

**TOWNSHIP COMMITTEE MEETING
TOWN HALL
JANUARY 26, 2005**

The meeting of the Colts Neck Township Committee was called to order at 7:30 p.m. by Mayor Forester 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 have been satisfied by forwarding a "News Release" to the Asbury Park Press on December 17, 2004 stating that a meeting of the Colts Neck Township Committee would be held on January 26, 2005 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: Deputy Mayor Florek, Committeemembers Burry, Hennessy, Stuart, and Mayor Forester

Also Present: Thomas Bace, Esq., Administrator/Clerk Robert Bowden, and Deputy Clerk Aime Sweeney

Absent: None

1. **RECOGNITION:** Mayor Forester thanked the Department of Public Works and Director, Edward Thompson, for their outstanding job in regards to the recent snow storm.
2. **APPROVAL OF MINUTES FOR DECEMBER 15, 2005, DECEMBER 29, 2004, JANUARY 2, 2005, AND JANUARY 12, 2005** was read by Mayor Forester. Mrs. Burry made a motion to approve the minutes for December 15, 2005, December 29, 2004, January 2, 2005, and to table the minutes of January 12, 2005 to the next Township Committee meeting, seconded by Mr. Florek and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FORESTER	DEPUTY MAYOR FLOREK	BURRY	HENNESSY	STUART
<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 2005-1:** AN ORDINANCE OF THE TOWNSHIP OF COLTS NECK ADOPTING TRAFFIC REGULATIONS REDUCING THE SPEED LIMIT ESTABLISHED ON FIVE POINTS ROAD WITHIN THE TOWNSHIP, AND AMENDING AND SUPPLEMENTING CHAPTER 222, "VEHICLES AND TRAFFIC", OF THE "CODE OF THE TOWNSHIP OF COLTS NECK", ACCORDINGLY was read by Mayor Forester by title on 2nd reading. Mr. Stuart said he feels this was a long time in coming. Mayor Forester opened the public hearing. Mr. Dominick Sozio said this is a great day for Five Points Road and a special thanks to Mr. Bowden and Mr. Stuart for their commitment to making Five Points Road safer. Mr. Stuart said he appreciates Mr. Sozio's acknowledgement however, many members of the Township Committee have worked on this. Mr. Arthur Alfaro, Stone Hill Road, said that he is very pleased with the way things have been handled with the Township Committee's commitment to making Five Points Road safer. Mr. Alfaro said that he is very pleased with how Five Point(s) Park is turning out. Mr. Vince Domidion, 21 Revolutionary Road, said he too is pleased to see the traffic speed reduced on Five Points Road. With no further comments, Mayor Forester closed the public hearing. Mr. Florek made a motion to adopt this Ordinance, seconded by Mrs. Burry and unanimously carried. Mr. Bowden pointed out that there will be some transition time before the signs can go up.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FORESTER	DEPUTY MAYOR FLOREK	BURRY	HENNESSY	STUART
<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. **RESOLUTION 2005-27:** AUTHORIZING EXECUTION OF 2005 PROFESSIONAL CONTRACTS was read by Mayor Forester. Mr. Bowden advised that on average professional fees increased by 3%, however, there were those whose rate remained the same. With no further comments, Mrs. Burry made a motion to approve this Resolution, seconded by Mr. Stuart and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FORESTER	DEPUTY MAYOR FLOREK	BURRY	HENNESSY	STUART
<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. **RESOLUTION 2005-28:** AUTHORIZING FORMAL TRANSFER OF FUNDS – 2004 MUNICIPAL BUDGET was read by Mayor Forester. With no comments made, Mr. Florek made a motion to approve this Resolution, seconded by Mrs. Burry and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FORESTER	DEPUTY MAYOR FLOREK	BURRY	HENNESSY	STUART
<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>					

6. **RESOLUTION 2005-28A:** APPROVING AD-INTERIM FOR GABGEO, INC. was read by Mayor Forester. Mr. Bowden advised this Resolution is an amendment to a prior Resolution which now grants the Ad-Interim permit valid through March, 2005, contingent upon receipt of the recent Judgment. Mr. Bace, Esq. said he feels confident we will have a copy of the Judgment very soon. With no further comments, Mr. Florek made a motion to approve this Resolution, seconded by Mr. Hennessy and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FORESTER	DEPUTY MAYOR FLOREK	BURRY	HENNESSY	STUART
<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>					

7. **MOTION TO ADOPT A CONSENT AGENDA** for the following Resolutions was read by Mayor Forester:

Resolution 2005-29: Authorizing Release of Performance Guarantees and Acceptance of Maintenance Guarantee – P.B. Application No. 496 – Meridian Assisted Living

Resolution 2005-30: Authorizing Refund of Tax Overpayment – 2005 Taxes

Resolution 2005-31: Authorizing Cancellation of 2004 Taxes by Tax Assessor

Resolution 2005-31A: Authorizing Release of Maintenance Guarantees – Due Process Estates Sections I and II – P.B. Application No. 434

With no comments made, Mrs. Burry made a motion to approve all aforementioned consent Resolutions, seconded by Mr. Stuart and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FORESTER	DEPUTY MAYOR FLOREK	BURRY	HENNESSY	STUART
<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>					

