

**TOWNSHIP OF COLTS NECK  
TOWNSHIP COMMITTEE MEETING  
MARCH 8, 2006  
7:30 P.M. AT TOWN HALL**

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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 Administrator/Clerk, Robert 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 March 8, 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; John O. Bennett, III, Esq., and Beth Kara

Absent: None

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At the outset of the meeting, Mayor Florek welcomed the members of Boy Scout Troop 411, Freehold, who came to observe government in action.

1. **PRESENTATION**: FLOCK FARM PAINTING. Mayor Florek turned the meeting over to Mrs. Burry. Mrs. Burry commended the Historic Preservation Committee for using their Trust Fund monies, which are donated funds not tax funds, for the purchase of a Muriel Rogers painting of Flock Farm in the early 1920's. In 1923, the Flocks purchased approximately 200 acres of farmland including the house depicted, which was built in 1875. Ms. Rogers, then spoke about her painting. The two lighted windows in the rear of the home are where the Flocks ate dinner in the early evening and the many beautiful sunsets seen so clearly from that property. Mr. & Mrs. Flock were the parents of Richard and Bill and Audrey Orgo, life-long residents. Only one silo remains today at the site, which is now a golf course. Mrs. Burry reflected that this truly remarkable painting captures what was, and studying the past, shapes where we're going. The painting will be on display as part of the collection in the meeting room at Town Hall. All in attendance applauded and photographs were taken.
  
2. **PRESENTATION**: Mrs. Burry introduced Ms. Merideth Janssen, a member of the Historic Preservation Committee and an artist. Presentations of Ms. Janssen's framed pen and ink drawings of each home on the 2005 Historic Preservation House Tour were made to the following homeowners:
  - Ms. Sarah Devine, Cross Roads. While this home is not a historic home and was built in 2000, Mrs. Burry stated it has such wonderful historic features and was included in the tour.
  - Ms. Linda Bremer, Heyers Mill Road, near Merchants Way. This home was built in 1860 by Robert Laird of Laird's Distillery. Ms. Bremer's home is the location of the Historic Preservation Committee's Spring Reception on March 19. Mrs. Burry again extended invitations to all Township Committee members to attend this event.
  - Ms. Linda King, Driftwood Lane. This home was built in the mid-18<sup>th</sup> Century and includes beautiful features and an incredible barn.
  - Ms. Lucy Knipfing, Heyers Mill Road. This home was built in 1788 by William Sickles, and it retains the original beams and wood flooring.

At the conclusion of all presentations, the recipients were applauded and photographs were taken. In closing, Mrs. Burry stated she was looking forward to this year's House Tour.

3. **RESOLUTION 2006-47:** RESOLUTION AUTHORIZING AND APPROVING INTRODUCTION OF 2006 MUNICIPAL BUDGET was read in full by Mayor Florek. Mayor Florek reviewed the details of the budget and advised the public hearing is scheduled April 12, 2006, 7:30 p.m., Town Hall. Mr. Stuart made a motion to approve, seconded by Mr. Forester and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR FLOREK</b>	<b>DEPUTY MAYOR STUART</b>	<b>HENNESSY</b>	<b>BURRY</b>	<b>FORESTER</b>
<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 2006-48:** SELF EXAMINATION OF 2006 MUNICIPAL BUDGET was read by title by Mayor Florek. The Township of Colts Neck is deemed a municipality in sound fiscal condition by the Division of Local Government Services. As such, it is eligible to participate in the self-examination program for the 2006 budget year. Based on the Chief Financial Officer's certification, the Governing Body has found the budget meets all statutory requirements. Mr. Forester made a motion to approve, seconded by Mr. Stuart and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR FLOREK</b>	<b>DEPUTY MAYOR STUART</b>	<b>HENNESSY</b>	<b>BURRY</b>	<b>FORESTER</b>
<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 2006-5:** 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 title on first reading by Mayor Florek. Based on the Local Government Cap Law, a municipality must limit any increase in the annual budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, with certain exceptions. Mayor Florek stated that while the municipal portion of this year's budget is below the 2.5% cap, both the Auditor and the Chief Financial Officer recommended passage of this ordinance as a safeguard in the event of an unforeseen occurrence. Mr. Bowden advised that if it is not used this year, it can be carried forward one year. Mr. Hennessy made a motion to approve, seconded by Mrs. Burry and unanimously carried. Mayor Florek set the public hearing for March 29, 2006.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR FLOREK</b>	<b>DEPUTY MAYOR STUART</b>	<b>HENNESSY</b>	<b>BURRY</b>	<b>FORESTER</b>
<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. **APPROVAL OF MINUTES OF FEBRUARY 8, 2006:** A brief discussion ensued where minor corrections were made to the draft minutes. Mrs. Burry made a motion to approve, as amended, seconded by Mr. Stuart and unanimously carried by all.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR FLOREK</b>	<b>DEPUTY MAYOR STUART</b>	<b>HENNESSY</b>	<b>BURRY</b>	<b>FORESTER</b>
<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. **APPROVAL OF MINUTES OF FEBRUARY 22, 2006:** A brief discussion ensued where minor corrections were made to the draft minutes. Mrs. Burry made a motion to approve, as amended, seconded by Mr. Stuart, carried by Mr. Hennessy and Mayor Florek. Mr. Forester abstained.

