

TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
JANUARY 29, 2003
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 Hennessy, followed by a salute to the flag. The following statement was read by Township Clerk Bowden. "The notice requirements of the New Jersey Public Meetings Law have been satisfied by forwarding a "News Release" to the Asbury Park Press on December 20, 2002 stating that a meeting of the Colts Neck Township Committee would be held on January 29, 2003 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 Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Also Present: John Bennett III, Esq., Robert Bowden and Ruth Leininger

1. **ANNOUNCEMENT**: 2003 BUDGET REVIEW SESSIONS have been scheduled for February 8th and February 22nd, 2003. These are both Saturday's and are scheduled to begin at 9:00 a.m. and usually run until approximately noon. Mayor Hennessy stated that if and when more meetings become necessary they would be scheduled at that time.
2. **PRESENTATION**: SENIOR CITIZEN CLUB – DONATION – Committeeman Forester explained that the Township Committee had approved a dedicated account for the moneys that have been collected for a Senior Center. Past President of the Senior Citizen's Club, Mr. Chris Lupia and current President, Ms. Judy Laufer presented Mr. Forester with a check in the amount of \$24,868.20. Mr. Forester graciously accepted the check stating that he hopes it grows and they continue to find more funds so that this can become a reality.
3. **PRESENTATION**: CENTRASTATE HEALTHCARE FOUNDATION - Mr. Roman N. Lucky, Vice President of Development introduced himself and thanked the Committee for their time. Mr. Lucky stated that this is the fastest growing area of the State and it is important to keep the public aware of services that are available. In January a new Health Awareness Center was built which serves approximately 44,000 people with classes from birthing to fitness for seniors. In March a Medical Arts Building created an Ambulatory Surgery Center which creates facilities for outpatient surgeries, which are 70% of the surgeries that are performed. In April a Radiation Oncology Center was opened and is currently treating over 52 cases per week. The Cancer Care Facility is fully accredited which is something that only 20% of cancer centers can claim. In June they became one of the 100 most wired hospitals in then nation. By being such, the percentage of human error is significantly lowered. In August a Spine Center was opened and in September a new wing which allowed the maternity wing to double in size was added. In October a MS Center was created, only the 2nd in the State. This is important because MS cannot be cured, only the symptoms can be treated. December created a Sleep Center. In 2003 they are looking to expand the emergency room starting in February. Their emergency room is the 2nd busiest in Monmouth County, last year seeing 52,000 patients.

Mayor Hennessy thanked Mr. Lucky for keeping the Township up to date on the services that are available. The Mayor also announced that it was beginning to snow and the stairs were getting slippery so all should be careful.

4. **APPROVAL OF MINUTES** FOR DECEMBER 11, 2002, JANUARY 5, 2003, AND JANUARY 8, 2003 - Mr. Florek and Mr. Bennett, Esq. made a minor revision to the

minutes of December 11, 2002. With no further comments, Mrs. Burry made a motion to approve the Minutes as amended, seconded by Mr. Stuart and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None

Mr. Florek made a minor revision to the minutes of January 5, 2003. With no further comments, Mrs. Burry made a motion to approve the Minutes as amended, seconded by Mr. Florek and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None

With no comments, Mrs. Burry made a motion to approve the Minutes of January 8, 2003, seconded by Mr. Stuart and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None

5. **ORDINANCE 2003-2: AUTHORIZING AMENDMENT TO EASEMENT – JCP& L (FIRST ENERGY) TRANSMISSION LINE TOWER NO. JC36CN (CRINE ROAD) –** was read by Mayor Hennessy. Mr. Bowden explained that JCP & L is applying to the Town to put two wireless antennas on an existing High Tension tower, located some 40' off Crine Road. Their first step is to have the Town amend the easement to allow this. Mr. Bowden reiterated that this is not an approval from the Township Committee, it simply allows JCP & L to go to the Board of Adjustment.

