

**TOWNSHIP OF COLTS NECK  
TOWNSHIP COMMITTEE MEETING  
MARCH 14, 2007  
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 Stuart followed by a salute to the flag. The following statement was read by Township Administrator/Clerk, Robert 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 13, 2006 stating that the meeting of the Colts Neck Township Committee would be held on March 14, 2007 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 Stuart, Deputy Mayor Hennessy, Committeemembers Forester, Florek and Schatzle

Also Present: Robert Bowden; John O. Bennett, III, Esq., and Beth Kara

Absent: None

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- MAYOR'S APPOINTMENTS:** Mayor Stuart appointed Mr. Philip Maida to a three-year term expiring December 31, 2009, as Deputy Emergency Management Coordinator. Mayor Stuart stated Mr. Maida is a life-long resident that has been serving on the First Aid Squad and Township Committees for many years.

Mayor Stuart appointed Mr. Vincent Domidion to a three-year term expiring December 31, 2009, as a member to the Environmental Commission. Mr. Domidion is a life-long resident who is actively involved with many Township and County committees and initiatives.

- RESOLUTION 2007-40:** CONFIRMING APPOINTMENT TO FARMLAND AND OPEN SPACE COMMITTEE, MS. VIRGINIA MUMFORD was read by title by Mayor Stuart. Mayor Stuart stated Ms. Mumford sets a shining example of Farmland Preservation with her home on Montrose Road, and has been attending Farmland Committee meetings regularly. Mayor Stuart noted Ms. Mumford is a psychiatric nurse at St. Barnabas Hospital. With no comments from the Committee, Mr. Forester made a motion to approve, seconded by Mr. Hennessy and unanimously carried.

<b>RECORD OF VOTE</b>					
Committeeman	M S	Yes	No	NV	Ab
Mayor Stuart		X			
Deputy Mayor Hennessy	S	X			
Forester	M	X			
Florek		X			
Schatzle		X			
X - indicates vote    NV - Not Voting    Ab - Absent    M - Moved    S - Seconded					

- RESOLUTION 2007-41:** CONFIRMING APPOINTMENT TO HISTORIC PRESERVATION COMMITTEE, DR. JENNIFER ENGEL was read by title by Mayor Stuart. Mayor Stuart stated Dr. Engel is a pediatrician in Holmdel. Mr. Schatzle stated he is very happy Dr. Engel is able to serve as a member of this committee. With no further comments, 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 Stuart		X			
Deputy Mayor Hennessy		X			
Forester		X			
Florek	M	X			
Schatzle	S	X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

4. **RESOLUTION 2007-42:** CONFIRMING APPOINTMENT TO ARCHITECTURAL REVIEW COMMITTEE, MR. JOSEPH POWELL was read by title by Mayor Stuart. Mayor Stuart stated Mr. Powell is an active member of Fire House 2, and is a probate attorney in Old Bridge. Mr. Hennessy made a motion to approve, seconded by Mr. Florek and unanimously carried.

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

Mayor Stuart thanked everyone appointed tonight for volunteering their time and talents to the positions to which they were appointed. Mayor Stuart stated it is through individuals such as these that make this town what it is today. All appointees were then congratulated and photographs were taken. Mayor Stuart called a two-minute recess.

5. **APPROVAL OF MINUTES OF FEBRUARY 28, 2007:** Mr. Florek made a motion to approve, seconded by Mr. Hennessy and unanimously carried.

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

**ORDINANCE 2007-7:** AN ORDINANCE TO AMEND CHAPTER 132 OF THE CODE OF THE TOWNSHIP OF COLTS NECK ENTITLED, "GAMES OF CHANCE", PARTICULARLY FEES FOR BINGO AND RAFFLES was read by title at first reading by Mayor Stuart. Mayor Stuart stated this issue was discussed at the last Township Committee meeting, and this ordinance is the result of the consensus of the governing body. Mr. Florek asked Counsel if this ordinance could be re-written referencing the maximum fees permitted by State statute rather than noting each fee currently permitted by the State. This revision would eliminate the need for further codification were the State-set fees to change. Mayor Stuart concurred. Counsel will revise the wording of the ordinance. With no further comment, Mr. Forester made a motion to approve, as amended, seconded by Mr. Schatzle and unanimously carried. Mayor Stuart set the public hearing April 25, 2007.