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

8. **ORDINANCE 2006-4:** ORDINANCE AMENDING CHAPTER 1, ENTITLED "GENERAL PROVISIONS", OF THE TOWNSHIP CODE OF THE TOWNSHIP OF COLTS NECK, IN ORDER TO INCREASE THE MAXIMUM FINE FOR VIOLATIONS OF TOWNSHIP ORDINANCES was read by title by Mayor Florek on second reading. Mayor Florek stated that the current maximum fine is \$1,000, the State allows a \$2,000 maximum fine, and most municipalities are raising their maximum fine limits to \$2,000. With no comments from the Township Committee, Mayor Florek opened the meeting for public comment. Mr. Chuck Cammarata, a resident, asked the dollar fine for littering and questioned if the fine had been increased. Mr. Bowden responded the passage of this ordinance would permit the Municipal Judge to raise fines for repeat offenders. Mr. Cammarata then spoke of constantly finding trash strewn on his property. Mayor Florek stated it is difficult to enforce littering since the offenders must be caught in the act; however, passing this ordinance would put some teeth into local ordinances. Mr. Cammarata asked if this applies to all Township ordinances; to which he received a "yes" response. Mr. Cammarata complained of illegal parking within the Colts Neck Shopping Plaza as well as broken glass left for one to two weeks prior to removal. With no further comments, Mayor Florek closed the meeting to public comment. Mrs. Burry made a motion to approve, seconded by Mr. Hennessy and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR FLOREK</b>	<b>DEPUTY MAYOR STUART</b>	<b>HENNESSY</b>	<b>BURRY</b>	<b>FORESTER</b>
<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. **ORDINANCE 2006-6:** PROHIBITING PARKING DURING CERTAIN HOURS ON CERTAIN ROADS IN THE TOWNSHIP OF COLTS NECK AND AMENDING AND SUPPLEMENTING CHAPTER 222, "VEHICLES AND TRAFFIC", OF THE "CODE OF THE TOWNSHIP OF COLTS NECK", ACCORDINTLY was read by title at first reading by Mayor Florek. Mr. Bowden advised this ordinance would restrict parking during school hours on Victorian Way, Willow Lake Drive, and the first 1500 feet of Montrose Road beginning at County Route 537. Mr. Bowden stated he has spent time with the Police Chief and discussed restricting parking on Slope Brook Lane, Matthew Road and within a one-mile radius of Colts Neck High School. The Chief and Mr. Bowden recommend the passage of this ordinance, and they will continue to monitor the situation for additional corrective action. In addition, the residents of Willow Lake Drive and Victorian Way are hopeful this will be introduced tonight. Mr. Stuart reported cars are parking in the future Westminster site and this may have to be addressed in the future. Mrs. Burry made a motion to approve, seconded by Mr. Forester and unanimously carried. Mayor Florek set the public hearing for March 29, 2006.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR FLOREK</b>	<b>DEPUTY MAYOR STUART</b>	<b>HENNESSY</b>	<b>BURRY</b>	<b>FORESTER</b>
<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 2006-49:** RESOLUTION AUTHORIZING EXECUTION OF MONMOUTH COUNTY OPEN SPACE GRANT NO. 05-02 – LIFE TRAIL FITNESS CENTER was read by title by Mayor Florek. Under the Monmouth County Municipal Open Space Grant Program, the Township was awarded a \$16,000 matching grant (County pays \$16,000, Township pays \$16,000) to replace the existing Life Fitness Trail within Town Hall park. Mr. Bowden advised the next step in the process would be to obtain environmental certifications and prepare bid requests. The County requires the project be completed within two years of grant award. Mr. Stuart stressed the need to move forward immediately. Mrs. Burry made a motion to approve, seconded by Mr. Hennessy and unanimously carried by all.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR FLOREK</b>	<b>DEPUTY MAYOR STUART</b>	<b>HENNESSY</b>	<b>BURRY</b>	<b>FORESTER</b>
<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>					
<i>Absent/Excused</i>					X

