

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
FEBRUARY 25, 2009
7:30 P.M. AT COURT HOUSE**

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 requirements of the New Jersey Public Meetings Law have been satisfied by forwarding a "News Release" to the Asbury Park Press on December 10, 2008 stating the meeting of the Colts Neck Township Committee would be held on February 25, 2009 at 7:30 p.m., Colts Neck Court House, 124 Cedar Drive, Colts Neck. The notice has 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 Forester, Deputy Mayor Florek, Committeemembers Schatzle, Eastman and Engel

Also Present: Administrator/Municipal Clerk, Robert Bowden; Deputy Municipal Clerk, Beth Kara; Legal Counsels, Chris Ackerman, Esq., and John O. Bennett, III, Esq. (arriving late)

Absent: None

1. **MAYOR'S PROCLAMATION:** READ ACROSS AMERICA DAY, MARCH 2, 2009 - Mayor Forester read the Proclamation in full, which recognizes what would have been the 105th birthday of Theodor Seuss Geisel (Dr. Seuss), and noting this body enthusiastically endorses NEA's Read Across America and Read Across America-NJ, and recommits our community to engage in programs and activities to make America's children the best readers in the world.

2. **MAYOR'S PROCLAMATION:** ARC AWARENESS MONTH, MARCH 2009. Mayor Forester read the proclamation in full. March 2009 was proclaimed ARC Awareness Month in the Township of Colts Neck. All citizens of Colts Neck were urged to give full support towards enabling people with intellectual and developmental disabilities to live full and productive lives of inclusion in our communities.

3. **PRESENTATION:** SAFE HOME PLEDGE. Mr. Engel introduced Ms. Anita Dedalis of the Alliance. Ms. Dedalis spoke of the origins of this program, and explained by signing this pledge, parents agree that events held within their homes would be monitored and be alcohol and drug free. Ms. Dedalis advised additional information is provided on the Alliance's website, which is linked to the Township's website. Ms. Dedalis stated other municipalities within Monmouth County are participating in similar programs, and she thanked the Governing Body for their support.

4. **RESOLUTION 2009-44:** ENDORSING AND CONFIRMING SUPPORT OF THE COLTS NECK SAFE HOME PLEDGE PROGRAM was read in full by Mayor Forester. Mr. Florek commented this looks to be a good program for the youth of this community. Mr. Schatzle made a motion to approve, seconded by Mr. Engel and unanimously carried.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Forester		X			
Deputy Mayor Florek		X			
Schatzle	M	X			
Eastman		X			
Engel	S	X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

5. **PRESENTATION/PUBLIC RECOGNITION:** COLTS NECK POP WARNER JUNIOR MIDGET CHEERLEADERS AND JUNIOR MIDGET FOOTBALL TEAM. Mr. Hennessy, Recreation and Parks Director, spoke of the many stellar seasons of both the Pop Warner Cheerleaders and the Junior Midget Large Football team. Assemblywoman Caroline Casagrande then read two special Joint Legislative Resolutions sponsored by State Senator Jennifer Beck, Assemblyman Declan O'Scanlon and Assemblywoman Casagrande. Each resolution noted the achievements of this evening's honorees and their coaches. The Cheerleaders placed first in the Junior Midget Large Advanced Division of the Pop Warner Regional Competition and placed second in the 2008 National competition in Orlando. The Football team had their best season ever for a Colts Neck team, ending the season 13-1, and won the Jersey Shore Division II Junior Midget Conference Championship and the State Division II Junior Midget Championship. After the members of both teams received their certificates, the cheerleaders gave a very enthusiastic cheer, photographs were taken and all were applauded.

Mayor Forester called a five minute recess. At 8:05 p.m., Mayor Forester reconvened the meeting.

6. **PRESENTATION:** VISIONQUEST 2015. Dr. Harold Nolan, former Recreation and Parks Director, and Thomas Hennessy, current Recreation and Parks Director addressed the Township Committee. Dr. Nolan stated Visionquest 2015 was an update of the 1999 plan on the provision of leisure services to meet the needs of the Township residents while protecting the resources of the community. Dr. Nolan spoke of the survey methodology, findings and recommendations for future action over the next seven years. Dr. Nolan noted he and the Middletown Parks and Recreation Director will be presenting their survey work at the New Jersey Recreation and Parks Conference next week. Mr. Schatzle spoke of the video done years ago regarding recreation within Colts Neck and requested a copy of the video. The Township Committee thanked Dr. Nolan and Mr. Hennessy.