Mr. Florek thought that a height limitation should be set. The committee thought this was reasonable and decided to add that the antenna should not exceed the height of the tower by 20', with no more than four carriers. Mrs. Burry clarified that the applicant will notify all residents within 200' when their application is made.

Mayor Hennessy set the public hearing for February 12, 2003. With no further comments, Mr. Forester made a motion to introduce this Ordinance, seconded by Mrs. Burry and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None

6. **RESOLUTION 2003-28: CONFIRMING APPOINTMENT TO COLTS NECK FARMLAND AND OPEN SPACE COMMITTEE –** was read by Mayor Hennessy and then turned over to Mrs. Burry. Mrs. Burry said that Mr. Rehm will be filling large shoes, those of Mr. Hank Meisner, but she was sure that he was up to the task. Mr. Rehm has been the owner of Triple Brook Nursery since 1990 and his love and knowledge of the land and farming will prove to be a huge asset. to the Committee. Mayor Hennessy

stated that Mr. Rehm is also on the Recreation Committee and he serves the Town very well. He is able to attend all of the meetings and he was confident he would do well.

With no further comments, Mrs. Burry made a motion to approve the Resolution, seconded by Mr. Stuart and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None

7. **RESOLUTION 2003-29**: APPROVING TRANSFER OF PERSON TO PERSON PLENARY RETAIL CONSUMPTION LICENSE – RAY’S SEAFOOD RESTAURANT OF COLTS NECK, INC. TO A.M. ROSE, INC. (AMENDED APPLICATION) – was read by Mayor Hennessy. Mr. Bowden explained that their application was complete but they have been awaiting fingerprinting results from one of the applicants. There were originally co-applicants, one living outside of New Jersey thus making it hard to have the paperwork completed. The application is now amended with only principal and everything is now complete and ready to go forward. Mrs. Burry questioned who exactly the license was transferring from and to? Mr. Joseph Castellci, Esq. represented the applicant stated that the license was from Ray’s Seafood of Colts Neck, Inc. to AM Rose, Inc. with Andrew Rose as the principal.

With no further comments, Mr. Forester made a motion to approve the Resolution, seconded by Mr. Florek and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None

8. **RESOLUTION 2003-30**: AUTHORIZING TRANSFER OF FUNDS – 2002 MUNICIPAL BUDGET was read by Mayor Hennessy. Mr. Bowden explained that this allows funds to be transferred to pay various Recreational salaries, Board of Health and Fire Prevention expenses. With no further comments, Mrs. Burry made a motion to approve the Resolution, seconded by Mr. Forester and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None

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

Resolution 2003-31: Authorizing Refund – Recreation Program

Resolution 2003-32: Authorizing Release of Performance Guarantees and Acceptance of Maintenance Guarantee for Application PB500 (Hillcrest Estates)

With no comments made, Mrs. Burry made a motion to approve this Resolution, seconded by Mr. Florek and unanimously carried.

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None

10. **DISCUSSION: UNFINISHED BUSINESS – EDGEWOOD COURT NO PARKING ORDINANCE** was read by Mayor Hennessy. Mayor Hennessy stated that it was suggested that possibly various roads around the High School should be designated as No Parking between the hours of 8:00a.m. – 4:00 p.m., Monday through Friday during the months of September through June. The concern is that they do not want to obliterate the problem in one area and have it swing to another area. The problem gets worse as the school year goes on and more students get their drivers license. Only Senior's in good standing are allowed to park in the High School parking lot. Mr. Bowden affirmed that letters were sent to residents on Kathleen Drive, Willow Lake Drive, Pheasant Drive, Edgewood Court and the northern portion of Five Points Road to query their opinions on this. He stated that three letters from residents on Edgewood Court were received and one from Five Points with a number of phone calls all in support of some type of restriction. Two responses were received from Willow Lake Drive one for and one against and nothing was heard from Pheasant Drive. One question from Edgewood Court was how it would be handled when residents had visitors?