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

6. **RESOLUTION 2007-43:** AUTHORIZING EXECUTION OF 2007 COUNTY OF MONMOUTH ALCOHOLISM AND DRUG ABUSE PREVENTION GRANT (\$15, 323) was read by title by Mayor Stuart. Mr. Florek stated the Alliance is doing a great job, and this matching grant will continue the initiatives of this very valuable program within the community. Mr. Forester concurred with Mr. Florek and stated there is a problem within the community that is being well addressed by the Alliance. Mr. Schatzle stated the program is going full force to meet the community’s needs through various programs. With no further comment, Mr. Florek made a motion to approve, seconded by Mr. Forester and unanimously carried.

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

7. **RESOLUTION 2007-44:** AUTHORIZING FORMAL TRANSFER OF FUNDS – 2006 MUNICIPAL BUDGET was read by title by Mayor Stuart. Mayor Stuart stated \$17,610.00 would be transferred from various accounts within the CAP to cover additional Recycling expenses. Mr. Bennett noted this was the third transfer from the Legal Services expense category. Mr. Schatzle made a motion to approve, seconded by Mr. Florek and unanimously carried.

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

8. **RESOLUTION 2007-45:** AUTHORIZING EXECUTION OF A-1 STATEMENT OF CONSENT APPLICATION FOR PLANNING BOARD APPLICATION NO. 646 (THE ORCHARDS AT COLTS NECK) was read by title by Mayor Stuart. Mr. Bowden stated this resolution was tabled at the last meeting. Mr. Bowden advised both the Township Planner advised the equalization tank will improve system design of the treatment plan, minimizing system failures, and does not change the overall discharge allocation. The TWA application is consistent with the Planning Board’s Site Plan approval, and both Planning Officer and Health Officer concur with Township Committee approval. Mr. Forester made a motion to approve, seconded by Mr. Schatzle and unanimously carried.

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

9. **MOTION TO ADOPT A CONSENT AGENDA:** Mayor Stuart read the following consent agenda resolutions, by title:
10. **\*RESOLUTION 2007-46:** AUTHORIZING ACCEPTANCE AND REDUCTION OF PERFORMANCE GUARANTEES, P.B. APPLICATION NO. 596 (UTOPIA AT PHALANX AND LAIRD ROAD).
11. **RESOLUTION 2007-47:** AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ACCEPTANCE OF MAINTENANCE GUARANTEE – P.B. APPLICATION NO. 590 (ST. MARY’S CHURCH).
12. **\*RESOLUTION 2007-48:** AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANATEES – P.B. APPLICATION NO 642 (ROTH).
13. **\*RESOLUTION 2007-49:** AUTHORIZING REDUCTION IN PERFORMANCE GUARANTEES – P.B. APPLICATIN NO. 599 (ILLMENSEE FAMILY SQUARE).
14. **\*RESOLUTION 2007-50:** AUTHORIZING REFUND OF TAX OVERPAYMENT FOR 2007.
15. **\*RESOLUTION 2007-51:** APPROVING RAFFLE APPLICATION NO. RA-07-2, BEAUTY BALL ON-PREMISES RAFFLE, MONMOUTH MEDICAL CENTER.

With no comments from the governing body, Mr. Hennessy made a motion to approve, seconded by Mr. Florek and unanimously carried.

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

16. **DISCUSSION:** FEES FOR MARRIAGE AND CIVIL UNION CEREMONIES – POSSIBLE ORDINANCE. Mayor Stuart stated that the Local Finance Board issued Notice 2007-5, which states, “Effective March 15, 2007, any fee collected by a mayor or designee [mayor], as authorized by statute for the performance of a marriage or civil union ceremony must be authorized by ordinance and deposited into the municipal current fund. It should be noted that an ordinance is not necessary for a mayor to suggest that parties may make a direct, voluntary contribution to a charitable organization of the parties’ choice.” Mr. Bowden stated if the policy is not to charge for ceremonies, no ordinance is required. Mr. Schatzle asked the number if ceremonies performed per year and was advised it generally ranges from three to six per year. Mr. Florek stated he does not see a need to charge for these infrequent ceremonies, and stated if the Mayor is unable to perform the ceremony, the Judge is

available to do so. The Township Committee deemed no fees would be charged and there is then need for an ordinance by unanimous voice vote.