7. **APPROVAL OF MINUTES OF JANUARY 28, 2009 AND FEBRUARY 11, 2009.** With no comments, Mr. Engel made a motion to approve both sets of minutes, seconded by Mr. Eastman and unanimously carried.

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Mayor Forester			X			
Deputy Mayor Florek		S	X			
Schatzle		M	X			
Eastman			X			
Engel			X			

X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded

8. **ORDINANCE 2009-1:** AN ORDINANCE ENTITLED THE 2009 SALARY ORDINANCE FOR THE TOWNSHIP OF COLTS NECK was read at second reading by Mayor Forester. Mr. Bowden stated the salaries within this ordinance are, with few exceptions, contractual for the Police, Public Works and White Collar Union employees. Mr. Eastman commented the budget process has not been completed yet and while these salaries are reasonable and measured, they may need to be austere. Mr. Bowden stated the contractual positions average a 4% increase, the few stipends were already approved by the Township Committee and the remaining positions include summer interns, which provide great benefit to the Township at minimal cost. Mr. Florek stated the salaries are reasonable and border on austere, and he recommends proceeding. Hearing no further comments, Mayor Forester opened the meeting to public comment:

Ms. Virginia Amend, a resident and editor of the Colts Neck Calendar, questioned the benefit of the 12-hour shifts for Police Officers, the addition of another Sergeant at a cost of \$100,000, and commented the salaries are too high. Mr. Florek responded noting the Police Sergeant salary is \$96,000 not \$100,000, and

lengthening the shift to 12 hours is positive in that it should result in a reduction of overtime costs. Mayor Forester stated Police Departments polled by the Township prior to the shift change were very happy with the increased shift length and resultant alternating days working and off. Mr. Bowden commented the overtime costs ranged from \$60,000 to \$65,000 prior to the shift change, and are now budgeted at \$20,000.

With no further comments, Mayor Forester closed the meeting to public comment. Mr. Florek made a motion to approve, seconded by Mr. Schatzle and carried by Messrs. Forester, Florek, Schatzle and Engle; Mr. Eastman opposed.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Forester		X			
Deputy Mayor Florek	M	X			
Schatzle	S	X			
Eastman			X		
Engel		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

9. **ORDINANCE 2009-2:** 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 at second reading. Mr. Bowden explained by law, municipalities cannot exceed 2.5% of the prior year budget; however, the passage of this ordinance would provide the flexibility to increase this year's budget to 3.5% of the prior year budget. Mr. Bowden stated the CAP has never been exceeded, and the passage of this ordinance functions as insurance against unanticipated expenditures. If unneeded, the 3.5% increase can be banked for two years (heretofore banking was indefinite). The 1% increase equates to approximately \$74,000. With no comments, Mayor Forester opened the meeting to public comment. Hearing none, Mayor Forester closed the meeting. Mr. Engel made a motion to approve, seconded by Mr. Schatzle and unanimously carried.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Forester		X			
Deputy Mayor Florek		X			
Schatzle	S	X			
Eastman		X			
Engel	M	X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

10. **RESOLUTION 2009-42:** AUTHORIZING ADJUSTMENT OF 2009 PRELIMINARY ADDED ASSESSMENT TAX was read by title by Mayor Forester. Mr. Eastman stated he spoke with Mr. Magnani, Tax Assessor, and was satisfied the resolution was needed to correct a clerical error. Mr. Eastman made a motion to approve, seconded by Mr. Florek and unanimously carried.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Forester		X			
Deputy Mayor Florek	S	X			
Schatzle		X			
Eastman	M	X			
Engel		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

11. **RESOLUTION 2009-45:** AUTHORIZING EXECUTION OF CONTRACT FOR CDL DRUG TESTING (CONNER STRONG RISK CONTROL SERVICES) was read by title by Mayor Forester. Mr. Bowden explained the

contract to conduct random drug tests for those employees driving trucks for the Township at a cost of \$66.34 per CDL holder was not anticipated to exceed \$1,500 per year. Random testing is done on site at DPW. Mr. Schatzle made a motion to approve, seconded by Mr. Engel and unanimously carried.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Forester		X			
Deputy Mayor Florek		X			
Schatzle	M	X			
Eastman			X		
Engel	S	X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

