

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
AUGUST 28, 2013
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 Fitzgerald followed by the pledge of allegiance, which was led by Joseph Spano of the Ashley Lauren Foundation. 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 July 18, 2013 stating a regular meeting of the Colts Neck Township Committee would be held August 28, 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. **ANNOUNCEMENT:** Mayor Fitzgerald announced the next Township Committee meeting will be September 25, 2013.

2. **MAYOR'S PROCLAMATION:** NATIONAL CHILDHOOD CANCER AWARENESS MONTH, SEPTEMBER 2013. Mayor Fitzgerald read the Proclamation in full in which the Township joins with the Ashley Lauren Foundation in recognizing the need for increased childhood cancer awareness and proclaiming September 2013 as Childhood Cancer Awareness Month within the Township of Colts Neck. Mayor Fitzgerald presented the Proclamation to Mr. Joseph Spano of the Ashley Lauren Foundation and photographs were taken.

3. **APPROVAL OF MINUTES OF AUGUST 14, 2013:** Mayor Fitzgerald made revisions to Pages 2, 3, and 4. Mr. Schatzle made a motion to approve, as amended, seconded by Mr. Orgo and unanimously carried by voice vote.

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

4. **RESOLUTION 2013-90:** RESOLUTION AUTHORIZING AWARD OF BID, 2013 CAPITAL ROAD IMPROVEMENT PROGRAM, PHASE I was read by title by Mayor Fitzgerald. Mr. Bowden stated Mecco, Inc., of Clarksburg, New Jersey, came in with the low bid price of \$648,983.50, which is approximately \$60,000 below the Engineer's original estimate. Mr. Bowden stated the roads to be paved are Fairway East, Fairway West, East Larchmont Drive, Homelands Drive, Green Hill Road, Brookside Drive and Lakeview Terrace. 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

5.

RESOLUTION 2013-90: APPROVAL TO SUBMIT A GRANT APPLICATION TO EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR THE FY 2014 NJDOT MUNICIPAL AID ROAD PROGRAM, IMPROVEMENTS TO LAIRD ROAD, PHASE II was read by title by Mayor Fitzgerald. Mr. Bowden stated the roadway proposed from Phalanx Road to Muhlenbrink Road is 1.31 miles long. The Engineer's estimated cost is \$554,760, and the Township is seeking full grant funding; however, if approved, a \$200,000 to \$250,000 grant award is likely. Mr. Macnow made a motion to approve, seconded by Mr. Orgo and unanimously carried.

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

6.

RESOLUTION 2013-91: RESOLUTION AUTHORIZING THE PROFESSIONAL ENERGY PROCUREMENT AND AGGREGATION SERVICES OF GABEL ASSOCIATES was read by title by Mayor Fitzgerald. Mr. Bowden stated there are 3,921 residential electric meters in the Township. Under an energy aggregation program, estimated savings for an average-sized home is \$150 to \$180 per year, which equates to Township-wide savings of \$700,000 to \$750,000. Mayor Fitzgerald stated Gabel Associates completed two successful programs within Plumstead and Toms River, while other bidders were not experienced with municipalities in New Jersey. Mayor Fitzgerald stated with most Colts Neck properties requiring electricity for their wells, actual savings to residents may be larger than anticipated. Mr. Engel made a motion to approve, seconded by Mr. Macnow and unanimously carried. Mr. Bowden stated contracts will be executed between the Township and Gabel Associates, and an ordinance will be placed on the September 25th Township Committee meeting agenda. Mayor Fitzgerald thanked Mr. Bowden for doing a yeoman's job in getting this accomplished.

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 APPROVE CONSENT AGENDA:

8. *RESOLUTION 2013-83R.1: RESOLUTION TO AMEND RESOLUTION 2013-83, AUTHORIZING RECREATION PROGRAM REFUNDS

9. *RESOLUTION 2013-92: RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS FOR 2013

10. *RESOLUTION 2013-93: RESOLUTION AUTHORIZING REFUND OF CONSTRUCTION PERMIT FEE, BLOCK 33, LOT 31.3, 19 HIDDEN PINE DRIVE (\$300.00)

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

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

11. DISCUSSION: AMEND FEE ORDINANCE – CONSTRUCTION PERMITS. Mr. Bowden stated the Construction Official has requested a change in construction permit fees. Mr. Schatzle stated several years ago the Health Department fees were revised to be consistent with fees charged by other municipalities. Mr. Schatzle requested a similar analysis for Construction fees, which would include when the fees were set and the fees charged by other municipalities. Mayor Fitzgerald stated comparisons with other municipalities may result in adjusting the proposed fees. All agreed the fees charged must cover the costs of operation. Mr. Bowden stated once the analysis is completed, this issue will be placed on a future agenda.

