

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
JANUARY 11, 2006
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 Florek followed by a salute to the flag. The following statement was read by Township Clerk Bowden: "The notice of the requirements of the New Jersey Public Meetings Law has been satisfied by forwarding a "News Release" to the Asbury Park Press on December 22, 2005 stating that the meeting of the Colts Neck Township Committee would be held on January 11, 2006 at 7:30 p.m., Colts Neck Town Hall, 124 Cedar Drive, Colts Neck. 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 Florek, Deputy Mayor Stuart, Committeemembers Hennessy, Burry and Forester

Also Present: Robert Bowden; Thomas Bace, Esq., John O. Bennett, III, Esq. (arriving while meeting in progress), and Beth Kara

Absent: None

1. **PARKING ISSUES ON PHEASANT DRIVE:** Mayor Florek acknowledged numerous complaints from residents of Pheasant Drive, regarding bumper to bumper parking during hours Colts Neck High School is in session. Mayor Florek opened the meeting for public comment. Mr. Anthony Citrella, a resident of Pheasant Drive, stated there is a problem with littering, loitering, double parking and fast driving on this street. He spoke with the High School Principal's secretary and asked that a warning be issued by the Principal to students. Mr. Citrella was advised that the school felt it was out of the bounds of their responsibility and would not be issuing a warning to the students. He was instructed to do what he needed to do to have the situation corrected. Mr. Citrella did not speak to the Police about the littering; he came to the Township Committee seeking relief. Mayor Florek stated there are parking restrictions on Kathleen and Edgewood Drives, two streets adjacent to Pheasant Drive. Mrs. Burry stated she visited the street during school hours and likens it to a parking lot for a railroad station. Mrs. Burry questioned why cars are parked on Pheasant Drive when many spaces were vacant in the school parking lot. Ms. Megan Kelly, a resident of Howell, stated juniors are not issued parking spaces within the school parking lot since there are not enough spaces for all juniors, and the administration is retaining spaces for visitors. Ms. Brennan, a resident of Farmingdale, stated her daughter is enrolled in an off-site cosmetology program for a portion of the day, and the remainder of the day is spent at school prior to her after school employment. Since her daughter must be in three places during the school day, she felt it imperative for her daughter to park near school. Mr. Gorman, an eight year resident of Pheasant Drive, brought photographs of his street on a typical school day. He stated school parking on his street is inconsistent with the Colts Neck community. Mr. Acetola, a resident of Pheasant Drive, stated the high school is very uncooperative in dealing with the parking issue. Noise violations, students walking to school in the street is unsafe, and he recommends opening the adjacent Five Point Park parking lot to ease the high school parking problem. Ms. Caroline Pederson, a 13-year resident of Colts Neck, stated a lot of students play sports, which end later than the last bus service. She suggests issuing parking permits to students for the Recreation Center parking lot (Bucks Mill Road) and the Five Point Park parking lot. Mayor Florek closed the public comment portion of the meeting. Committeeman Hennessy stated that in conjunction with the pictures provided, he has personally seen upwards of 20 cars parked and youth congregating on

residents' lawns. Mr. Hennessy supports banning parking the full length of Pheasant Drive. Mr. Hennessy stated while the Regional School Board and the High School is not creating additional parking for special needs, the Township Committee cannot sanction using the parking lots at Township parks to solve the high school's parking problems. The Parks' parking lots are maintained for residents using the Park facilities, not as overflow parking for the High School. Mr. Hennessy stated this is a Freehold Regional School District problem, and the solution must come from within that system. Mr. Bowden advised an ordinance had been drafted by Counsel that would limit parking on Pheasant Drive, as was done on Kathleen and Edgewood Drives. Mayor Florek stated that while he is sympathetic to the special needs of the students present, the parking remedy must come from the High School without adversely impacting the residents in close proximity to the high school. Mayor Florek then introduced the following Ordinance:

ORDINANCE 2006-3: AN ORDINANCE PROHIBITING PARKING DURING CERTAIN HOURS ON PHEASANT DRIVE IN THE TOWNSHIP OF COLTS NECK AND AMENDING AND SUPPLEMENTING CHAPTER 222, "VEHICLES AND TRAFFIC", OF THE "CODE OF THE TOWNSHIP OF COLTS NECK", ACCORDINGLY was read by title on first reading by Mayor Florek. Mr. Forester made a motion to approve, seconded by Mrs. Burry and unanimously carried. A public hearing is scheduled for January 25, 2006.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<i>Motion To Approve</i>					X
<i>Motion Seconded</i>				X	
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

