

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
APRIL 26, 2006
7:30 P.M. AT TOWN HALL**

The meeting of the Colts Neck Township Committee was called to order at 7:33 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 April 26, 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

1. **RESOLUTION 2006-70:** HONORING MR. ALFRED RULFFES ON HIS 100TH BIRTHDAY. In honor of Mr. Alfred Rulffes 100th birthday, Mayor Florek read the Proclamation making May 1, 2006 Mr. Alfred Rulffes Day within Colts Neck. Mr. Rulffes milestone birthday was also noted by Assemblywoman Beck and the New Jersey General Assembly. Mayor Florek and the Township Committee applauded Mr. Rulffes on his accomplishment and each congratulated him personally. Photographs were taken to commemorate this occasion. Mr. Forester made a motion to approve, seconded by Mr. Stuart and unanimously carried.

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

2. **PRESENTATION:** 2005 AUDIT. Mr. John Antonides advised the Township Committee that the Township's tax collection rate is 99.34%. At this point, only six properties are included in the upcoming tax sale. Mr. Antonides commended his staff for their outstanding achievements this year, which surpassed their outstanding achievements last year. Mr. Antonides advised there were audit findings for Recreation, Senior Citizens and the Municipal Court, and he is currently awaiting comments to the findings by the Department heads. With the appointment of Mr. Antonides this evening as Qualified Purchasing Agent, the finding regarding quotes for certain purchases of goods and services (2005-2) should not occur in the future. Mr. Antonides noted that Ms. Laufer, President of Colts Neck Senior Citizens, has been working with him and will provide the required accounting of funds provided by the Township. Mr. Antonides stated the Municipal Court is working on their corrective action plan, which will be provided to the Township Committee upon receipt. Mayor Florek congratulated Mr. Antonides and his staff on their tax collection rate and stated the finances of the Township are sound.

3. **RESOLUTION 2006-71:** RESOLUTION ACCEPTING 2005 MUNICIPAL AUDIT was read by title by Mayor Florek. As required by law, each member of the governing body signed this resolution accepting the findings of the 2005 Municipal Audit. Mrs. Burry made a motion to approve, seconded by Mr. Forester and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<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. **APPROVAL OF MINUTES OF MARCH 29, 2006:** Mrs. Burry made a motion to approve, as amended, seconded by Mr. Stuart and unanimously carried.

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

The minutes of April 12, 2006 were tabled until the meeting of May 10, 2006.

5. **ORDINANCE 2006-7:** AN ORDINANCE DELETING SECTION 102-54, "DRAINAGE", AND ESTABLISHING A NEW SECTION 46.42, "STORMWATER MANAGEMENT", IN ARTICLE VII, CHAPTER 102 DEVELOPMENT REGULATIONS OF THE CODE OF THE TOWNSHIP OF COLTS NECK was read by title on second reading by Mayor Florek. Hearing no comments from the Township Committee, Mayor Florek opened the meeting to public comment. Hearing no comments from the public, Mayor Florek closed the meeting to comment. Mrs. Burry made a motion to approve, seconded by Mr. Hennessy and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<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. **ORDINANCE 2006-8:** BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2003-3 ADOPTED ON MARCH 26, 2003, PROVIDING FOR THE CONSTRUCTION OF FIVE POINT PARK, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE IMPROVEMENTS TO CEDAR DRIVE FIELDS AND THE LIFE FITNESS TRAIL SURROUNDING THE COLTS NECK TOWNSHIP MUNICIPAL COMPLEX, AUTHORIZED IN AND BY THE TOWNSHIP OF COLTS NECK, COUNTY OF MONMOUTH was read by title at second reading by Mayor Florek. Mayor Florek advised the passage of this ordinance would allow us to