12. ADMINISTRATIVE REPORT: Mr. Bowden stated he had nothing to add to his report this evening. Mr. Bowden advised the Township has been asked to approve the use of several Township streets for the Step by Step 5K fundraising event to benefit Esionophilic Disorders. The 5K starts and ends at Colts Neck High School and would be held Saturday, October 12, 2013 between the hours of 8:00 a.m. and 11:00 a.m. Mr. Bowden stated the race route had been used in past years without incident, and the group would provide a certificate of insurance naming the Township as additional insured as well as working with the Police and First Aid Departments for coverage that day. Mr. Schatzle 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 Fitzgerald			X			
Deputy Mayor Macnow			X			
Schatzle			M	X		
Orgo				X		
Engel			S		X	
M - Moved	S	-	Seconded	X	-	indicates vote
	NV	-	Not Voting	Ab	-	Absent

Mr. Bowden stated Mr. Steve Warendorf has requested approval for the consumption of alcohol during the 2013 Rockfest scheduled September 14, 2013 in Bucks Mill Park. Mr. Bowden stated Mr. Warendorf has provided a certificate of insurance naming the Township as additional insured. Mr. Warendorf has requested approval for the event to run from 12:00 noon to 11:00 p.m., with the Park closing at 11:30 p.m. Mr. Macnow stated there is no serving of alcohol at this event. The consensus was to end performances at 10:30 p.m., and close the Park at its normal closing time of 11:00 p.m. Mr. Bowden stated this event is billed as a family type event to showcase local talent. The Governing Body then voted on the approval to permit the consumption of alcohol by attendees at the Rockfest event. Mr. Macnow made a motion to approve, seconded by Mr. Orgo and unanimously carried by voice vote. Mr. Bowden will advise Mr. Warendorf of the results of this discussion.

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

13. **MOTION TO APPROVE VOUCHERS:** Mayor Fitzgerald stated he reviewed the vouchers and recommends approval, as follows:

Animal Control	\$82.81
Capital Fund	\$44,118.00
COAH	\$182.50
Construction Trust	\$9,971.24
Current Fund	\$247,364.04
Escrow	\$2,175.00
Trust Fund	\$8,008.55
TOTAL:	<u>\$311,902.14</u>

Mr. Macnow made a motion to approve, seconded by Mr. Engel and unanimously carried. *Messrs. Schatzle and Engel abstained from approving the Township's contribution to the First Aid Squad included on this evening's bills list.

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

14. **TOWNSHIP COMMITTEE REPORTS**

Mr. Macnow reported the Alliance is keeping an eye on the proposed State requirement to have the funding threshold increased, which would result in an increased funding match from the Township for their programs. There is no timeframe for the State's action as yet.

Mr. Macnow reported the Alliance is sponsoring a student driving while impaired program at Colts Neck High School. Under the supervision of a Police Officer, students will drive golf carts wearing goggles simulating the effects of driving while impaired.

Mr. Engel had no report this evening.

Mr. Orgo reported 128 responses were received to the Wildlife Management Survey to-date. Mr. Orgo stated the survey will remain on the website until it closes September 8th. Paper copies of the survey are available at Town Hall.

Mr. Schatzle had no report this evening.

Mayor Fitzgerald reported this month's meeting of the Planning Board was cancelled.

Counsel Bennett stated Messrs. Schatzle and Engel abstained from approving the Township's contribution to the First Aid Squad, as they are both members of the First Aid Squad.

15. PUBLIC COMMENT

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

Mr. Vince Domidion, a resident and County Planning Board Chair, advised the County Planning Board is seeking public participation during their presentation of the County's new draft master plan on October 21 at 2:00 p.m. in the Hall of Records Annex and at 7:00 p.m. at the Ag Building. Mr. Domidion stated the new master plan will be available during the public hearing, on-line at the County's website as a permanent draft, and in graphic form to be distributed on disc. Counsel Bennett questioned if zoning and environmental are in agreement. Mr. Domidion stated yes all are in agreement; there are no conflicts.

Ms. Elaine Mann, a resident, questioned the status of the FEMA reimbursement. Mr. Bowden responded the Township borrowed \$2.5 million for Superstorm Sandy clean up and spent \$2.1 million thus far. To date, the Township received FEMA reimbursement of approximately \$550,000, and the Finance Officer and Chief Sauter are working to submit the remaining bills associated with the clean up. Ms. Mann questioned the cost of the pond dredging, noting the last meeting's bills list included a \$13,500 payment to the County for dredging. Mr. Bowden responded the County dredging cost was \$100,000; however, the Township paid the County in several installments. Ms. Mann expressed her concern about the re-roofing of the Montrose Road School House by a business owner with a pending zoning application.

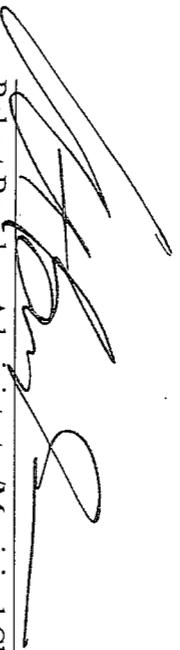
Mr. Jeff Sauter, a resident, stated that with reference to the road proposed for a DOT grant under Resolution 2013-90, he does not think the Township should proceed, and suggests applying for a grant for other roads that are more in need of paving. Mr. Sauter stated the proposal to charge a premium for expedited building inspections is not a bad idea. Mr. Sauter stated the Township needs to ensure any new business needs to comply with the current code. Mr. Sauter questioned if there were any costs to the Township for the 5K race or Rockfest. Mr. Bowden responded the sponsoring groups have to pay for Police Officers and clean up. Mr. Sauter noted Mr. Orgo questioned the purpose of one voucher in the amount of \$12,000, and stated the purpose of vouchers should be known prior to approval.

Hearing no further comments, Mayor Fitzgerald closed the meeting.

16. MOTION TO ADJOURN: Mr. Macnow made a motion to adjourn, seconded by Mr. Schatzle and unanimously carried by voice vote.

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

The meeting adjourned at 8:20 p.m.



Robert Bowden, Administrator/Municipal Clerk