

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
SEPTEMBER 27, 2011
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 Schatzle. Mayor Schatzle asked Michael Romano, Fire Chief; Richard Galinski, Fire Captain Fire House #2; Denise Horneck, First Aid Squad; and Dee Zander, Ladies Auxiliary to come forward and lead those assembled in a salute to the flag.

Mayor Schatzle stated these individuals set up and manned the comfort stations in the two Fire Houses and the First Aid Building, where residents without power were able to shower, eat and relax. Mayor Schatzle commended each for their time spent manning these shelters throughout the emergency and presented each person with a Mayor's Appreciation Pin. All received a round of applause.

The following statement was read by Township Clerk 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 8, 2010 stating the meeting of the Colts Neck Township Committee would be held on September 27, 2011 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 James Schatzle, Deputy Mayor Jarrett Engel, Committeemen Edward Eastman, Jr., Michael Fitzgerald and Russell Macnow

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

Absent: None

1. **APPROVAL OF MINUTES OF SEPTEMBER 14, 2011:** Mayor Schatzle amended Page 6, Section 15, fifth paragraph, removing the words "will soon". Mr. Engel made a motion to approve as amended, seconded by Mr. Macnow and carried by Messrs. Schatzle, Engel, Eastman (excepting the portion of the minutes when he recused himself), and Macnow; Mr. Fitzgerald abstained.

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Mayor Schatzle			X			
Deputy Mayor Engel	M		X			
Eastman			X*		X*	
Fitzgerald					X	
Macnow		S	X			

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

2. **PRESENTATION: INSTALL FENCE WITHIN LANDSCAPE EASEMENT, 4 FULLING MILL LANE.** Dr. Raval stated he was seeking approval to install a five foot fence on his property, including a small "L" shaped portion within the landscape easement and approximately 40 feet from the right of way line of Conover Road. Dr. Raval stated his neighbor has a fence along Conover Road which appears to be approximately 10 to 15 feet from the Conover Road right of way line. Dr. Raval stated without a fence, it is potentially dangerous for young children playing in his backyard, as the temptation for crossing the 40 mph roadway is great. In addition, he has almost daily destruction of vegetation by deer in his backyard, and he is

planning to install a swimming pool soon. Dr. Raval stated he is planning to plant more evergreens on the fence line to have better curb appeal, and most of the fence will not be visible from the road. Dr. Raval stated the Zoning Board approved the proposed location of the fence. Mr. Macnow stated the Zoning Board was in favor of the proposed location of the fence since a fence on the property line would serve no purpose given the existence of the berm. Mr. Fitzgerald 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 Schatzle			X			
Deputy Mayor Engel	S		X			
Eastman			X			
Fitzgerald	M		X			
Macnow			X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded						

Mr. Macnow recused himself and left the building.

- 3. RESOLUTION 2011-118A: RESOLUTION AUTHORIZING AN EMERGENCY APPROPRIATION OF \$45,000 FOR HURRICANE IRENE** was read by title by Mayor Schatzle. Mr. Bowden stated the Township's drainage system at the rear of the property located at 52 Glenwood Road failed during Hurricane Irene, and the sink hole is rapidly growing despite efforts to stabilize. Mr. Bowden stated he made a site visit to the property today with Mayor Schatzle, Mr. Thompson, Mr. Gerken and a private contractor. While one contractor refused the job, the second contractor stated he has the equipment that will be able to go through the Township's property on Route 520 to reach and correct the problem. Cost of repair is \$45,000, the Township Engineer has certified this is an emergency, and Mr. Bowden is seeking approval to amend the emergency resolution passed at the last meeting to include the \$45,000 cost of this repair. Mr. Bowden stated this written documentation will include photographs for FEMA reimbursement. Mayor Schatzle stated both the DPW Director and the Township Engineer agree the sinkhole is growing. Mr. Fitzgerald made a motion to approve at the recommendation of the Township Engineer, seconded by Mr. Engel and carried by Messrs. Schatzle, Engel, Eastman, and Fitzgerald; Mr. Macnow did not vote.