divert remaining funds from the initial bond ordinance to the improvement of Cedar Drive fields and the matching funds needed to replace the Life Fitness Trail around Town Hall Park. Hearing no comments from the Township Committee, Mayor Florek opened the meeting to public comment. Mr. Chuck Cammarata, a resident, stated \$1.2 million was initially raised and asked for an estimate of the remaining funds. Mr. Cammarata was advised approximately \$90,000 remains. Mr. Bennett advised the governing body has the right to change the original purpose of the bond issuance and this is routinely done. The cost of Bond Counsel fees to accomplish this is approximately \$500. Hearing no further comments from the public, Mayor Florek closed the meeting to comment. Mr. Hennessy made a motion to approve, seconded by Mr. Stuart and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<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. **ORDINANCE 2006-9:** AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE 2006 SALARY ORDINANCE OF THE TOWNSHIP OF COLTS NECK was read by title on second reading by Mayor Florek. Hearing no comments from the Township Committee, Mayor Florek opened the meeting to public comment. Hearing no comments from the public, Mayor Florek closed the meeting to comment. Mr. Forester made a motion to approve, seconded by Mrs. Burry and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<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. **ORDINANCE 2006-10:** AN ORDINANCE AMENDING CHAPTER 79 ENTITLED “ANIMALS”, OF THE TOWNSHIP CODE OF THE TOWNSHIP OF COLTS NECK, CONCERNING THE REGULATION OF DOGS was read by title on first reading by Mayor Florek. Mr. Bennett advised the State has taken action against vicious dogs and their regulations pre-empt Township law. This ordinance would bring our existing Code into alignment with State regulations. Hearing no comments from the Township Committee, Mayor Florek called for a motion. Mrs. Burry made a motion to approve, seconded by Mr. Hennessy and unanimously carried. Mayor Florek set the public hearing for May 10, 2006.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<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 2006-72:** CONFIRMING APPOINTMENT OF QUALIFIED PURCHASING AGENT – MR. JOHN ANTONIDES was read by title by Mayor Florek. Mayor Florek stated with Mr. Antonides’ certification by the State as a Qualified Purchasing Agent and the passage of this resolution, the bid threshold for the Township will increase from \$21,000 to \$29,000. Mr. Forester made a motion to approve, seconded by Mrs. Burry and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<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 2006-73:** CONFIRMING APPOINTMENT OF MID-JERSEY JIF SAFETY REPRESENTATIVE – MR. EDWARD THOMPSON. was read by title Mayor Florek. Mr. Bowden stated Mr. Thompson agreed to assume this responsibility. Mr. Hennessy made a motion to approve, seconded by Mr. Stuart and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<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. **MOTION TO ADOPT A CONSENT AGENDA:** Mayor Florek read the following consent agenda resolutions, by title:

***RESOLUTION 2006-74:** RESOLUTION AUTHORIZING RETURN OF INSPECTION AND ESCROW FEES, APPLICATION NO. 688 (JOURNICK).

***RESOLUTION 2006-75:** APPROVING RAFFLE APPLICATION NO. RA-06-8, 50/50 ON-PREMISES RAFFLE, CANDLE LIGHTERS FOR THE RETARDED, INC.

Mr. Forester made a motion to approve, seconded by Mrs. Burry and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<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. **ADMINISTRATIVE REPORT:** Mr. Bowden had no additional comment to his report, and discussed the following:

Mr. Bowden advised the State has refinanced the Transportation Trust Fund and the NJ DOT is now accepting applications for the Fiscal Year 2007 Municipal

Aid Program projects. A prior application that was not accepted for funding involved Phase 1 of Heyers Mill Road. Mr. Bowden asked the Township Committee if they wanted to apply for Phase 1, which would involve paving Heyers Mill Road from Route 537 to Flock Road. Both Mayor Florek and Mrs. Burry recommended applying for paving the other side of Heyers Mill Road (Phase 2). Discussion ensued regarding applying to pave the road “as is”; however, Mrs. Burry stated the philosophy of narrowing the road should not be abandoned. The safety and environmental issues supporting the narrowing of the road should be reflected in the application and a copy of the Environmental impact letter addressing this issue should be part of the application. Mrs. Burry also suggested sending a copy of the application to Assemblywoman Beck. Mr. Bowden stated a resolution would be placed on the agenda before mid-June regarding this issue.

13. **MOTION TO APPROVE VOUCHERS.** Mr. Forester reviewed and signed the vouchers and commented all were in order. Mr. Forester made a motion to approve all vouchers totaling \$221,705.90 seconded by Mrs. Burry and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<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:**

Mr. Hennessy had no report this evening.

Mr. Stuart reported on May 3, at 2:00 p.m., the local Army Recruiter in Freehold is hosting Application Day and all Township Committee members are welcome.

