ENTITLED, "WIRELESS TELECOMMUNICATIONS, TOWERS AND ANTENNAS"** was read by title at first reading by Acting Mayor Macnow. The Township Planner advised the current ordinance allows new towers to be built in locations based on land ownership and may not provide coverage throughout the Township. The purpose of this ordinance is to bring the Township into compliance with the Federal Telecommunications Act of 1996, to establish guidelines for the siting of wireless communication towers and antennas that protect residential areas and environmentally sensitive areas, and to enhance the ability of telecommunication carriers to provide services throughout the Township without substantial gaps in coverage. Mr. Orgo made a motion to approve, seconded by Mr. Engel and unanimously carried. Acting Mayor Macnow set the public hearing July 10, 2013.

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

5. **RESOLUTION 2013-65: RESOLUTION APPROVING A SHARED SERVICES AGREEMENT WITH MONMOUTH COUNTY** was read by title by Acting Mayor Macnow. Mr. Bowden stated this resolution approves a new ten-year shared services agreement for the County to provide the MODIV Property Assessment Computer Services to the Township through December 31, 2021. This agreement provides a renewal of services provided by the County.

Mayor Fitzgerald returned to the meeting.

Mr. Schatzle made a motion to approve, seconded by Mr. Engel and carried by Messrs. Macnow, Schatzle, Orgo and Engel; Mayor Fitzgerald stated he abstains as he was not present during discussions.

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

6. **RESOLUTION 2013-66: RESOLUTION OF NEED AND SUPPORT FOR A GROUP HOME PURSUANT TO PLANNING BOARD APPLICATION NO. 688** was read by title by Mayor Fitzgerald. Mayor Fitzgerald stated a presentation was made during a previous Township Committee meeting on a group home for individuals with developmental disabilities planned for Hockhockson Road. This resolution provides formal

Governing Body support of the project proposed by the developer as meeting or will meet an existing housing need; and enables the NJ Housing and Mortgage Finance Agency (Agency) to process the developer's application for Agency funding to finance the project. Mr. Engel made a motion to approve, seconded by Mr. Macnow and unanimously carried.

RECORD OF VOTE						
	M	S	Yes	No	NV	Ab
Committeeman						
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. **MOTION TO ADOPT A CONSENT AGENDA:** The following consent resolutions were read by title by Mayor Fitzgerald:

8. **\*RESOLUTION 2013-67:** RESOLUTION AUTHORIZING FIREWORKS DISPLAY ON JUNE 28 AND JUNE 29, 2013, COLTS NECK FAIR

9. **\*RESOLUTION 2013-68:** RESOLUTION APPROVING CHANGE ORDER NO. 4, ROAD IMPROVEMENTS, EARLE ASPHALT COMPANY (-\$52,614.41)

10. **\*RESOLUTION 2013-69:** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND WAIVER OF MAINTENANCE GUARANTEE, PLANNING BOARD APPLICATION NO. 452 (ROJEN CORP.)

11. **\*RESOLUTION 2013-70:** RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEE, ZONING BOARD APPLICATION NO. 835 (VERIZON WIRELESS)

Mr. Macnow made a motion to approve, seconded by Mr. Engel and unanimously carried.

RECORD OF VOTE						
	M	S	Yes	No	NV	Ab
Committeeman						
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	

12. **DISCUSSION: ROAD IMPROVEMENTS AND RECONSTRUCTION, PUBLIC WORKS VEHICLES AND EQUIPMENT.** Mr. Getken, Township Engineer, stated he provided 2013 road improvement cost estimates in priority order to Mr. Bowden in a letter dated May 29, 2013. Mr. Macnow questioned the possibility of increasing the number of roads scheduled for paving using the DOT grant money as part of the 5% down payment. Discussion ensued with the following roads selected for improvement in 2013: Gaitway, Birch, Cherry and Dogwood Court; Fairway East and West; Green Hill, Lakeview, Brookside Drive; Boundary Road from Clover Hill Road to Route 520; Colts Gait Lane, Pacer Court; East Larchmont; Homeland Drive; and Laird Road from Route 537 to Phalanx Road (DOT Grant of \$250,000). Consensus was Muhlenbink Road and the remainder of Laird Road could be included in future DOT grant applications. Discussion ensued regarding the bidding of the roads, and it was thought that all roads could be combined in one bid proposal to

achieve economies of scale. By using the DOT grant monies as a down payment, monies could be set aside for following years paving projects.

