

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
MARCH 11, 2009
7:30 P.M. AT TOWN HALL**

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 that the meeting of the Colts Neck Township Committee would be held on March 11, 2009 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 Forester , Deputy Mayor Florek, Committeemembers Schatzle, Eastman and Engel

Also Present: Administrator/Municipal Clerk, Robert Bowden; Deputy Municipal Clerk, Beth Kara, Legal Counsel, John O. Bennett, III, Esq.

Absent: None

1. **SWEARING IN – FIRE POLICE:** Members of Fire Companies 1 and 2 comprising the Fire Police Unit were present, as were Chief Quincannon and Deputy Chief Romano; and Mr. Bowden administered the oaths of office. Chief Quincannon stated Fire Police assist by controlling traffic to, from and at the scene of various incidents such as fires, accidents or other events requiring assistance. The unit is comprised of nine members, who are as follows: Bud Wheeler, Art Goodwin, Tony Costa, Lenore Lesta, Sal Barbagallo, Vince Cerullo, Kevin Ketelsen, Sr., Frank Rizzuto, Jack Scilla and Art Raskin. Chief Quincannon stated the job of the Fire Police is not an easy one, and without their assistance, scenes would be more difficult to control. Chief Quincannon thanked the volunteers. Mr. Schatzle presented a gift to Chief Quincannon from the members of Fire Co. 2 to celebrate the birth of a "future Chief", Christopher Michael Quincannon, Jr., born December 24, 2008.

2. **VOLUNTEER FIRE DEPARTMENT HOCKEY EVENT:** Mr. Art Goodwin stated Fire Company 2 is undergoing a building expansion, and has planned a fundraiser hockey match for Sunday, March 29th at Montclair University in Little Falls, New Jersey. The Colts Neck Steeds Hockey Team, led by Kevin Sauter and Kevin Ketelsen, Jr. and Coach Michael O'Sullivan are taking on the New Jersey Devils Alumni Association Ice Hockey Team, which includes players from their Stanley Cup Championship years of 1995, 2000 and 2003. Many raffle prizes are offered, and the admission fee is \$20. Mr. Goodwin invited all Township Committee members as well as the general public to attend what looks to be an exciting event.

3. **DISCUSSION:** DRAINAGE EASEMENT, BLOCK 29, LOT 9, BLUEBELL ROAD (RADA). Mr. Brian Harvey, Esq., represented the Rada's, who are requesting Township Committee approval to construct a driveway and improvements associated with a proposed residence over existing 25 ft. Conservation, Open Space, Drainage and Utility Right-of-Way Easements. Mr. Harvey provided a draft vacation/deed of drainage easement to the Township Attorney, Township Engineer and Township Planner. The Township Attorney approved the draft, and a subsequent ordinance was prepared. The ordinance was reviewed by the Township Attorney and the Township Planner, and both agree the easement and ordinance are acceptable. Discussion ensued, and the Township Committee unanimously agreed to place the ordinance on the next agenda.

4. **RESOLUTION 2009-49:** AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE COUNTY OF MONMOUTH AND THE TOWNSHIP OF COLTS NECK FOR DRUG AND ALCOHOLISM ABUSE PREVENTION (\$10,663.00) was read by title by Mayor Forester. Mr. Florek commented there is a matching provision for the Alliance to provide the various programs identified as needed. Mr. Florek commended the Alliance and Ms. Dedalis on the great job being done within the community. Mayor Forester concurred with Mr. Florek. Mr. Florek 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	M	X			
Schatzle		X			
Eastman		X			
Engel	S	X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

5. **RESOLUTION 2009-50:** OPPOSING SENATE BILL NO. 1303/ASSEMBLY BILL NO. 3062, INHERENTLY BENEFICIAL USES was read by title by Mayor Forester. Mayor Forester noted these bills use the term "inherently beneficial use" for the purposes of zoning use variance and specifically includes facilities that supply electrical energy produced from wind, solar or photovoltaic technologies. Mr. Florek noted this takes away home rule and the Township's ability to determine the best placement of windmills, etc. Mr. Florek 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	M	X			
Schatzle	S	X			
Eastman		X			
Engel		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

6. **RESOLUTION 2009-50A:** URGING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND THE COUNTY OF MONMOUTH TO CONSTRUCT IMPROVEMENTS AT THE INTERSECTION OF STATE HIGHWAY 34, COUNTY ROUTE 54 (PHALANX ROAD) AND FLOCK ROAD IN THE TOWNSHIP OF COLTS NECK, MONMOUTH COUNTY was read by title by Mayor Forester. Mr. Florek described the current traffic situation at this intersection, which has cars stacking up on Phalanx Road. The proposal widens the right of way on Flock Road, making it align with the current right turn lane on Phalanx Road, which would then be a straight and right turn lane. Mayor Forester agrees with Mr. Florek in supporting this change. Mr. Bowden stated the County Engineer has given this intersection high priority; however, the State must approve the change. Mr. Bowden suggested having the State legislators involved to expedite approval and transform this intersection at minimal cost. Mr. Eastman questioned if the State would be paying, to which Mr. Bowden advised the County is paying. Mr. Engel 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		X			
Engel	M	X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