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

18. **MOTION TO APPROVE VOUCHERS.** Mr. Forester reviewed and signed the vouchers and commented the schools were given approximately \$3.9 million. Mr. Forester stated all vouchers were in order, which are as follows:

Animal Control	\$399.54
Construction Trust	\$12,510.48
Current Fund	\$4,406,964.20
Farmland Preservation Trust	\$1,272.52
Grant Fund	\$4,200.00
Trust Fund	<u>\$7,554.07</u>
TOTAL	\$4,432,900.81

Mr. Forester made a motion to approve all vouchers, seconded by Mr. Hennessy and unanimously carried.

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

19. **TOWNSHIP COMMITTEE REPORTS:**

Mr. Forester reported he was out of town and missed the Friend of the Library meeting and the Senior Citizens luncheon at The Mill.

Mr. Forester reported he attended Governor Corzine’s bill signing today at Marlboro High School. This legislation is in direct response to the many recent youth driver fatalities and establishes graduated licenses for youth motor vehicle operators.

Mr. Hennessy reported the Spring Recreation programs have been set and the brochures will be distributed shortly.

Mr. Hennessy reported the Recreation Committee is currently planning the Memorial Day Parade.

Mr. Florek reported he attended the first Revaluation sub-committee meeting. The sub-committee is in the planning stages now, and it will be approximately six months before the inspections begin. Mr. Florek stated there is a lot of preliminary work to be done, and residents will be advised through newsletters and staff time scheduled for informational evening meetings. In addition, Ms. Kara will be working to provide the latest revaluation information available on the Township website. Mayor Stuart thanked Mr. Florek for this update.

Mr. Schatzle reported Colts Neck Polo will begin the end of May.

Mr. Schatzle reported the Drug Alliance and First Aid Squad will be participating in this year’s Memorial Day Parade, thereby increasing exposure within the community.

Mr. Schatzle reported the Historical Preservation Committee is sponsoring a Spring reception, and Benjamin Franklin will be visiting students at the Cedar Drive School March 21, 2007.

Mayor Stuart reported two appraisal certifications were received, and he will be meeting to move this farmland application forward. A new farmland application was received involving 21 acres adjacent to existing preserved farmland. Mayor Stuart will be meeting with the property owner next week.

Mayor Stuart attended a Mayor's Roundtable meeting at Brookdale Community College, which included a presentation an overview of the College and future plans. Currently, the main campus in Lincroft accommodates approximately 14,500 students, and there are satellite campuses throughout Monmouth County. While Brookdale administrators have no answer to the traffic congestion problem within the main campus communities, plans are underway to stagger classes and hold classes on Friday, which is their least busy day. Both Brookdale administrators and the County do not see the planned roundabout on Route 520 as a traffic alleviator, as a roundabout is intended to slow traffic. Further slowing of traffic on Route 520 may divert more traffic to Phalanx Road. There are currently no plans for development of the 21 acres bordering on Phalanx Road within the main campus complex.

Mayor Stuart attended a meeting with the Governor held at Brookdale's Lincroft campus. The Governor outlined a six-point program using Brookdale as a focal point as part of his tech reserve program that would retain Fort Monmouth tech personnel and attract private companies to the Fort Monmouth site. The Governor plans to use Fort Monmouth to help reach the affordable housing goal of 100,000 units State-wide. The Governor briefly touched on the Court decision on affordable housing and stated he does not agree with it. The Governor is supporting the VA hospital within Fort Monmouth; however, the Patterson hospital plant is questionable.

20. **COMMENTS FROM THE PUBLIC:**

With no further comments, Mayor Stuart opened the meeting for public comment.

Mr. Vince Domidion, a resident, reported he was in receipt of a letter from Pat Rector, Coordinator, Regional Stormwater Management Plan (RSWMP), TRC, NJ-DEP, pertaining to the establishment of a RSWMP Committee. Municipalities originally having interest in developing the RSWMP Committee are asked to confirm their intent to participate. Colts Neck passed Resolution 2006-31A, and Mr. Domidion asked the governing body if they are still in support of the establishment of the RSWMP Committee. The governing body was polled. Mayor Stuart responded to Mr. Domidion on behalf of the Township Committee that the Township Committee is in support of Resolution 2006-31A. Mr. Domidion will carry this information forward.

Ms. Virginia Amend, a resident and Editor of the Colts Neck Calendar, asked why a 1.5 acre exception was carved out of the Smith Property under the Farmland and Open Space Preservation Program. Mayor Stuart responded the Township is awaiting certification of values. The non-severable exception would make the property more desirable in that it would be one single family home versus three to four homes. The Township should recoup most or all monies expended on preserving this land.