The proposed list of Public Works vehicles was reviewed and discussed with Mr. Thompson, DPW Director. Mr. Orgo expressed opposition to bonding for the two mowers and recommended funding these by reallocating unused bond funds. Subject to the approval of the Finance Committee, the Governing Body authorized the preparation of two bond ordinances; one to borrow \$2,700,000 to fund road paving described above and the purchase of capital equipment for the Public Works Department including, but not limited to a dump truck with plow, roadside tractor and a bucket truck; and the second to re-allocate the use of funds to purchase two zero turn mowers and one asphalt hot box (to maintain asphalt pot hole repair materials at optimal temperature). Mr. Bowden requested the Township Attorney prepare the bond ordinances for introduction at the next meeting, with public hearing scheduled for the July 10<sup>th</sup> meeting.

Messrs. Thompson and Gerken left the meeting at 8:50 p.m.

13. **ADMINISTRATIVE REPORT:** Mr. Bowden had nothing to add to his report this evening.

Mr. Bowden stated the Fire Department is seeking Governing Body approval to serve beer as a fund raiser at the Colts Neck Fair to be held in Bucks Mill Park June 28 and 29. Mr. Engel made a motion to approve, seconded by Mr. Macnow and unanimously carried by voice vote.

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

Mr. Bowden advised the Monmouth County Park System is seeking applications for the Monmouth County Municipal Open Space Grant Program. Both land acquisition and development for park, recreation, and open space purposes are eligible for funding, with an emphasis on land acquisition. Completed applications must be submitted by September 18, 4:00 p.m. Mr. Bowden has asked Mr. Hennessy to provide his recommendations and asked the Governing Body to provide theirs.

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

Animal Control	\$103.09
Capital Fund	\$351,288.74
Construction Trust	\$9,838.23
Current Fund	\$305,458.36
Escrow	\$5,150.41
Grant Fund	\$2,350.00
Trust Fund	\$6,902.63
<b>TOTAL:</b>	<b><u>\$681,091.46</u></b>

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

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

**15. TOWNSHIP COMMITTEE REPORTS**

Mr. Macnow advised the purchase of a new fire truck is close to being resolved and is anticipated for completion next month.

Mr. Macnow reported the Friends of the Library are looking to have additional lighting installed at the street level walkway of the Library.

Mr. Engel had no report this evening.

Mr. Orgo reported the Wildlife Committee is working on finalizing a community survey to ascertain sentiments on wildlife within the Township. Mr. Orgo stated this survey would be published in local news media or on the Township's website in early July. Discussion ensued during which Mr. Bowden stated local publications are issued in early July, and Mr. Macnow recommended publishing the survey. Mr. Orgo stated the survey will request addresses, not names of persons responding.

Mr. Schatzle reported the Colts Neck Fair is scheduled for June 28-29 in Bucks Mill Park. This year there will be a coffee house, live music, tides and fireworks each evening.

Mayor Fitzgerald reported he is working on an aggregation initiative for residents to purchase electricity and natural gas at lower costs through Township-wide pricing. Annual cost saving estimates for electricity provided through aggregation for a residence utilizing 8,500 kwh is \$150. Since most residences within Colts Neck annually exceed 8,500 kwh, cost savings would be greater. Under aggregation, the providing carrier would not change, residents can opt out of the program and those participating will never pay more than the best JCP&L rate. Mayor Fitzgerald has reached out to other New Jersey Mayors outside Monmouth County to discuss this issue, and arrangements are being made for a presentation on aggregation at a future Township Committee meeting. Mayor Fitzgerald would like to have the enacting ordinance in place prior to the end of 2013.