7. **DISCUSSION:** 2008 LOSAP ENTITLEMENTS – FIRE COMPANY NO. 1, FIRE COMPANY NO. 2 AND FIRST AID SQUAD. Mr. Bowden advised LOSAP was approved by voter referendum as a deferred compensation retirement program for volunteers with up to \$1,150 per year contributed by the Township based on participation point scores. Mr. Bowden stated while the law does allow cost of living adjustments, this Governing Body has not approved them in the past and this year may not be the year to consider this issue. With no questions raised by the Township Committee, Mr. Bowden stated the Governing Body would see resolutions prepared for the next Township Committee meeting. Once adopted, the data would be posted at the respective volunteer locations for 30 days, with crediting after the posting period if no challenges are received.
8. **DISCUSSION:** CRINE ROAD, DUTCH LANE ROAD AND HEULITT ROAD INTERSECTION – PREFERRED ALTERNATIVE. Mayor Forester commented the proposed roundabout creates more problems than it solves, it may cause problems for trucks navigating the roundabout, and he recommends leaving it alone. Mr. Florek stated the roundabout is a good idea given the volume of traffic and will improve the line of sight from the current 363' to 500'. Mr. Florek stated years ago a stop sign was considered; however it was never installed since it would lead to a serious disruption of traffic flow. Mr. Engle stated while the roundabout is not the most desirable, safety is paramount, and he agrees with Mr. Florek. Mr. Schatzle commented while he was not in favor of the Brookdale roundabout, he is now pleased with the improved traffic flow, increased safety, and noted the County Engineer indicated the roundabout proposed would include design improvements based on the Brookdale experience. Mr. Schatzle wants to proceed with the roundabout. Mr. Eastman commented he likes Alternative 1 or to do nothing. Mr. Bowden stated the County reached out to residents, and most comments received were in favor of the roundabout. The Mayor then opened the meeting to public comment.

Ms. Michele Warendorf, Fairway East, stated she travels this section of road ten times per day, and noted the intersection is extremely dangerous. She stated if Crine were straightened, automobiles would travel faster than the current rate of speed.

Mr. Robert Sayko, Sycamore Place, questioned if the roundabout encroaches on any property. Mr. Schatzle stated it does slightly, but not by much. Mr. Florek stated the roundabout would impact the Township right of way and eminent domain may apply. Mr. Sayko questioned the number of accidents occurring at this intersection and was advised 11 accidents occurred during the past three years. Mr. Sayko prefers not having a roundabout.

Ms. Ann McClearie, a Fairway West resident of 41 years, stated her neighbor was involved in an accident at that intersection months ago and is still not driving. She stated the school buses have issues at that intersection. Ms. McClearie is in favor of the roundabout.

Ms. Elaine Mann, a resident, suggested having a stronger Police presence at that intersection to slow traffic. Ms. Mann stated the increased Police presence worked at Laird Road and she feels it would work well here. Ms. Mann does not want a roundabout, she wants a traffic light.

Mr. Vince Domidion, Revolutionary Road, stated he was here for the County presentation, and speeding was not described as a problem. Mr. Domidion stated a roundabout is beneficial for a pedestrian environment; however it is inappropriate for this collector road, whose purpose is to move traffic. Mr. Domidion favors Alternative 1, which results in the least cost and is the least disruptive.

Ms. Mary Fournier, Crusius Place, requested clarification from Mr. Domidion, then disagreed with Mr. Domidion and stated she is in favor of a roundabout.

Mr. Florek commented that without hearing the County presentation on the intersection and the various alternatives, it may be difficult to understand the line of sight issues. Mayor Forester stated the Department of Transportation and the County will be here on March 19th from 3:00 p.m. to 7:00 p.m. to discuss the intersection of Routes 34 and 537. He suggested coming to speak with the County while they are at Town Hall and reviewing the various alternatives depicted. Mr. Schatzle encouraged all residents to encourage their neighbors to attend and requested this issue be placed on the next meeting agenda.

9. **RESOLUTION 2009-50B: OPPOSING REDUCTION OF MONMOUTH COUNTY DEDICATED OPEN SPACE TAX FUND.** This non-agenda item was added by Mayor Forester. Mayor Forester stated the County is considering the elimination of the Open Space Tax. Mayor Forester does not agree. Mr. Florek supports Mayor Forester's position, stating once the land is gone, it's gone; they're not making any more of it. Mr. Schatzle stated Colts Neck has greatly benefited from this tax. Mr. Bowden noted we recently received \$100,000 to acquire open space near Routes 520 and 34, as well as \$16,000 to upgrade the core site fitness trail. Mr. Schatzle stated he is in favor of retaining this tax and is in favor of going forward with the proposed resolution. Mayor Forester read the resolution in full. Mr. Florek 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	M		X			
Schatzle		S	X			
Eastman			X			
Engel			X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded						

10. **ADMINISTRATIVE REPORT:** Mr. Bowden had nothing to add to his report.