In the absence of Mr. Vince Domidion, recognized expert on Stormwater Management issues, the discussion pertaining to a new proposed Stormwater ordinance was deferred until his arrival.

11. **DISCUSSION:** ZONING BOARD OF ADJUSTMENT 2005 ANNUAL REPORT. The Township Committee reviewed and discussed the activities of the Board and the trends within the Township. This report also included two recommendations for zoning ordinance amendment or revision pertaining to revisions to approved building plans and the possibility of including in-ground swimming pools in lot coverage calculations. Mr. Stuart reported there are egregious violations that need to be followed up on by the Building Department.

Mayor Florek stated the process should be triggered by a minimum dollar figure to trigger the Board-recommended certification by an architect, engineer or land surveyor. The Township Committee discussed the inclusion of in-ground swimming pools in lot coverage calculations. Mrs. Burry suggested the Township Committee accept the recommendations of the Zoning Board. Mayor Florek also agreed with accepting the recommendations and suggested a note to the Zoning Board Chair be sent thanking them for their comments.

12. **ADMINISTRATIVE REPORT:** Mr. Bowden had no additional comment to his report.
  
13. **MOTION TO APPROVE VOUCHERS.** Mr. Forester reviewed and signed the vouchers for this meeting and commented the Township pays its bills on time. Mr. Forester made a motion to approve all vouchers totaling \$445,651.99, seconded by Mr. Stuart and unanimously carried.

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

14. **TOWNSHIP COMMITTEE REPORTS:**

Prior to beginning this segment of the meeting, mention was made of Mr. Chris Lupia's absences during the past several months meetings. He is sorely missed.

Mrs. Burry reported she attended a mock trial at Colts Neck High School last evening. The students built the furnishings for the courtroom, and the sophomores who participated in the evening's mock trial murder case did an extremely professional job.

Mrs. Burry reminded the Township Committee of their invitation to the Historic Preservation spring reception at Linda Bremer's home on March 14, 2006.

Mrs. Burry reported a meeting with Harriet Honigfeld is planned for March 15. The meeting was called at Ms. Honigfeld's suggestion to provide further guidance in the Farmland Preservation Program.

Mrs. Burry stated the Farmland Preservation Committee is preparing an excellent newsletter, which includes the Purdy farm.

Mrs. Burry stated there will be a meeting on the Cohen property shortly.

Mrs. Burry enjoyed the First Aid Dinner Dance she recently attended.

Mrs. Burry is hoping to hear something about Earle.

Mr. Forester attended the Board of Health meeting last night. The Board agreed to address the geese and their eggs later this year.

Mr. Stuart reported the Shade Tree Commission is dealing with approximately one dozen cases of greenway infringements. The Chair, Ms. Stivala, will be meeting with the Prosecutors Office to expedite these cases, some of which are close to two years old.

Mr. Stuart reported the SADC will expedite the review process for closing document statements. There will be a meeting to discuss the streamlining process.

