

**TOWNSHIP OF COLTS NECK
SPECIAL TOWNSHIP COMMITTEE MEETING
DECEMBER 21, 2012
1:30 P.M. AT TOWN HALL**

The meeting of the Colts Neck Township Committee was called to order at 1:35 p.m. by Mayor Engel, followed by a salute to the flag. 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 18, 2012 stating a meeting of the Colts Neck Township Committee would be held December 21, 2012 at 1:30 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 (arriving late), Committeemen Russell Macnow, James Schatzle and Thomas Orgo

Also Present: Administrator/Municipal Clerk Robert Bowden; Deputy Municipal Clerk Beth Kara; and Township Counsel, John O. Bennett, III, Esq.

Absent: None

1. **RESOLUTION 2012-154:** RESOLUTION AUTHORIZING SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-54 TO PROVIDE FUNDS FOR RESPONSE TO THE EXTRAORDINARY EXPENSES RESULTING FROM DAMAGE CAUSED BY SUPERSTORM SANDY AND FURTHER AUTHORIZING THE ISSUANCE OF SPECIAL EMERGENCY NOTES TO FUND SUCH SPECIAL EMERGENCY APPROPRIATION was read by title by Mayor Engel. Mr. Schatzle stated this resolution would fund the tree removal, grinding and removal of chips resulting from the storm damage caused by Superstorm Sandy. Mr. Schatzle stated a previous resolution funded \$1,500,000 for storm damage; this resolution would fund an additional \$900,000 of storm-related costs. Mr. Schatzle commended Mr. Bowden for the analyses on storm-related costs. Mayor Engel stated the Township is sailing while building the ship. Counsel Bennett questioned if the \$900,000 is the best guestimate on storm-related costs. Counsel Bennett noted there is a high demand for financing and the Township's position may be adversely affected if the figure is incrementally raised repeatedly. Counsel Bennett stated the Township does not have to borrow the full amount authorized. Discussion ensued. Mr. Bowden requested the resolution be amended to raise the amount to \$1,000,000. Mr. Antonides noted he is working with Bond Counsel, and plans are to seek Township financing the second week of January. Mr. Bowden stated the motion before the Township Committee is to approve the resolution, as amended, which raises the amount authorized by this resolution to \$1,000,000. Mr. Macnow made a motion to approve, as amended, seconded by Mr. Schatzle and unanimously carried.

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						

2. **RESOLUTION 2012-155:** RESOLUTION AUTHORIZING THE VEGETATIVE STORM DEBRIS REMOVAL SERVICES OF MAZZARA TRUCKING AND EXCAVATION CORPORATION IN CONNECTION WITH RECOVERY EFFORTS RESULTING FROM DAMAGES CAUSED BY SUPERSTORM SANDY IN THE TOWNSHIP OF COLTS NECK was read by title by Mayor Engel. Mr. Bowden stated this resolution memorializes the emergency contract in effect for brush collection at a cost of approximately \$9 per cubic yard and grinding services at a cost of \$2.25 per cubic yard.

Mr. Schatzle stated today's approval of Resolution Nos. 2012-155 through 2012-157 is pending receipt of all necessary paperwork required by the Township from the stated vendors, e.g., Form W-9, Proof of Insurance, New Jersey Business Registration Certificate, etc.

Mr. Orgo made a motion to approve, seconded by Mr. Schatzle and carried by Messrs. Engel, Schatzle and Orgo; Mr. Macnow abstained.

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

3. **RESOLUTION 2012-156:** RESOLUTION AUTHORIZING THE VEGETATIVE STORM DEBRIS REMOVAL SERVICES OF BRITTON INDUSTRIES, INC. IN CONNECTION WITH RECOVERY EFFORTS RESULTING FROM DAMAGES CAUSED BY SUPERSTORM SANDY IN THE TOWNSHIP OF COLTS NECK was read by title by Mayor Engel. Mr. Bowden stated 75,000 cubic yards have been removed from Township streets with an estimated 40,000 cubic yards remaining to be collected. Mr. Bowden stated there is limited room at the DPW yard, and he has received four quotes to remove the chips. Britton Industries Inc. is the least costly with a proposal to remove the chips using their employees, equipment, fuel and including tipping fees for a cost of \$750 per truck load, with an estimated 300-400 truck loads required. Each truck would average 90 cubic yards at \$8.33 per cubic yard. Mr. Schatzle requested a quote from the vendor currently working with the Township prior to moving forward with this resolution. Mr. Bowden stated a quote has been requested from this vendor several times. Mayor Engel stated there are many chips to move. Counsel Bennett stated four quotes have been received for this service; however, this resolution can be placed on the Reorganization agenda.
4. **RESOLUTION 2012-157:** RESOLUTION AUTHORIZING THE VEGETATIVE STORM DEBRIS REMOVAL SERVICES OF HOWELL HOLDINGS, LLC IN CONNECTION WITH RECOVERY EFFORTS RESULTING FROM DAMAGES CAUSED BY SUPERSTORM SANDY IN THE TOWNSHIP OF COLTS NECK was read by title by Mayor Engel. Mr. Schatzle stated there has to be an agreed upon formula for the cubic yards to be grinded by this vendor. Mr. Bowden stated this is the same vendor who has not provided a quote related to Resolution 2012-156. Mr. Bowden stated the invoice received for grinding services performed differed from contract name. both must be identical. Discussion ensued. Counsel Bennett stated this resolution can authorize the services to be performed subject to receipt of required paperwork. Counsel Bennett stated all paperwork must be received before payment can be released.