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

Mr. Macnow returned to the meeting.

- 4. MOTION TO ADOPT CONSENT AGENDA:**
- 5. *RESOLUTION 2011-119: RESOLUTION AUTHORIZING ACCEPTANCE OF SPECIAL PERFORMANCE GUARANTEE, STREET OPENING PERMIT, BLOCK 51, LOT 2.25 (6 SQUAN SONG LANE)**
- 6. *RESOLUTION 2011-120: RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT FOR 2011**

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

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

7. **DISCUSSION:** THREE YEAR (2012-2014) BUDGET PROJECTION AND FINANCIAL REPORT (MAYOR SCHATZLE AND COMMITTEEMAN EASTMAN)

Mr. Eastman stated the Administrator provided projected revenues and appropriations for the years 2012 to 2014, which include:

Revenues: Available surplus of at least \$950,000 in each year; a substantial increase in delinquent taxes, particularly in 2012; decreases in tax appeals; modest increases in revenues such as Court, Recreation and various application fees; no change in interest earned, State revenues or the Energy Receipts Tax; and no school tax deferral; and

Appropriations: Salary increases of 2% each year; Other Expenses increases of 2% each year; "pay as you go" Capital Expenses of \$150,000 each year; substantial increase in debt service, particularly in 2012; substantial decrease in deferred charges, particularly in 2012 once costs for revaluation have been repaid; substantial increase in statutory expenses (pensions), particularly in 2012; gradual increases in reserve for uncollected taxes; and 2% property tax levy remains in place with same basic calculation.

Mr. Eastman stated it is heartening to see the school tax deferrals won't have to be implemented and employees loyal to us that have not received any salary increase in the past few years will receive a modest increase. Mayor Schatzle stated while the picture is not rosy, it is not dark and gloomy.

8. **DISCUSSION:** CAPITAL PROJECTS FOR 2011/2012: Mr. Bowden stated the discussion at the last Township Committee meeting resulted in a

consensus of roads selected for paving, and the paving and reconstruction projects were tentatively decided. The Fire apparatus/trucks were undecided.

The Public Works equipment was tentatively decided. The buildings and grounds projects consisting of replacing the slate roof on Town Hall and dredging the upper pond at Town Hall was tentatively decided. The Police Chief has requested funding of a base station at an estimated cost of \$20,000.

Mr. Bowden stated a bond ordinance requires 4 yes votes. Mayor Schatzle stated Heyers Mill Road will be partially closed tomorrow to complete paving, which was funded in large part from a NJ DOT Grant. Mayor Schatzle stated the Township retains its fire vehicles 20+ years and the pumper at Fire Company #2 is 21 years old and requires work on its electrical components.

The Township has followed a "pay as you go" funding method and has \$260,000 in reserve to replace this pumper, which is estimated to cost \$550,000, leaving a cost of approximately \$290,000 to fund. Mayor Schatzle stated although the question has arisen if the Township can function with two pumpers, he feels three pumpers is the correct number for this Township given its large dwellings. Mayor Schatzle stated the two other pumpers are 10 years and 3 years old. Mayor Schatzle stated there was a request for a water tanker for Fire Company #1, and he received recommendations this be eliminated from 2011 capital projects. Mr. Macnow stated he has attended numerous Executive Fire Council meetings. He was advised by Captain Galinski that the pumper requires \$100,000 to \$150,000 in repairs, and to totally refurbish, it would cost \$300,000, and you would have a 21 year old refurbished truck. Mr. Macnow stated interest rates are good, and he prefers purchasing a \$500,000 truck now at a low interest rate. Mr. Engel questioned if the replaced pumper would be sold. Chief Galilnski stated the truck manufacturer helps locate a buyer and the estimated cost of a new fire truck does not include the offset from the sale of the existing truck. Mayor Schatzle stated the next vehicle scheduled for replacement will be in 2018, and from

now until then funds can be put away for that purchase. Mr. Fitzgerald stated he wants to see an inventory of fire apparatus and the logic of why three pumpers and three engines are needed. Mr. Macnow stated the front line pumper attacks the fire, while the second pumper sets up the station to pump water. Mayor Schatzle stated these trucks require maintenance that take the vehicle out of service for several days, and vehicles have different functions. Chief Galinski stated an inventory of equipment is done annually, and a copy of this inventory will be provided.