2. **ORDINANCE 2006-1:** AN ORDINANCE ENTITLED THE 2006 SALARY ORDINANCE FOR THE TOWNSHIP OF COLTS NECK was read by title on first reading by Mayor Florek. Mr. Bowden advised that the salaries contained within were in accordance with contractual obligations. Mr. Forester made a motion to approve, seconded by Mrs. Burry and unanimously carried. A public hearing is scheduled for January 25, 2006.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<i>Motion To Approve</i>					X
<i>Motion Seconded</i>				X	
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

3. **ORDINANCE 2006-2:** AN ORDINANCE AUTHORIZING THE TOWNSHIP OF COLTS NECK TO ASSIGN TO THE MONMOUTH COUNTY AGRICULTURE DEVELOPMENT BOARD THE DEVELOPMENT RIGHTS FOR CERTAIN REAL PROPERTY KNOWN AS THE "DEGROOT FARM", ALSO KNOWN AND DESIGNATED AS BLOCK 7.30, LOTS 5 AND 5Q ON THE COLTS NECK TOWNSHIP TAX MAP was read by title on first reading by Mayor Florek. Mrs. Burry stated the Township purchased the development easement for this 23-acre parcel, which fronts on Route 34, for open space and farmland preservation purposes. The State Agriculture Development Committee certified a fair market value of \$63,000 per acre for the development rights. The Township has made application to assign the development rights of this property to the Monmouth County Agriculture Development Board, the total cost of which is \$1,449,000. Mr. Stuart stated this has been accepted and the monies should be received

shortly. Mayor Florek offered his congratulations. Mrs. Burry made a motion to approve, seconded by Mr. Stuart and unanimously carried. A public hearing is scheduled for January 25, 2006.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<i>Motion To Approve</i>				X	
<i>Motion Seconded</i>		X			
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

4. **APPROVAL OF MINUTES OF DECEMBER 21, 2005:** Mr. Forester made a motion to approve, seconded by Mrs. Burry and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<i>Motion To Approve</i>					X
<i>Motion Seconded</i>				X	
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

APPROVAL OF MINUTES OF JANUARY 4, 2006: Mrs. Burry commented on one correction to be made. Mrs. Burry then made a motion to approve, as amended, seconded by Mr. Stuart and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<i>Motion To Approve</i>				X	
<i>Motion Seconded</i>		X			
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

5. **DISCUSSION:** ESTABLISH 2006 BUDGET REVIEW DATES. The following three dates were agreed upon by all Township Committee members:

Saturday, February 11 9:00 a.m. to 12:00 noon;
 Wednesday, February 15 7:00 p.m. to 9:30 p.m.; and
 Saturday, March 4 9:00 a.m. to 12:00 noon.

6. **DISCUSSION:** REVISIONS TO EMPLOYEE HANDBOOK: EMPLOYMENT PRACTICES, LIABILITY AND LOSS CONTROL PROGRAM (UPDATE DEADLINE – MARCH 31ST). Mr. Bowden advised a review and update must be accomplished every two years to remain eligible for premium and deduction incentives. Mr. Bowden stated before the March 31st deadline, this issue will be added to a Township Committee meeting agenda. The insurance carrier has provided updates, which are reviewed by the Township Labor Counsel, the Township Administrator, and ultimately approved by the Township Committee.

7. **DISCUSSION: WIRELESS ANTENNAS – PLACEMENT PRIORITIES – POSSIBLE ORDINANCE.** Mr. Bowden read a draft pertaining to the placement of wireless antennas on municipal property provided by Declan O’Scanlon, the Township’s IT consultant, for review by the Township Counsel and possible inclusion in the Township’s municipal land use ordinances. Mr. Bace advised the draft Township locational priorities must be exhausted prior to seeking to build a new cell tower. Mayor Florek asked to have Long Range Planning review the draft and recommends the IT consultant present the issue to the Township Committee at a future meeting.