Mr. Bowden reported The Colts Neck Reformed Church has requested approval to have their second annual 5K Fun Run through several streets in Colts Neck on June 13th. The first fund raiser was very successful and was run very well, with the Church providing the required insurance certificate and paying all costs associated with the run. Mr. Engel made a motion to approve, seconded by Mr. Eastman and unanimously carried by voice vote.

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

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

Animal Control	\$370.00
Capital Fund	\$4,606.75
COAH	\$1,190.00
Construction Trust	\$16,523.12
Current Fund	\$486,369.48
Grant Fund	\$516.79
Trust Fund	\$10,604.10
TOTAL APPROVED:	<u>\$520,180.24</u>

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

RECORD OF VOTE						
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						

12. TOWNSHIP COMMITTEE REPORTS

Mr. Engel reported the First Aid Squad will be holding a Blood Drive on March 25, between 4:00 p.m. and 9:00 p.m.

Mr. Engel reported he is convening a meeting of the Website Committee to discuss format and content improvement and has asked that any suggestions be sent to him at JEngle@colts-neck.nj.us.

Mr. Schatzle reported the Board of Health is seeking support for their Geese Management Program. While program costs have risen, Mr. Schatzle encourages support.

Mr. Schatzle reported he attended an Alliance-run parenting session held at Cedar Drive School during a school dance. Mr. Schatzle praised the program; however parental attendance was low.

Mr. Florek stated he attended the Recreation Committee meeting during which they discussed the Earth Day celebration. Plans are underway to have volunteer groups cleaning all Township-owned parks and preserves with tentative dates as April 18 and 19 or April 25 and 26.

Mr. Florek reported the Colts Neck Community Band concert will be held at Colts Neck High School, April 2, starting at 7:30 p.m.

Mr. Florek reported the Colts Neck Sports Foundation wants to open a dedicated account to ensure funds raised for field improvements are used for such. They are currently working on a clear definition for the fund, and Mr. Florek will keep the Township Committee apprised.

Mr. Eastman reported the Shade Tree Commission is having difficulties reaching a quorum and is requesting two alternate members be appointed. To add the alternate members, an ordinance would be required. Mr. Bowden informally polled the Township Committee, the result being a majority in favor. Mr. Bowden stated the Township Committee will see an ordinance placed on a forthcoming meeting agenda.

Mayor Forester had no report this evening.

13. COMMENTS FROM THE PUBLIC:

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

Mr. Vince Domidion, a resident, commented on inserts received in his recent electric bill. One insert mentioned vegetation management activities would commence on transmission right of ways. For additional information, the reader was requested to visit the website: www.firstenergycorp.com, select JCP&L, then Safety. Mr. Domidion suggested contacting the power company before they begin their trimming within Town. Mr. Domidion noted another insert spoke of those residences that use electric motors in wells that supply drinking water. In the event

of a power outage, customers were given a site location for water and ice distribution. Mr. Domidion thanked the Township Committee for adopting the resolution to retain the Open Space Tax. Mr. Domidion then provided the Governing Body with a copy of his paper "Green Infrastructure", noting it has been shared with the Monmouth County Freeholders.

Mr. Robert Sayko, a resident, reminded the Township Committee that with the expiration of the current franchise with Cablevision, he and a group of colleagues are available as part of a team to work with the Township and the local Board of Education to determine the wants and needs for the next contract.

Ms. Elaine Mann, a resident, noted they will be retrofitting storm drains at the local schools starting with Cedar Drive. Ms. Mann commented with regard to the Earth Day cleaning program being planned through the Recreation Committee, the weekend of April 25th would be better for school-age volunteers since their testing will be completed and they should be available. Ms. Mann stated she is hopeful Mr. Hennessy can gather the groups to clean, as there is approximately \$4,000 in Clean Communities Program monies set aside for this purpose.

Hearing no further comments, Mayor Forester closed the meeting to public comment.

14. **RESOLUTION 2009-51: EXECUTIVE SESSION.** At 8:32 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 official 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. Engel, seconded by Mr. Eastman, 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		X			
Schatzle		X			
Eastman	S	X			
Engel	M	X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

Motion by Mr. Engel, seconded by Mr. Schatzle 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 10:20 p.m.

A handwritten signature in black ink, appearing to read 'R. Bowden', written over a horizontal line.

Robert Bowden, Township Administrator/Clerk