Ms. Amend questioned if the Smith home will be preserved, as it may have historic value. Mr. Schatzle will raise this with the Historic Preservation Committee. Mayor Stuart stated the Township has received no notice of demolition.

Ms. Amend stated her objection to Ms. Virginia Mumford's appointment to the Farmland and Open Space Committee, as her family is developers and by sitting on this Committee, she may be privy to information that is not in the interest of Colts Neck. Mayor Stuart noted her objection.

Ms. Amend stated she is aware Mr. Antonides has not prepared the monthly treasurer's report for the School Board. She commented that while this is a little school district, the report is issued six months later, which is in violation of State statues and not noted on the Audit report as a failure. Mr. Bowden stated he will meet with Mr. Antonides to discuss this issue.

With regard to the issue of the custodian of school funds, this is an employee of the School Board, and Mayor Stuart suggested Ms. Amend direct her questions to Mr. Paredes.

Ms. Amend then raised the issue of shared services discussed at the recent meeting of local Monmouth County Mayors and asked of Colts Neck's involvement. Mr. Forester stated he attended the initial meeting of local Mayors on behalf of Mayor Stuart. This meeting discussed broad topics and it is hoped that the municipalities in Western Monmouth County will join together to make one strong voice to Trenton. Mayor Stuart stated he received a call from Mayor Lucas, who has visions of monthly or quarterly meetings to discuss shared services and equipment and experiences with shared services. The concept is at the exploratory stage, and it is hoped the mayors of more municipalities become involved in this non-political, joint function committee. Mr. Bennett noted this concept is currently used by the Bayshore and Two River Conferences of Mayors.

Ms. Diana Piotrowski, a resident, stated the Police Chief of Belmar, who has joined the race for Sheriff Oxley's position, is advocating consolidation of police services locally. She asked if this an initiative for Colts Neck? Mr. Bennett stated the Township has consolidated their dispatching services with the County. The proposed Belmar plan consolidates eight smaller towns that, in total, are geographically smaller than Colts Neck and are easier to consolidate. Mayor Stuart stated Mr. Schatzle is working on the shared services initiative and will be providing a report in the near future discussing what is feasible and not feasible. Mr. Schatzle stated he is happy to hear any comments with regard to shared services, and he is working with the Board of Health on exploring shared services of benefit to Colts Neck.

Ms. Piotrowski stated the Smith and McGuire homes face backwards on the old Laird Road. Ms. Piotrowski stated she knows Dotty Smith well, and Ms. Smith advised she cannot obtain a Certificate of Occupancy on the new home built without demolishing the old home.

Mr. Chris Lupia, a resident, questioned the ownership of the property referenced in Resolution 2007-46. Mayor Stuart advised Mr. O'Neill owns this property and the development at Phalanx Road and Laird Road has begun.

Mr. Vince Domidion asked with regard to the preservation of the original Smith home, can the home be retained as a historic structure on a residential lot? Mr. Hennessy responded this is well worth exploring and exceptions can be made when preserving a historic home. Mr. Hennessy stated we wouldn't want to demolish the home prior to investigating the options. Mayor Stuart stated Mr. Schatzle will explore this issue with the Historic Preservation Committee.

Ms. Judy Laufer, a resident and President of Colts Neck Senior Citizens, reported 118 seniors attended a luncheon at The Mill, which was a most enjoyable outing. In addition, 73 seniors are planning to attend a performance at the Two River Theatre and dining at Danny's Steak House. Ms. Laufer noted the club has 289 members currently.

With no further comments, Mayor Stuart closed the meeting to public comment.

13. **RESOLUTION 2007-52:** EXECUTIVE SESSION was read by Mayor Stuart at 8:32 p.m. With no further comments, Mr. Forester made a motion to adjourn and go into Executive Session, seconded by Mr. Hennessy and unanimously carried.

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

Motion to adjourn Closed Session by Mr. Hennessy, seconded by Mr. Stuart and unanimously carried by voice vote to reconvene in public session.

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

Motion by Mr. Hennessy, seconded by Mr. Forester to reconvene in public session and adjourn meeting with a unanimous voice vote. Meeting adjourned at 9:55 p.m.

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

Robert Bowden, Township Administrator/Clerk

RB:bk