Mr. Florek suggested making the hours less restrictive, perhaps 10 a.m. – 2 p.m. which would still serve the intended purpose. Mr. Stuart stated that he lived on a street that has No Parking and you simply had to call the Police to let them know if you were having visitors. He felt that the benefit of the No Parking outweighed the phone call that had to be made for visitors.

Open to the public – Mr. Louis Morella, 40 Kathleen Drive was against making his street No Parking because of the inconvenience for him. Tom Russell, Horse Shoe Court stated that he lives on a No Parking street and he does not see it as a problem, in fact he can use it to his advantage when people are illegally parked. Dom Sozio, Five Points Road stated that he was basically in favor of making his street No Parking, with some reservations because of visitors. His suggestion was to give passes to residents that would be good for a year that could be placed on cars of visitors.

The Committee thought that all of Edgewood Court and the first 2000' of Five Points should be designated first and others could be added later if deemed necessary. Mr. Bowden stated that he would discuss this with the Traffic Safety Officer in the Police Department. An ordinance will be prepared for a future Township Committee meeting.

11. **ADMINISTRATIVE REPORT**

Mr. Bowden told the Committee that the Monmouth County Park System is looking for approval to permit a running event, The 27th Annual E. Murray Todd Half Marathon, to pass through Colts Neck. This is something that the Township has routinely approved. With no further comments, Mr. Florek made a motion to approve, seconded by Mr. Forester and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None

Mr. Bowden stated that he has again received a phone call from a resident on Fox Hedge Road complaining that garbage collection is commencing before 7:00 a.m. When this problem arose last time, Mr. Bowden had spoken with Marpal and was assured that on that street, they would not start before 7:00 a.m. Mr. Bowden made note that in the contract for recycling, it is specified that the carrier is not to start before 7:00 a.m. The Committee recommended that Mr. Bowden try to contact Marpal again to try and work things out.

Lastly, Mr. Bowden stated that he met with Mr. Gerken, Mr. Anfusio, Mr. and Mrs. Newel, 93 Stone Hill Road and Mr. and Mrs. Donatello, 89 Stone Hill Road regarding an

easement that bisects their properties. The developer, in fulfilling his obligations to the Planning Board, installed monuments and fencing to delineate the conservation easement, unfortunately this runs through the middle of their back yards. There are two avenues that the residents could pursue. They could apply to the DEP, which would most likely take about a year, asking them for a reinterpretation. If the DEP agreed with this than they could apply to the Township Committee to move the easement. The other choice would be to apply to the Planning Board for relief. Since the monuments and fencing was a condition of the Resolution they would have to ask for a deviation of approval which will cost approximately \$1300 in application and escrow fees. If the Township Committee was so inclined, they could waive the application fees.

Mrs. Donatello said that they have red metal pipes and fencing that is within ten feet of their home and runs through their property. All that they want is to have these taken down. She thought it was ironic that Colts Neck wants to keep preserving land and then the Town imposes three fences and metal posts on her property.

The Township Committee was very sympathetic with the Donatello's. Mr. Stuart explained that the fences were being used to delineate backyards because the Town was beginning to have a major problem with encroachment. Mrs. Burry asked if this could be taken care of administratively? Mr. Bennett, III, Esq. explained that it could not since this was a requirement of a Planning Board Resolution. Mayor Hennessy felt that by waiving the application fee it would show good faith toward their plight. With no further comments, Mrs. Burry made a motion to waive the application fees, seconded by Mr. Florek and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None

12. **MOTION TO APPROVE VOUCHERS** was made by Mr. Forester for all vouchers totaling \$5,426,307.24, seconded by Mr. Stuart and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None

13. **TOWNSHIP COMMITTEE REPORTS**

Mr. Florek reported that the Fire Department is pursuing a legal opinion as to the liabilities for those that direct traffic for the Fire Department. The standpipes will soon be getting dredged, something that has been needed for quite some time. Permits are being applied for through the State and the Mosquito Commission will actually be doing the work. The Friends of the Library are contemplating a Children's Art Show in the spring. The children were pushed out of the Art Show because of all of the local talent and were very disappointed, this will give the children a chance to show their talents. The First Aid is concerned that the addresses on Route 34 are very confusing, several of the numbers are the same, for example The Woods Furniture Store and Colts Towne Center are both 41 Highway 34 – this could be very confusing and cost several minutes of valuable time in an emergency response. Mr. Bowden stated that he has spoken with the Post Master before and will do so again. Lastly, Mr. Florek said that the First Aid would like to thank the Town for paying the bills for their furnace and well.