8. **DISCUSSION: DISCHARGE OF FIREARMS ORDINANCE – POSSIBLE AMENDMENTS.** Mr. Bowden stated the initial thinking behind changing the current ordinance from “no discharge” to “no hunting” would aide farmers addressing the deer population. Police Chief Sauter is against a change since without an ordinance covering discharge, there would be no laws/regulations (state or federal) to cover discharge in other than hunting situations, such as persons target shooting or discharging in unsafe neighborhoods. Mr. Bowden spoke with a contact at New Jersey Fish and Wildlife. She has requested a copy of the current ordinance and the “no discharge” map for review. Mr. Bowden suggests waiting to see what the experts in Trenton recommend.

9. **ADMINISTRATIVE REPORT**

A new law has been passed that permits the raising of fines against local ordinances to \$2,000. Approximately 7 or 8 ordinances would be affected by this authorized increase and would require Municipal Code revisions. Mr. Bowden will provide cost estimates for these revisions. Mayor Florek asked Mr. Bowden to gather the Judge’s thoughts on this issue and advise the Township Committee, whose consensus at this juncture is to continue pursuing the issue.

10. **MOTION TO APPROVE VOUCHERS.** Mr. Forester reviewed and signed the vouchers for this meeting. Mr. Forester made a motion to approve all vouchers totaling \$410,724.45, seconded by Mr. Hennessy and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<i>Motion To Approve</i>					X
<i>Motion Seconded</i>			X		
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

11. **TOWNSHIP COMMITTEE REPORTS:**

Mrs. Burry reported a significant amount of litter on Route 34. She suggested placing “No Littering” signs at strategic locations to deter the practice. On roadways where the Township is not responsible, she asked if the State can place “No Littering” signs. Mr. Bowden concurred in the increase in litter of late. Mr. Hennessy advised the Lions Club is responsible for the clean up of Route 34 and should be advised of the problem.

Mrs. Burry asked if a determination had been made on whether a horse was a pet (related to Ordinance 2005-29). Mr. Bowden advised no answer was received as yet.

Mrs. Burry announced the County Parks will be presenting awards at a Recreation Commissioners Dinner on March 30, 2006, and she believes the Township Committee members should attend.

Mrs. Burry then reported the Cooley property was approved for easement acquisition. The minor imperfections on the survey were corrected and closing is planned prior to December 31, 2006.

The Montrose School House has its burglar and fire alarms installed and operational. Mr. Bowden will disseminate the information to the Police and appropriate officials.

Mr. Forester stated the Board of Health met and set the date for the Dog and Cat Rabies Clinic for February 11, 2006, 9:00 a.m. to 10:30 a.m., at the Conover Road Firehouse #2.

The Senior Citizens Flu Shot Program is planned for October 2006. Last year the program was very successful with over 300 flu shots administered.

Mr. Stuart advised that at the Shade Tree Committee's direction, Ed Thompson removed the illegal dam on Laird Road.

Julie McGowan was authorized to prepare a corrective action plan for an uncooperative homeowner, and the Shade Tree Committee is in the process of working on this plan.

The Shade Tree Committee is currently working on having 12 violations corrected. They want to identify property owners around greenways and send them a two-page letter advising what they can and cannot legally do. The cost of this mailing is included in the 2006 budget request.

With regard to Vince Domidion's mention of the Board of Education's emergency notification system, and the possible piggy backing onto that system, Mr. Stuart will be meeting with the Board of Education to discuss this issue further.

Mr. Stuart advised that the Friends of the Library Committee is asking if they are covered under the Township's insurance policy. Mr. Bowden will research the issue and advise the Friends contact.

Mr. Hennessy stated he has made arrangements to have the Pop Warner Cheerleaders National and Divisional Champs and the Boys Football Regional Champs attend the next Township Committee Meeting. In view of the number of participants, he recommends moving the January 25, 2006 meeting to the Courthouse. Mr. Bowden will make the arrangements.

Mr. Hennessy stated there were 53 calls answered by the First Aid Squad in December. They are currently looking for volunteers. Recently one cadet and one father and daughter signed up. With members planning to leave the Squad in the next few years, recruitment efforts, especially for daytime members, need to be strengthened.

Mayor Florek stated the Colts Neck Sports Foundation has 1800 children registered for 3100 slots. This high participation rate is a credit to the program provided by the Sports Foundation. Mayor Florek stated that Jim Valenti's appointment to the Recreation Committee was a good choice especially since over one-half of the agenda items related to the Sports Foundation, which Jim is affiliated with.

12. **COMMENTS FROM THE PUBLIC:**

Mayor Florek opened the meeting to public comment.