Ms. Elaine Mann, a resident, questioned if homes in excess of 10,000 sq. ft. should be required to have a sprinkler system.

Mr. Vince Domidion, a resident, stated if the height of a structure exceeds 35 feet, a sprinkler system is required.

Ms. Virginia Amend, editor of the Colts Neck Calendar and a resident, questioned why the Fire Department did not make a presentation on their equipment needs. Mayor Schatzle stated they did at budget time.

Mr. Thomas Orgo, a resident, concurred with Mr. Domidion about a building's height requirements being tied to the requirement of a sprinkler system. Mr. Orgo questioned if obtaining a less expensive fire truck was being explored. Mayor Schatzle responded there is a \$50,000 savings for not doing an engineering survey, which is included in the cost of the fire truck.

Mr. Eastman stated he asked for the ISO report, and he wants to see the professional's report with respect to the Fire Company and its apparatus. It was stated this information was only available to the Fire Company, not the Township; however, Mr. Eastman stated since the Fire Company wants the Township to pay for this equipment, it should share this report. Mr. Eastman stated he wants the Fire Company to provide information on its 501C3 status since bonding is required. Mr. Eastman wants the Fire Company to provide a presentation listing the cost of repairs to the 21 year old pumper. Mr. Eastman stated he asked for this information in July. Mr. Eastman stated bonding is for purchasing equipment that is needed, not wanted.

Mr. Fitzgerald stated he wants to explore the factors of the ISO rating in detail.

Mayor Schatzle stated he would like to move forward with the capital projects tonight, and the Fire apparatus/trucks can be broken out. Mr. Bowden stated two bond ordinances can be done, and if there is consensus on the other items, the Township Attorney can proceed with preparing the first bond ordinance.

Mr. Macnow stated Mr. Quincannon advised nothing was provided to him in writing on the ISO rating, and he is not sure they will receive a written answer to this issue. Mr. Fitzgerald stated the Fire Company has to provide the Township Committee with something. Chief Galinski stated 20 years is a State regulation. Mr. Eastman questioned if it is ISO's opinion that the Township needs a third fire truck. Mayor Schatzle requested the Fire Department information be gathered during the next two weeks for the next meeting.

Mayor Schatzle stated the Police request for a base station (\$20,000) is Hurricane Irene related, as the base was down during this recent weather emergency. Mr. Bowden advised this equipment would be compatible with the County's changeover to digital band.

Mr. Bowden reported the cost of a generator to fully power Town Hall is estimated to cost \$30,000 to \$35,000. Alternatives are to tie into the Police Department generator to operate the sump pumps or to obtain a stand alone generator to run the sump pumps and a few lights at Town Hall.

Mr. Eastman requested the Auditor re-visit the debt service amount. Mr. Eastman wants to know what the debt service is before proceeding. Mr. Eastman wants to revisit this in two weeks at the next meeting.

9. **ADMINISTRATIVE REPORT:** Mr. Bowden stated he had nothing to add to his report. Mr. Bowden reported three storage trailers were delivered today for salvageable items to be stored during the restoration of the lower floor at Town Hall. Mr. Bowden stated between 3:00 a.m. and 10:00 a.m. the lower floor at Town Hall flooded during Hurricane Irene. Within six hours, the basement was pumped and within 72 hours the carpeting was removed. Plans are underway to totally renovate and restore this space. The employees are being relocated to the Library tomorrow, and everything will be removed from the lower floor on Saturday. It is estimated the process will take 30 days to complete. Mr. Bowden stated it was always a goal to build an Annex; however at an estimated cost of between \$500,000 to \$700,000, he does not think this is a viable option now. Mayor Schatzle commended the Administrator and all employees on their efforts to continue operations during this difficult time.