**16. PUBLIC COMMENT**

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

Ms. Virginia Amend, Editor of the Colts Neck Calendar and a resident, questioned insurance coverage for participants of Recreation programs. Mr. Macnow responded if an individual is hurt during a class, they would need to file a claim with their own insurance company. Counsel Bennett advised if the Township was negligent, it does have liability insurance coverage for all facilities through the Joint Insurance Fund.

Mr. Vince Domidion, a resident, thanked Mayor Fitzgerald for pursuing aggregation for Township residents. Mr. Domidion stated he appreciated the discussion on proposed road improvements and noted if interest rates increase, the Township would do better completing two years paving projects this year at a lower interest rate. Mayor Fitzgerald responded he is

concerned with going too far out in obligating next year's Township Committee to higher expenditures, in the event of unanticipated occurrences such as a tanking economy, etc.

Ms. Elaine Mann, Clean Communities Coordinator and a resident, questioned if the new rules and regulations for the Clean Communities Program could be released. Mayor Fitzgerald suggested Ms. Mann speak with Mr. Bowden tomorrow. Ms. Mann suggested researching shared purchasing agreements with the County for picnic tables, field mix, etc. as an area for economies of scale savings. Ms. Mann commented on the new roof installed on the Montrose Road School House.

Mr. Fulton Wilcox, a resident, asked the cost to taxpayers to bond \$3 million. Mayor Fitzgerald responded it would be approximately \$.01 or \$80 annually for an assessment of \$800,000. Mayor Fitzgerald noted these figures are approximate; actual costs will be known at the time of bond issuance.

Mr. Alan Ryan, a resident, noted he runs the picnic event held at Fire House 2, on Memorial Day. Mr. Ryan thanked Mr. Tom Ekos, a resident, for his continued annual donation of hot dogs for this event. Mr. Ryan stated this year's volunteers did an outstanding job, and thanked his wife, children, mother-in-law, and friends for their support in helping to make this year's Memorial Day celebration at Fire House 2 a success.

Ms. Judith Laufer, a resident, noted the Township lost five senior members of the community this past month.

Ms. Susan Wilcox, a resident, questioned if the Montrose Road School House was heated. Mayor Fitzgerald suggested Ms. Wilcox reach out to the Historic Preservation Committee.

Mr. Jeff Sauter, a resident, thanked Alan Ryan for his part in this year's Memorial Day Parade celebration. Mr. Sauter thanked Messrs. Macnow and Bowden for their work in having the Fire Department website updated, and noted Mr. Orgo's listing on the site needed updating. Mr. Macnow stated he will call to have the site updated.

Ms. Virginia Amend questioned if there was a conflict for the Township to accept the donation of the Montrose Road School House roof when the donor filed an application for a zoning variance. Counsel Bennett replied when the gift was received, there was no application filed with the Zoning Board. Counsel Bennett noted this town is filled with residents who volunteer and donate goods and services, and one action was not contingent upon the other. Counsel Bennett noted there is no Township Committee liaison on the Zoning Board.

Hearing no further comments, Mayor Fitzgerald closed the meeting.

17. **RESOLUTION 2013-71:** 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 Machow		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 9:28 p.m.

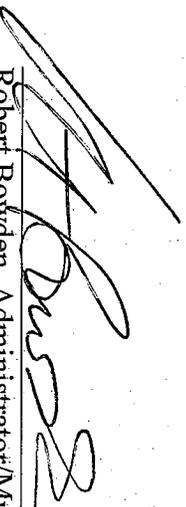
Motion by Mr. Schatzle, seconded by Mr. Engel and unanimously carried to adjourn Closed Session.

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

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

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

Meeting adjourned at 10:10 p.m.

  
 Robert Bowden, Administrator/Municipal Clerk