12. **RESOLUTION 2009-45A:** AUTHORIZING FORMAL TRANSFER OF FUNDS, 2008 BUDGET was read by Mayor Forester. Mr. Forester noted \$8,800 was being transferred from Legal Services, Other Expenses, to cover additional expenses of Police Department, Other Expenses, \$7,000; and Recreation Services and Programs, Other Expenses, \$1,800. Mr. Eastman made a motion to approve, seconded by Mr. Florek and unanimously approved.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Forester		X			
Deputy Mayor Florek	S	X			
Schatzle		X			
Eastman	M	X			
Engel		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

13. **MOTION TO ADOPT A CONSENT AGENDA:** The following resolutions were read by title by Mayor Forester:

14. ***RESOLUTION 2009-46:** AUTHORIZING RELEASE OF CASH MAINTENANCE GUARANTEE, P.B. APPLICATION NO. 537, (REILLY/LASAMANA REALTY).
15. ***RESOLUTION 2009-47:** AUTHORIZING RECREATION PROGRAM REFUNDS.
16. ***RESOLUTION 2009-47A:** AUTHORIZING ACCEPTANCE OF SPECIAL LANDSCAPE PERFORMANCE GUARANTEE; BLOCK 7, LOT 4.01, (KLING).

Mr. Eastman made a motion to approve, seconded by Mr. Florek and unanimously carried.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Forester		X			
Deputy Mayor Florek	S	X			
Schatzle		X			
Eastman	M	X			
Engel		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

17. **DISCUSSION:** ROUTES 34 AND 537 INTERSECTION IMPROVEMENTS, FEASIBILITY ASSESSMENT. Mr. Bowden stated he attended a meeting with Messrs. Schatzle and Engel, Freeholder Burry, Sen. Beck, Assemblywoman Casagrande, Assemblyman O'Scanlon and Mr. Ettore, County Engineer; February 10, 2009 to discuss the eight proposals developed to safely improve the flow of traffic at the intersection. The County and State officials are recommending Alternative 6, estimated to cost \$16.3 million and to take three years to design and

two years to construct. While there is no construction money available, plans are proceeding in the event funds become available. This proposal eliminates the Exxon gas station, and increases the number of lanes approaching the intersection on Route 34 in both directions to six, and five lanes in both directions on Route 537. The County Engineer does not think the proposed improvement will change the character of the Town, since the roadways return to two lanes shortly after the intersection. An information session has been scheduled by NJDOT at Town Hall on March 19th between 3:00 p.m. and 7:00 p.m. to provide information to the general public on the proposed improvements. Mr. Bowden advised a newsletter was prepared and will be sent to all Township residents advising of the Public Information Center, and the DOT would be sending written notification to the 40-50 landowners impacted. Mr. Schatzle requested the DOT Information Center be expanded to include the County issue to correct the intersection of Dutch Lane Road, Heulitt Road and Crine Road. Mr. Bowden responded he will speak with the County and obtain display boards depicting the alternatives proposed and include it as part of the Public Information Center scheduled for the 19th.

18. **DISCUSSION:** CENTRAL JERSEY COUNCIL OF GOVERNMENTS (CJCOG), POSSIBLE RESOLUTION. Mr. Bowden advised the CJCOG voted to require all municipalities in the Central Jersey Regional Solid Waste Collection Study Group for formally join the CJCOG and to pay \$300 to the Joint Meeting as an initial membership fee. Mr. Bowden stated Marlboro Mayor Hornik went to great lengths to put the coalition together, and the trash collection bidding will include many municipalities. Mr. Florek stated a coalition bid for trash collection appears to have merit and may result in savings for the Township's residents. Mr. Florek commented the Township could also bid it on behalf of the residents. Mr. Florek agrees to be part of the CJCOG. Mr. Schatzle was in favor. Mayor Forester stated this may require an increase in budget. Mayor Forester commented if you award the bid and the company goes out of business, you would have to declare an emergency and would have to pay a lot more money for the service. Mayor Forester noted if this was added to the tax rate, every resident would be paying a different fee since the payment would be based on the value of the house. Mr. Bowden commented he thinks it is a worthy endeavor and recommends participation. All were in agreement, and Mayor Forester then read the following resolution into the record:

19. **RESOLUTION 2009-47B:** AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE TOWNSHIP OF COLTS NECK TO EXECUTE THE JOINT MEETING AGREEMENT FOR THE FORMATION AND OPERATION OF THE JOINT MEETING KNOWN AS THE CENTRAL JERSEY COUNCIL OF GOVERNMENTS was read by title by Mayor Forester. Mr. Schatzle made a motion to approve, seconded by Mr. Eastman and unanimously carried.