10. **MOTION TO APPROVE VOUCHERS:** Mayor Schatzle stated he reviewed the vouchers and recommends approval as follows:

Animal Control	\$82.78
Capital Fund	\$24,985.00
Construction Trust	\$8,697.61
Current Fund	\$2,322,801.20
Escrow	\$5,963.00
Grant Fund	\$1,616.00
Trust Fund	<u>\$10,987.09</u>
TOTAL APPROVED:	\$2,375,132.68

Mr. Fitzgerald made a motion to approve, seconded by Mr. Engel and unanimously carried. Mr. Macnow approved all but payments to the Township Engineer (T&M Associates), for which he abstained.

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

11. **TOWNSHIP COMMITTEE REPORTS**

Mr. Fitzgerald stated the Architectural Review Committee was meeting now, and he was unable to attend.

Mr. Fitzgerald stated the Environmental Commission is struggling with the solar and wind issue. Mr. Fitzgerald stated the Architectural Review Committee is concerned with the aesthetics of this issue, while the Environmental Commission is focusing on zones.

Mr. Eastman stated the Farmland and Open Space Preservation Committee is questioning the impact of the referendum passage. This committee wants to meet with the Recreation Committee and the Sports Foundation to discuss this further.

Mr. Macnow reported the Executive Fire Council, District 2, submitted a grant application for turnout gear.

Mr. Macnow reported he attended the Alliance meeting, where discussion focused on heroin making a comeback. Mr. Macnow stated parents/guardians are unaware of this issue, and it is important to get the word out to be on the alert. Mr. Macnow stated prescription drugs are the stepping stone to heroin usage, and snorting heroin is the current method of ingestion. Mr. Macnow stated a representative from the High School as well as the Middle School Principal were at the Alliance meeting. Mr. Macnow thanked the First Aid Squad and the Police on behalf of the Middle School for their prompt response. Mr. Fitzgerald stated most people are unaware how readily available a bag of heroin is today, and can be bought for \$10--lunch money. Children are exposed to this opportunity, and heroin availability and usage is a much bigger problem than we realize. Ms. Elaine Mann suggested the Alliance provide information to the local media. Mr. Macnow will ask Ms. Dedalis to do so.

Mr. Engel stated the fall season is a dangerous time to drive, with rainy weather, slippery wet leaves on pavement and shortened daylight hours. Mr. Engel urged all to be aware of weather conditions and to be safe.

Mayor Schatzle stated a Zoning Board member resigned, and the position will be filled at the next Township Committee meeting.

Mayor Schatzle reported he attended the Board of Public Utilities meeting and addressed the need to give a community with well and septic priority for service restoration. Mayor Schatzle also urged the infrastructure be kept up to date within Colts Neck.

Mayor Schatzle reported the Board of Health has planned to provide flu shots for resident seniors during the upcoming monthly Senior Citizens Club meeting and the following week at the Court House.

12. COMMENTS FROM THE PUBLIC

Mayor Schatzle opened the meeting to public comment.

Ms. Elaine Mann questioned receiving one bid for the repair of the sink hole on Glenwood Road. Mayor Schatzle responded only two firms are qualified to do this extensive job, and one of the two firms turned down the job. Ms. Mann questioned if the money generated by the Building Department fees could fund the construction of an annex building. Mayor Schatzle responded the construction fees collected are not sufficient to do so. Ms. Mann questioned the seed money given to the Colts Neck Fair. Mr. Bowden responded this was not done by resolution. Mr. Bowden stated the Fair started in 1990 and was originally run through Town Hall. The Fair Committee asked to run the Fair independently and requested seed money to do so. Mr. Bowden stated the Township gave the Fair Committee a donation, through a gentlemen's agreement, and he doubts this was documented in writing. Ms. Mann stated normally there is a resolution to absolve debt. Ms. Mann stated these are tough times, and she thinks the Fair Committee should be on a repayment schedule.