Mr. Fitzgerald arrived at 2:04 pm.

5. Discussion returned to **Agenda Item No. 3, RESOLUTION 2012-156:** RESOLUTION AUTHORIZING THE VEGETATIVE STORM DEBRIS REMOVAL SERVICES OF BRITTON INDUSTRIES INC. SAKOUTIS BROTHERS DISPOSAL, INC.* IN CONNECTION WITH RECOVERY EFFORTS RESULTING FROM DAMAGES CAUSED BY SUPERSTORM SANDY IN THE TOWNSHIP OF COLTS NECK. Mr. Fitzgerald stated he explored the option of leaving the chips at the DPW yard for later use; however, if the chips were not removed, the processing costs would not be eligible for FEMA reimbursement. Mr. Schatzle requested the Township Committee authorize Counsel Bennett to obtain a quote from the principals currently performing the chipping work at the DPW yard, which would include removal and tipping fees utilizing their equipment, employees and fuel with a start date of January 2, 2013. Counsel Bennett stated if the quote received exceeds \$8.33 per cubic yard, the contract would go to the lowest qualifying bidder. Counsel Bennett stated this resolution should be amended to grant approval to the lowest qualifying bidder for chipping removal. Mr. Schatzle made a motion to approve, as amended; seconded by Mr. Fitzgerald, and carried by Messrs. Engel, Fitzgerald, Schatzle and Orgo; Mr. Macnow abstained.

*NOTE: It was determined that Sakoutis Brothers was the lowest bidder at \$7.90 per cubic yard for chip removal services.

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

6. Discussion returned to **Agenda Item No. 4, Resolution 2012-157.** Discussion ensued with Mr. Fitzgerald amending the title of Resolution 2012-157 to be as follows:

RESOLUTION 2012-157: RESOLUTION AUTHORIZING THE VEGETATIVE STORM DEBRIS REMOVAL GRINDING SERVICES OF SAKOUTIS BROTHERS DISPOSAL, INC.* IN CONNECTION WITH RECOVERY EFFORTS RESULTING FROM DAMAGES CAUSED BY SUPERSTORM SANDY IN THE TOWNSHIP OF COLTS NECK. Mr. Fitzgerald noted all paperwork needs to be submitted under one consistent name. Mr. Fitzgerald made a motion to approve, as amended, seconded by Mr. Schatzle, and carried by Messrs. Engel, Fitzgerald, Schatzle and Orgo; Mr. Macnow abstained.

*NOTE: It was determined that Sakoutis Brothers was the lowest bidder for debris grinding services at \$3.25 per cubic yard.

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						

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

Animal Control	\$82.90
Capital Fund	\$4,893.74
COAH	\$464.00
Construction Trust	\$9,562.62
Current Fund	\$628,097.82
Escrow	\$20,832.19
Grant Fund	\$4,061.61
Trust Fund	\$8,210.28
TOTAL:	\$676,205.16

Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow, and carried by Messrs. Engel, Fitzgerald, Schatzle and Orgo; *Mr. Macnow approved all but those from Sakoutis Brothers for which he abstained.

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						

7. **COMMENTS FROM THE PUBLIC**

Mayor Engel opened the meeting to public comment.

Mr. Thomas Primavera, Esq., representing Dante Deo, LLC, requested the Township Committee approve his client's application for person to person and place to place transfers today. Mr. Primavera stated the Colts Neck Inn has been unable to serve alcohol within its restaurant since March 2012. Mr. Primavera stated his client purchased the license and would like to move forward.

Mr. Macnow commented he is not happy this Governing Body is involved in a family squabble. Mr. Macnow stated State regulations clearly indicate a public hearing is required upon receipt of an objection to the noticed transfer of an ABC License. Mr. Macnow stated since an objection was filed, the Governing Body must adhere to the letter of the law. Discussion ensued regarding State regulations on meeting notice and hearing dates. The hearing date of Thursday, January 3, at 7:00 p.m. at Town Hall was tentatively set. Notice to the Asbury Park Press and all interested parties to follow.

Ms. Elaine Mann, a resident, questioned the total of storm-related funds authorized to date for borrowing. Counsel Bennett responded \$1.5 million is authorized, which will be spread over five years, and noted FEMA monies will be used to pay down the debt.

Mr. Vince Domidion, a resident, stated the increase in tax liabilities resulting from the Superstorm will spread westward from the shore communities in Monmouth County. Mr. Domidion is seeking support for legislation to spread these costs over five years.

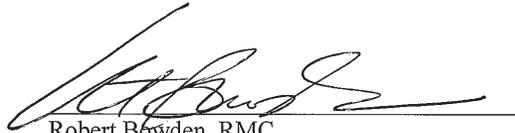
Hearing no further comments, Mayor Engel closed the meeting.

Counsel Bennett advised he spoke with Mr. Cifelli, and he will come to Town Hall with all necessary paperwork.

8. **MOTION TO ADJOURN:** Counsel Bennett advised there will be no Executive Session today. 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 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						

Meeting adjourned 2:53 p.m.



Robert Bowden, RMC
Administrator/Municipal Clerk