

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
TOWN HALL
FEBRUARY 23, 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 February 23, 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. **MAYOR'S PROCLAMATION**: Mayor Forester read a Proclamation in full whereas the Township Committee of the Township of Colts Neck calls on the citizens of Colts Neck to assure that every child in a safe place reading together with a caring adult on March 2, 2005.

2. **PRESENTATION**: Mr. Bowden advised that Mr. Skrocki is not in attendance this evening, however, the property owner, Mr. Juan Gutierrez will make his own presentation. Mayor Forester invited Mr. Gutierrez to come forward. Mr. Gutierrez said he is seeking the Township Committee's consent to install inlets and piping in order to fill an existing drainage ditch and improve an existing driveway on the property. A zoning review stipulates that a street opening permit must be obtained for the new driveway and that the Township Committee must approve the driveway being located in a Conservation Easement or vacate the easement. Mr. Gutierrez stated that due to the nature of use of the driveway for his show horses, widening the driveway by five feet would resolve a lot of issues he is encountering. After a brief discussion, Mrs. Burry made a motion to approve Mr. Gutierrez's concept plan for relocating his driveway as presented, pending approvals by the NJDEP, the Township Engineer and the Township Planner, 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>					

3. **APPROVAL OF MINUTES FOR JANUARY 26, 2005** was read by Mayor Forester. With no comments made, Mrs. Burry made a motion to approve the minutes for January 26, 2005, 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>					

4. **ORDINANCE 2005-2**: AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) was read by Mayor Forester by title on second reading. Mayor Forester explained this acts as a safety net for the Township. With no further comments, Mayor Forester opened the public hearing. Mr. Vincent Domidion, 21 Revolutionary Road, said this Ordinance is very prudent for the town. Mr. Chris Lupia asked if the budget for 2005 has been established yet. Mayor Forester said not yet, as budget sessions are still being held. Mayor Forester said all are welcome to attend. With no further comments, Mayor Forester closed the public hearing. Mrs. Burry made a motion to adopt this Ordinance, 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>					

5. **ORDINANCE 2005-3**: AN ORDINANCE TO AMEND CHAPTER 51, ENTITLED "POLICE DEPARTMENT", OF THE CODE OF THE TOWNSHIP OF COLTS NECK, ESTABLISHING MUNICIPAL COURT DISCOVERY FEES was read by Mayor Forester by title on second reading. Mayor Forester Opened the public hearing. With no comments made, Mayor Forester closed the public hearing. Mr. Hennessy made a motion to adopt this Ordinance, 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>					

6. **RESOLUTION 2005-40**: APPOINTING PROFESSIONAL APPRAISAL SERVICES FOR BLOCK 5, LOT 2 RELATIVE TO THE POSSIBLE ACQUISITION OF A FARMLAND DEVELOPMENT EASEMENT (PURDY FARM – 114 ACRES) (RONALD A. CURINI APPRAISAL CO., INC./\$3,200.00) was read by Mayor Forester. Mrs. Burry made a motion to approve this Resolution, 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>					

7. **RESOLUTION 2005-41:** APPOINTING PROFESSIONAL APPRAISAL SERVICES FOR BLOCK 5, LOT 2 RELATIVE TO THE POSSIBLE ACQUISITION OF A FARMLAND DEVELOPMENT EASEMENT (PURDY FARM – 114 ACRES) was read by Mayor Forester. Mr. Hennessy 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>					

8. **RESOLUTION 2005-42:** APPROVING CHANGE ORDER NO. 2 – CLOVER HILL ROAD IMPROVEMENTS (FINAL AS-BUILT QUANTITIES) was read by Mayor Forester. 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>					

9. **RESOLUTION 2005-43:** APPROVING AERIAL SURVEILLANCE AND TREATMENT PROGRAM BY MONMOUTH COUNTY MOSQUITO EXTERMINATION COMMISSION was read by Mayor Forester. Mrs. Burry 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>					

10. **RESOLUTION 2005-44:** ACCEPTING AND AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE TOWNSHIP OF COLTS NECK AND COUNTY OF MONMOUTH FOR ALCOHOLISM/DRUG ABUSE PREVENTION SERVICES (\$17,800.00) was read by Mayor Forester. Mr. Florek said as liaison to the Alliance, a good amount of their funding is derived from state grant money. Mr. Florek advised this is a very busy organization. Mr. Hennessy and Mrs. Burry both concurred. Mr. Florek 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>					