Committeeman	M S	Yes	No	NV	Ab
Mayor Forester		X			
Deputy Mayor Florek		X			
Schatzle	M	X			
Eastman	S	X			
Engel		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

20. **TAX ASSESSOR'S COMMENTS:** Mr. Magnani was recognized by Mayor Forester, and he provided a detailed explanation of the need for Resolution 2009-42, approved during the earlier portion of this meeting. Mayor Forester thanked Mr. Magnani for his insight into this issue. Mr. Magnani then left the meeting.
21. **ADMINISTRATIVE REPORT:** Mr. Bowden had nothing to add to his report. Mr. Bowden advised the Township Committee that the Lions Club is planning a fundraiser wine tasting event on May 16, 2009, at Bucks Mill Park and is seeking

approval from the Governing Body. Mr. Florek made a motion to approve, seconded by Mr. Eastman and unanimously carried.

Committeeman	M S	Yes	No	NV	Ab
Mayor Forester		X			
Deputy Mayor Florek	M	X			
Schatzle		X			
Eastman	S	X			
Engel		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

22. **MOTION TO APPROVE VOUCHERS:** Mr. Schatzle reported he reviewed the vouchers, noting all were in order, and are as follows:

Animal Control	\$1,326.60
COAH	\$1,895.00
Construction Trust	\$9,931.92
Current Fund	\$2,586,251.22
Escrow	\$53,481.62
Farmland Preservation Trust	\$82.50
Grant Fund	\$1,463.17
Tax Collectors Trust	\$69,151.63
Trust Fund	\$10,013.61
TOTAL APPROVED:	\$2,733,597.27

Mr. Schatzle made a motion to approve all vouchers, seconded by Mr. Engel and unanimously carried.

Committeeman	M S	Yes	No	NV	Ab
Mayor Forester		X			
Deputy Mayor Florek		X			
Schatzle	M	X			
Eastman		X			
Engel	S	X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

Sen. Bennett arrived at 9:00 p.m.

23. **TOWNSHIP COMMITTEE REPORTS**

Mr. Engel reported the First Aid Squad received its extrication vehicle.

Mr. Engle reported the First Aid Squad's crash truck is one of the few trucks having transporting capabilities.

Mr. Engel reported the First Aid Squad has scheduled a CPR Program for citizens on March 2, at 7:00 p.m. at the First Aid Building.

Mr. Engel reported the First Aid Squad has scheduled its Annual Blood Drive on March 25, at the building.

Mr. Schatzle reported the Rabies Clinic went well this year with over one hundred dogs and cats vaccinated. The Bucks Mill Community Center facility worked well for this event.

Mr. Schatzle reported he and Mr. Engel attended the PTSO meeting on Internet Safety, Gangs and Drug/Alcohol issues were discussed. Sgt. Walsh, Colts Neck, was one of the presenters.

Mr. Florek reported the Fire Department members are required to take a course on dealing with autism. Mr. Florek is uncertain how many courses are now required, but the numbers are increasing and the course requirements are becoming almost prohibitive.

Mr. Florek discussed the County Fire Department dispatch system, noting quick response times, with members on the scenes in less than five minutes.

Mr. Florek noted there is pending legislation that law officers will be reinstated to full pay if the appeal is not resolved within 180 days. Mr. Florek does not think this should be automatic. Mr. Bowden commented this is on the Governor's desk. Mr. Bowden stated he will follow-up to ascertain the status, and the Governing Body agreed to oppose this legislation.

Mr. Eastman reported the Historic Preservation Committee is looking for a location to store and display historic items donated by residents. The Committee feels a specific location would increase donations to the Township.