Mrs. Gloria Lupia, a resident, asked what the rules for hunting were in her area, a fully developed community on one acre properties? She stated you can hear shots fired in the early morning and at dusk; someone is hunting nearby. Mayor Florek advised there is no hunting permitted on Township property. He suggested the Lupia's speak with the Police about these gunshots. Mr. Stuart advised there is a gun club nearby, which may account for the gunshots but Mayor Florek and/or Mr. Bowden will look into this issue.

Mrs. Lupia also asked why Mr. Orgo places a pile of apples near Phalanx Road. When the deer arrive to eat the apples, they are shot at and oftentimes run across Phalanx Road, creating a dangerous situation for motorists. Mayor Florek will look into this issue.

Mrs. Lupia's final comment concerned the paved shoulder at the St. Mary's intersection of Phalanx Road in a westward direction with Route 34. The unmarked pavement is resulting in a variety of very dangerous driving decisions, which may cause accidents. Instances of motorists in the actual lane (nearest the center pavement dividing line) making right turns are having near misses with motorists using the paved shoulder as a through lane across Route 34. At this point in the meeting John O. Bennett, Esq., joined the meeting in progress. Mayor Florek asked Mrs. Burry if she would speak with the County Engineer (Route 34 is a County road) and have the pavement marked with directional arrows (left turn only lane and through traffic/right turn only lane) to reduce the chances of a traffic accident.

Mrs. Rosemary Harris, a resident, stated she lives near the wireless antenna placed on Westminster Drive. She commented that the wireless antenna structure approved by the Township and what's currently in existence differ greatly. Mrs. Harris questioned what the Township Committee does in following up to ensure approved plans are adhered to by applicants. Mrs. Burry stated she has seen the views from Westminster and Wellington and understands why the residents are upset. Mayor Florek stated the approved plans will be reviewed and any differences with the existing structure will be cited for correction.

Mr. Andrew Grasso, a resident of Jockey Terrace, was at a New Year's Eve party when it took 20 minutes for First Aid to respond. The Police responded within 10 minutes and Mr. Grasso stated this is a large town and he wants other towns and/or private companies to augment the Colts Neck first responders. Mr. Hennessy responded the first call goes to the Township. If they can't respond, the call goes out through the County dispatcher and other towns are called to assist. Mr. Hennessy stated we have a good system in place. The Police are the first responders and are doing an excellent job. The emergency system works.

Mr. Grasso then stated the intersection of Swimming River Road and Route 537 is a problem that may lead to accidents. Vehicles turning from Swimming River Road onto westbound Route 537 are required by signage to "yield" to traffic on Route 537 west. Mr. Grasso has seen numerous instances where vehicles enter Route 537 without yielding to traffic and having close calls with motorists in the traffic flow. Mr. Grasso suggests changing the "yield" sign to a "stop" sign. Mrs. Burry will have the County Engineer follow up.

Mrs. Virginia Amend, resident and publisher of the Colts Neck Calendar, stated the response time to an accident occurring at the intersection of New Street and Route 537 was excellent. The police responded expeditiously and three rigs arrived shortly thereafter. Mrs. Amend had high praise for the Township's response to this accident.

Mr. Don Olsen, a resident, asked about the traffic ties ups at the intersection of Routes 537 and 34. While these are County roads, he asked if the Township has input in the correction process. Mrs. Burry advised the County is appealing to

the State for funding to remedy the problem. The State Transportation Fund has a zero balance; however, Mrs. Burry plans to follow-up with this issue.

With no further comments, Mayor Florek closed the public portion of the meeting.

13. **RESOLUTION 2006-20:** EXECUTIVE SESSION was read by Mayor Florek at 8:50 p.m. Mr. Stuart made a motion to approve seconded by Mr. Forester and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<i>Motion To Approve</i>		X			
<i>Motion Seconded</i>					X
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

Motion to adjourn Closed Session was made by Mrs. Burry, seconded by Mr. Hennessy and unanimously carried by voice vote.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<i>Motion To Approve</i>				X	
<i>Motion Seconded</i>			X		
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

Motion by Mrs. Burry, seconded by Mr. Forester to reconvene in public session and adjourn meeting with unanimous voice vote.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<i>Motion To Approve</i>				X	
<i>Motion Seconded</i>					X
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

Meeting adjourned at 9:55 p.m.

Robert Bowden, Township Administrator

RB:bk