Mr. Stuart reported that the Long Range Planning has been having discussions regarding multipurpose trails that could possibly bisect the Town. Mr. Stuart and Mr. Forester met with Police Chief Sauter regarding the reverse 911 service. The Township did not receive the grant, so if this is something the Township still wants we will have to look

into how we want to finance this. Lastly, with the high volume of speeding in Town, the residents have been speaking out that they want more traffic enforcement. The Police Department is now designating either one or two officers each day, depending on availability, strictly to traffic.

Mrs. Burry reported that she went to Trenton to the State Agriculture Development Committee (SADC) last week with the Township Planner, Tim Anfusio. Colts Neck was on the agenda for review of our Planning Incentive Grant (PIG) and felt they should be represented. The hearing was going very well until they asked for comments from the public. Helen Heinrick was extremely critical of the Right to Farm Ordinance that Colts Neck had adopted. The SADC felt that they should have a month to review all of the information, thus no decision was made and we are carried to the February agenda.

Mrs. Burry stated that Bernadette McCarthy was recently appointed to the Architectural Review Committee and is working very well. Lastly, Mrs. Burry reported that the Helistop Committee has not met recently. At there last meeting Mr. Steib was directed to hire a consultant and they are awaiting this.

Ben Forester reported that the Board of Health is working with the USDA in regard to geese control and in late spring this should be underway. The Board of Health is also happy to report that all septic and well information is now accessible on computer and can be emailed. This is a huge asset.

14. **COMMENTS FROM THE PUBLIC**

Vince Domidion, Revolutionary Road stated that we have good groundwater recharge in Colts Neck and residents sump pumps are much more active these days. Residents are pumping into the streets and because of the cold weather there are large icy patches, which tend to be hazardous and should be looked into. Mr. Domidion also reported concerning Water Resources Commission that very important information was being sent to each municipality. It is imperative that you read it because there are costs that should be taken into consideration while preparing your budget of things that will be mandated. The Federal comment period ends March 7, 2003.

Mr. Bowden stated that this item has been tentatively placed on the agenda for next month.

15. **RESOLUTION 2003-34: EXECUTIVE SESSION** was read by Mayor Hennessy. With no comments made, Mrs. Burry made a motion to adjourn and go into Executive Session at 9:30 p.m., seconded by r. Forester and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None

Motion was made by Mrs. Burry, seconded by Mr. Florek to reconvene in public session at 10:25 p.m. and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None

The following Resolution was adopted by the Township Committee in public session.

RESOLUTION 2003- REQUESTING THE ASSISTANCE OF THE ATTORNEY GENERAL'S OFFICE IN CONNECTION WITH CERTAIN "SMART GROWTH" MEASURES was read by Mayor Hennessy. With no further comments, Mr. Florek made a motion to approve, seconded by Mr. Stuart and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

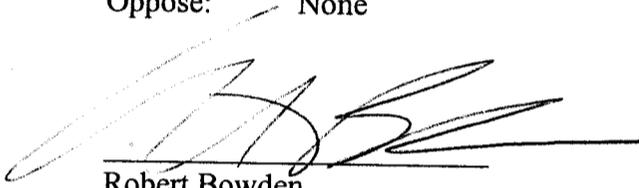
Oppose: None

Motion was made by Mr. Florek, seconded by Mr. Stuart to adjourn the public session at 10:26 p.m. and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None



Robert Bowden,
Township Administrator