Mr. Stuart reported the Attorney General is reviewing the draft equine rules under the Right to Farm Act. The major changes proposed concern boarding and indoor riding arenas, which are currently not included but which could affect local zoning. Comments are being solicited.

Mr. Hennessy reported every Township ball field is reserved for the spring season with the exception of limited time on Friday evenings. Those using the fields are Colts Neck Sports Foundation Baseball, Traveling Baseball, Spring Soccer, and 14 women's softball teams. This year there will be 8-10 men's teams. Mayor Florek asked if the Sports Foundation teams can use the Township Fields this weekend. Mr. Hennessy had conferred with Dr. Nolan, and advised the fields are still being readied for the annual April 1 opening date and are not ready for team play as yet.

Mr. Hennessy reported opening day for Five Point Park has been changed to Saturday, April 8, 2006 at 11:00 a.m. The Sports Foundation wants attendance by children in their soccer and baseball uniforms; however, since this is the first weekend of Spring Break, this may be difficult.

Mr. Hennessy reported the Colts Neck Fair Committee is planning to re-vamp the entire Fair layout and is planning to use the entire Community Building, both inside and out, for Fair vendors.

Mr. Hennessy reported on Sunday, the Pop Warner group had their annual awards dinner with over 400 children attending.

Mayor Florek stated he recently participated in a conference call with Mr. Stuart, Mr. Bowden, and the Board of Education Superintendent and President regarding the Conover Road Playground. While the playground was built by the community for its children using state-of-the-art materials, the pressure treated materials used are now been deemed unacceptable for use in playgrounds. The Board of Education is anxious to remove the structure with the assistance of DPW staff to keep costs at a minimum. Currently the playground is taped off and is not being used.

15. **DISCUSSION:** STORMWATER MANAGEMENT ORDINANCE. At this point, Mr. Vince Domidion arrived and discussed the particulars within the draft ordinance. There are definitions within the model ordinance that do not apply to Colts Neck, and Mr. Domidion recommends striking them from the Township's ordinance. After discussion, Mr. Anfuso will speak with Mr. Domidion and a Ordinance will be drafted for introduction at the March 29, 2006 Township Committee meeting.

16. **COMMENTS FROM THE PUBLIC:**

Mayor Florek opened the meeting to public comment.

Ms. Judy Laufer, President of Colts Neck Seniors and a resident, stated her husband received the Medicare statement for the Flu Shot he received during the Township's Senior Flu Shot Program held at the Courthouse. Ms. Laufer acknowledged this is not a bill for services, but asked for assistance in addressing the Seniors' concerns regarding this mailing. Ms. Laufer also questioned whether Mr. McBride was able to secure the Flu Vaccine for the 2006 Senior Flu Shot Clinic.

Ms. Laufer invited the Township Committee to the Senior Luncheon on March 14, Lakeside Manor, on Route 36.

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

17. **RESOLUTION 2006-50:** EXECUTIVE SESSION was read by title by Mayor Florek. Mrs. Burry made a motion to approve, seconded by Mr. Stuart and unanimously carried by voice vote by all at 8:45 p.m.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR FLOREK</b>	<b>DEPUTY MAYOR STUART</b>	<b>HENNESSY</b>	<b>BURRY</b>	<b>FORESTER</b>
<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 and reconvene in public session was made by Mr. Stuart, seconded by Mrs. Burry and unanimously carried by voice vote at 9:45 p.m.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR FLOREK</b>	<b>DEPUTY MAYOR STUART</b>	<b>HENNESSY</b>	<b>BURRY</b>	<b>FORESTER</b>
<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 Mr. Stuart, seconded by Mr. Hennessy, and unanimously approved to release the second mortgage restriction of the affordable housing unit on the property of Mr. Paul Parmar. Mr. Bennett said a more detailed resolution will be prepared by the applicant and will be placed on the March 29<sup>th</sup> agenda.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR FLOREK</b>	<b>DEPUTY MAYOR STUART</b>	<b>HENNESSY</b>	<b>BURRY</b>	<b>FORESTER</b>
<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 Mr. Forester, seconded by Mr. Hennessy and unanimously carried to adjourn public meeting at 9:46 p.m.

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