11. **RESOLUTION 2005-45:** AUTHORIZING MAYOR AND CLERK TO EXECUTE ESTOPPEL LETTER PERTAINING TO A LEASE AGREEMENT WITH CROWN CASTLE INTERNATIONAL CORP. (OR AFFILIATES) FOR TOWNSHIP PROPERTY AT THE INTERSECTION OF ROUTE 18 AND ROUTE 34 was read by Mayor Forester. Mr. Bowden explained this is a lease agreement for the communication antennae on Township property at the DPW yard. The estoppel letter gives them the confirmation necessary for them to pursue their refinancing. Mrs. Burry 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>					

12. **MOTION TO ADOPT A CONSENT AGENDA** was read by Mayor Forester for the following consent Resolution:

Resolution 2005-46: Approving Raffle Application No. 05-01 – Friends of the Monmouth County Park System

With no comments made, Mr. Florek made a motion to approve the aforementioned consent 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>					

13. **ADMINISTRATIVE REPORT:**

Mr. Bowden reported that the Police Chief is seeking authorization to order two Crown Victoria vehicles prior to the budget adoption. Mr. Bowden reminded the Township Committee that they did approve the purchase of said vehicles in the Chief's budget. The Chief indicates he has a narrow window with which to order these vehicles. After brief discussion, Mrs. Burry made a motion approving the Chief of Police to proceed to order the two vehicles at this time, 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>					

Mr. Bowden reminded the Township Committee that the road improvement grant applications are due on or before April 15th. Mr. Bowden advised that the Governing Body previously inquired if only half of Heyers Mill Road could be submitted? Mr. Bowden said the answer is yes. It would be entitled Phase I, with an estimate cost of \$450,000.00 and an estimated grant for \$150,000.00. Mr. Bowden explained why narrowing of roadways becomes very expensive. After a brief discussion, the Township Committee's general consensus is to submit half of Heyers Mill Road as Phase I from Conover Road to Heritage Drive. The consensus was to focus on narrowing where feasible.

Mr. Bowden further reported that the NJDOT sent a letter approving a speed limit reduction for Tulip Lane from 35 m.p.h. to 30 m.p.h. After brief discussion, the Township Committee unanimously agreed to proceed. Mr. Bowden said an Ordinance will be on the next meeting for introduction. Mrs. Burry suggested that the speed limit on Clover Hill Road be also reduced. Mr. Bowden said Clover Hill Road may be a good road to utilize the new law.

14. **MOTION TO APPROVE VOUCHERS** was made by Mrs. Burry for all vouchers totaling \$2,082,416.88, 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>					

15. **TOWNSHIP COMMITTEE REPORTS**

Mr. Stuart said he has no report this evening.

Mrs. Burry reported that she and Mr. Florek will be meeting with Mr. Fitzpatrick, the new school Superintendent in the near future. Mrs. Burry said that they also have a meeting with Dr. Wasser on March 16th to discuss various issues regarding the regional school system.

Mrs. Burry reported that The Manor of Colts Neck received consent of the Monmouth County Planning Board for waste water treatment.

Mrs. Burry further reported that the Smart Growth Plan has been received by the County Planning Board.

Mrs. Burry concluded by advising that the “destroyer” of Holly Bush Farm will not be subdividing, however, will be building a mansion. Mrs. Burry said she exercised great restraint at the news.

Mr. Florek reported that the Fire Department wishes to meet with the First Aid Squad and Township Attorneys to discuss LOSAP. They wish to review how to calculate the points and are seeking the proper interpretation of the Ordinance.

Mr. Hennessy said he has no report this evening.

Mayor Forester said he has no report this evening.

16. **COMMENTS FROM THE PUBLIC**

Mr. Vincent Domidion suggested keeping in mind for the Road Improvement Program that the new subdivision on Heyers Mill Road is not complete yet and the contractor still has some paving to do. That may help off-set some of the cost factors.

Mr. Chris Lupia said that he doesn't see any building permits prominently displayed around town anymore. Mrs. Burry said that they are out there.

17. **RESOLUTION 2005-47**: EXECUTIVE SESSION was read by Mayor Forester. With no further comments, Mrs. Burry made a motion to adjourn at 8:35 p.m. and go into Executive Session, 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>					

Robert Bowden,
Township Administrator

RB/as