Mayor Forester reported he received a letter, dated January 29, 2009, from the New Jersey State Investigator for Affirmative Action, noting after a thorough investigation, the Township was found to be in compliance with New Jersey's Public Law.

24. COMMENTS FROM THE PUBLIC:

With no further comments, Mayor Forester opened the meeting to public comment.

Ms. Virginia Amend, resident and editor of the Colts Neck Calendar, commented the presentation on the Route 537/34 intersection by Mr. Ettore was very interesting. Ms. Amend thought that roadway improvement is more important than the roundabout proposed for Crine/Heulett/Dutch Lane Roads. Ms. Amend does not think there is enough time to notify residents of the March 19th Public Information Center and she recommends having two meetings. Ms. Amend questioned construction over a 75 year old deficient bridge. Mr. Engel responded noting the 537 bridge needed to be repaired, regardless of what alternative was selected for the intersection.

Mr. Ray Shebell and Glen Dalakian, Vice President and President of the Colts Neck Business Association, respectively, were present. Mr. Shebell stated the Business Association is working to help bring new businesses into Town and the improvement of the 537/34 intersection would help. To this end, they developed a subcommittee for public awareness, advising what land and stores are available. Mr. Shebell noted the Association has 180 members. Mayor Forester welcomed any business having a problem to address the Township Committee. Mayor Forester stated the Association's input on the 537/34 intersection would be beneficial.

Ms. Elaine Mann, a resident, questioned why the Local Emergency Response Committee (LERC) was not listed in the 2009 Township Directory. Ms. Mann questioned if the Township's OEM unit was disbanded and if anyone was available in the event of a hurricane or other emergency. Mr. Bowden responded the LERC is listed in the Directory. He stated the LERC is not the same as the Township's OEM. There are two vacancies on the LERC; however, they are being filled and the Committee will then resume holding quarterly meetings. Mr. Schatzle noted there is a well documented emergency plan in place. Ms. Mann then questioned if the Police Officers receive supplemental income from Mr. Springstein. Mr. Bowden responded when an officer is requested, Mr. Springstein pays the Township; a portion is kept by the Township to offset administrative processing expenses and the remainder is paid to the officer.

Mr. Vince Domidion, a resident, stated that on a recent trip down Hillsdale, he saw ATV tracks in Big Brook trails and suggested following the tracks to their ending

destination. Mr. Domidion noted vehicles don't belong on these trails and baffles are being installed on the Schlesinger Bridge to prevent vehicles from entering.

Ms. Amend stated she would like to see more imaginative uses for the two Township preserves, i.e., Freer and Schlesinger, noting Freer has not be used due to "No Trespassing" signs on display.

Ms. Judy Laufer, a resident, suggested parking improvements at Freer Preserve and having a treasure hunt event at the Preserve.

Hearing no further comments, Mayor Forester closed the meeting to public comment, noting the next Township Committee meeting would be held on Wednesday, March 11, 2009, at 7:30 p.m., Town Hall.

17. **RESOLUTION 2009-48: EXECUTIVE SESSION.** At 9:30 p.m., a motion was made by Mr. Schatzle, seconded by Mr. Engel and unanimously carried by voice vote to go into executive session. Mr. Bowden advised no formal action is anticipated this evening.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Forester		X			
Deputy Mayor Florek		X			
Schatzle	M	X			
Eastman		X			
Engel	S	X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

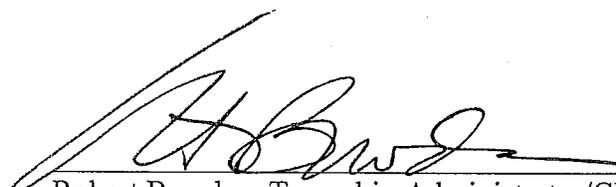
Motion by Mr. Florek, seconded by Mr. Engel, and unanimously carried to adjourn Closed Session and reconvene in Public Session.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Forester		X			
Deputy Mayor Florek	M	X			
Schatzle		X			
Eastman		X			
Engel	S	X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

Motion by Mr. Florek, seconded by Mr. Eastman and unanimously carried to adjourn meeting.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Forester		X			
Deputy Mayor Florek	M	X			
Schatzle		X			
Eastman	S	X			
Engel		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

Meeting adjourned at 10:35 p.m.


Robert Bowden, Township Administrator/Clerk