8. **DISCUSSION**: SPECIAL SALES ORDINANCE PERTAINING TO GARAGE SALES, AUCTIONS AND FLEA MARKETS (POSSIBLE ORDINANCE AMENDMENT) Mr. Bowden explained that since the adoption of this Ordinance in August, 2004, some issues arose which may compel the Township Committee to amend it. Mr. Bowden cited a recent example of Steinway Piano Company wishing to sell pianos at the Colts Neck Inn. Mr. Bowden recalled the intent of the adopted Ordinance was to have such outside vendors obtain a permit in order to sell their merchandise via our local retail establishments. Mr. Bowden recommended that we tighten up our existing Ordinance. After an in-depth discussion by the Township Committee Mr. Bace, Esq. said he would tweak the existing Ordinance and have a draft of it available before the next meeting.
9. **DISCUSSION**: GREENWAYS MAINTENANCE ORDINANCE – Mr. Bace, Esq. reviewed the latest draft Ordinance with the Township Committee. The Township Committee expressed their many varied opinions and while some of the Township Committee were in favor of the draft Ordinance, others were uncertain if an Ordinance was the best way to enact this proposal and wondered if there was another way. Mayor Forester suggested sending a letter out to homeowners inviting them to come before the Township if they wish to do anything to their greenway. After further discussion, Mayor Forester tabled this discussion indefinitely.
10. **ADMINISTRATIVE REPORT**: Mr. Bowden advised due to time restraints and problems with finding a printer the recycling map portion of the recent newsletter was a little illegible, but hoped that simple geography would prevail. Mayor Forester said if that's the worst thing the Township does, then we are doing good.

Mr. Bowden advised that the Board of Recreation Commissioners has planned its 29th Annual E. Murray Todd Half Marathon for Sunday, February 27, 2005 beginning at Brookdale College and is seeking approval from the Township Committee. With no comments made, Mr. Florek made a motion to grant approval to the Board of Recreation Commissioners pending appropriate insurance is in place, seconded by Mr. Hennessy and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FORESTER	DEPUTY MAYOR FLOREK	BURRY	HENNESSY	STUART
<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>					

Mr. Bowden reported that Mr. McBride, Health Officer, said that he will make himself available if any of the Township Committee wish to discuss this grant. Mr. Bowden advised that Mr. McBride highly recommends approving this program. Mr. Stuart said he would feel more comfortable hearing what Mr. McBride has to say about this program. Mrs. Burry said she feels the Township Committee should proceed and believes it was very considerate of Freehold Township to take on the responsibility. After brief discussion the Township Committee acted as follows:

RESOLUTION 2005-33: COLTS NECK TOWNSHIP COMMITMENT TO SHARE GRANT was read in full by Mayor Forester. With no further comments, Mrs. Burry made a motion to approve this Resolution, seconded by Mr. Hennessy and abstained by Mr. Stuart.

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

Mr. Bowden readdressed the new legislation which allows Municipalities and Counties Cap Relief by increasing from 2.5% to 3.5%. Mr. Bowden said this would require an Ordinance and he highly recommends proceeding as it would give the town flexibility to bank the cap. Mayor Forester said he agrees we should proceed with this. After brief discussion, the Township Committee unanimously agreed to proceed. Mr. Bowden advised a draft Ordinance will be on the next agenda.

11. **MOTION TO APPROVE VOUCHERS** was made by Mr. Stuart for all vouchers totaling \$4,857,134.89, seconded by Mrs. Burry and unanimously carried. Mrs. Burry said it's important to note that most of the money went to the County and Board of Education.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FORESTER	DEPUTY MAYOR FLOREK	BURRY	HENNESSY	STUART
<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>					

12. TOWNSHIP COMMITTEE REPORTS:

Mr. Hennessy advised he has no report this evening.

Mr. Florek advised that the Colts Neck Alliance has received some grant funding for their various programs. Mr. Florek said they have an incredible list of programs they offer each year.

Mrs. Burry noted that Mendham Township is considering local land use and historic preservation legislation whereby demolition permits of historic structures would require the approval of their Township Historic Committee. Mrs. Burry said she would like to consider this. The Township Committee unanimously agreed

Mayor Burry reported that she has word that the Monmouth Housing Alliance has been back before a Judge regarding parcels on Boundary Road. Mr. Michael Steib confirmed this but said the Judge will not have a decision for a least a month. Mrs. Burry said she feels we should all keep an active eye on this.

Mr. Stuart reported that he, Chief Sauter, Mr. Bowden, Mayor Forester, and an Engineer from Schoor Depalma went out to the Public Works Yard to reevaluate possible wetlands for the police firing range. Mr. Stuart said the engineer believes the back area to be all wet, though he is doing some soil testing. Mr. Stuart said logistically it may become too costly to move the pistol range in the back area of the Public Works yard. Mrs. Burry asked if lead ammunition will be used? Mr. Stuart said it will be jacketed.

Mayor Forester advised he has no report this evening.

13. COMMENTS FROM THE PUBLIC:

Mrs. Virginia Amend announced her youngest daughter is recently honored as the new Assistant President of the JC's.

Mrs. Amend said she can't understand why New Jersey had such a shortfall. Acting Governor Codey said it was due to pensions and healthcare and there is no easy solution for New Jersey's shortfalls. Mayor Forester said it's impossible to project the ultimate cost of pensions.

Mr. Vincent Domidion said the Township Committee's recent thought process on greenway maintenance is applaudable.

Mr. Domidion said he is baffled that the SHARE Grant is not through the County instead of being piece-mealed out.

Mrs. Kim Rothberg thanked the Township Committee for consideration regarding retail auctions and sales.

Mrs. Amend asked if a special improvement district is in Colts Neck's future? Mayor Forester said no, it has never been discussed.

14. RESOLUTION 2005-32: EXECUTIVE SESSION was read by Mayor Forester. With no further comments, Mr. Stuart made a motion to adjourn at 9:45 p.m. and go into Executive Session, seconded by Mrs. Burry and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FORESTER	DEPUTY MAYOR FLOREK	BURRY	HENNESSY	STUART
<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/Reason</i>					

Robert Bowden,
Township Administrator

RB/as