Mr. Hamlin, a resident, stated Deepwood Lane had a tree across it after the storm that had to be cut up and brought curbside. Mr. Hamlin stated he has made repeated calls to DPW for its removal, and he was advised it may take between four to six weeks to clean the streets. He stated it took three days to clean his street after a snow storm. Mayor Schatzle responded noting four DPW employees were laid off earlier this year due to budget cuts, and the impact of the layoffs were expected become evident within six months, which is where we are today. Mayor Schatzle stated the 2% CAP tied the Township's hands. The Police Union opted not to take their contract raise. The Public Works Union opted to take their contract raise, resulting in layoffs.

Mr. Bowden stated DPW staff are working six days per week and anticipate picking up all brush by the end of October. Mayor Schatzle stated Public Works has taken a tremendous manpower hit, and they are down eight employees when adding those out on disability. Mayor Schatzle stated the Foreman and Director are now working on the street to speed brush collection. Mr. Hamlin said it is time to set standards to have workers do the job or step aside and find someone who will do the job. Mayor Schatzle stated the Township is doing the best it can with its available resources. Mayor Schatzle stated residents are allowing landscapers and tree cutting companies to dispose of their trees curbside for the Township to remove. Mayor Schatzle stated volunteers from the community worked together to restore the core site and did a beautiful job making the Town Hall area something we can all be proud of.

Mr. Vince Domidion, a resident, stated the reason behind the Fair moving from Town Hall to the Bucks Mill site was that it was growing rapidly. Mr. Domidion concurred with Mr. Bowden's remembrance of the Fair. Mr. Domidion provided the Township Committee with statistics for recorded births within Colts Neck Township (including NWS Earle) for the years 1988 through 2010. Mr. Domidion stated with the exception of 1996 when The Grande opened, the trend now shows a decline in births. Mr. Domidion stated this Township will not see young families because of the type of housing here, and the demand for services will shift.

Ms. Virginia Amend questioned the amount estimated for the dredging of one pond (\$125,000). Mr. Bowden responded the Township is hoping to work with the Monmouth County Mosquito Commission to keep the costs within the estimate.

Mr. Chuck Camarata, a resident, stated the Township has been thinking about dredging for a number of years and questioned if any money was set aside for this project. Mr. Bowden responded no funds were set aside for dredging in previous years. Mr. Camarata questioned what will be done with the spoils? Mr. Bowden responded they may be trucked away or they may be spread around the core site and behind the First Aid Building.

Ms. Susan Wilcox, a resident, suggested filling in the ponds. Mayor Schatzle responded the ponds are part of a water system, not here for aesthetics. Mayor Schatzle stated the Township Committee had extensive discussions on this topic and suggested she speak with Mr. Domidion after the meeting to discuss the particulars.

Hearing no further comment, Mayor Schatzle closed the meeting.

13. **RESOLUTION 2011-121: EXECUTIVE SESSION** was read by title by Mayor Schatzle. Mr. Fitzgerald 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 Schatzle			X			
Deputy Mayor Engel	S		X			
Eastman			X			
Fitzgerald	M		X			
Macnow			X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded						

Mr. Bowden stated the Governing Body was not anticipated to return into Public Session this evening. Mr. Bowden stated the next Township Committee meeting would be held on Wednesday, October 12, 2011, 7:30 p.m. at Town Hall. The meeting adjourned at 9:10 p.m.

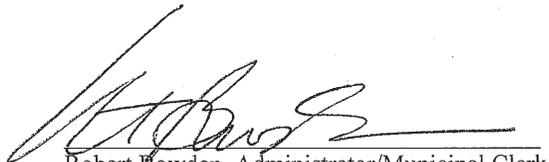
Motion by Mr. Eastman, seconded by Mr. Fitzgerald, and unanimously carried to adjourn closed session and reconvene in public session.

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

Motion by Mr. Eastman, seconded by Mr. Macnow and unanimously carried to adjourn meeting.

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

Meeting adjourned at 9:40 p.m.



Robert Bowden, Administrator/Municipal Clerk