Mr. Forester reported Student Government Day with Colts Neck High School students is scheduled for Wednesday, May 10, 2006. After a day “on the job”, the participating students finish this event by holding a Township Committee Meeting at 7:30 p.m. in Town Hall.

Mr. Forester reported the Township Clean-up Days are scheduled for May 6 and May 13. The newsletter describing this year’s Clean up Days was mailed to all Township residents.

Mrs. Burry advised the letter received from the State DOT regarding the need to begin another study to improve the flow at the traffic intersection of Routes 34 and 537 was brought to the County’s attention. County officials have scheduled a hearing with the State DOT officials. Mrs. Burry will keep the Township Committee apprised of new developments.

Mrs. Burry reported a meeting Thursday, June 4 at 7:00 p.m. with Mayor Florek, and Mr. Anfuso to discuss the third round COAH. There are two more proposals to review.

Mrs. Burry reported the Architectural Review Board is reviewing architectural submissions for this year’s awards

Mrs. Burry reported applications to for open space acquisitions will commence in May with a submission deadline in September and awards made in October. Mrs. Burry stated there are worthy projects within Colts Neck and Mayor Florek stated the winning applications are those that favor land acquisition.

Mayor Florek reported Opening Day for the Colts Neck Sports Foundation was cancelled due to inclement weather. The Opening Day dinner dance was held as scheduled at Fire Company 2, Conover Road. Approximately 250 people attended this event.

Mayor Florek stated the Colts Neck Sports Foundation is holding their Fourth Annual Equipment Drive at Colts Neck High School, May 6 from 9:00 a.m. to 12:00 noon. New or used sporting goods, including cleats, sneakers, basketballs, skis, tennis racquets, golf clubs, baseball bats, and clean uniforms (packed in clear plastic bags) will be collected. All donations will be sent to the Community YMCA in Red Bank for distribution. Tax donation certificates will be provided for all donations.

Mayor Florek reported the Abatel lawsuit has been dismissed on appeal due to a failure to file within the appropriate timeframe.

Mayor Florek reported the State may be looking to shift its responsibility for deer carcass removal to local municipalities. Mr. Stuart requested a resolution be prepared to oppose the State's planned change of responsibility. Mr. Bowden will prepare a resolution for the Township Committee's approval.

15. **COMMENTS FROM THE PUBLIC:**

Mayor Florek opened the meeting to public comment.

Mr. Chuck Cammarata, a resident, commented on the Routes 537 and 34 traffic intersection issue. He asked if during the State's delay in implementing the prior plan the cost of corrective actions have risen. Mrs. Burry responded yes, the costs have risen. Mrs. Burry then stated the County felt the State's idea to begin again was unacceptable.

Mr. Cammarata then stated Mr. Bennett anticipated receiving the judge's decision regarding the Colts Neck Inn several weeks ago. Mr. Cammarata asked if the decision had been received. Mr. Bennett advised he was out of the office for a period of time and was unaware if the decision was reached. Since this issue was significant and his staff had not mentioned anything about it, he doubted a decision had been reached; however, Mr. Bennett stated he would confirm the status with his staff.

Mr. Cammarata then asked if the Historic Preservation Trust Fund is subject to audit. Mr. Bennett advised that yes it was subject to audit. Mr. Cammarata was advised to speak with Mr. Antonides for further clarification on financial matters.

Mr. Vince Domidion, a resident, stated he will go to Area 12 for support for the Heyers Mill Road paving application. Mr. Domidion stated he will review the Stormwater Plan, as this issue may be addressed within. Mayor Florek stated he appreciated Mr. Domidion's gathering of support. Mr. Domidion then stated he would seek DEP involvement.

Mr. Domidion then mentioned the playground at the Conover Road School. Mr. Domidion thinks the funding for the playground will come from residents. Mayor Florek commented on the possibility of matching grants for this initiative.

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

Prior to adjournment, Mayor Florek welcomed Mr. Chris Lupia on his return to the Township Committee Meetings.

16. **RESOLUTION 2006-76:** EXECUTIVE SESSION was read by title by Mayor Florek. Mrs. Burry made a motion to approve, seconded by Mr. Forester and unanimously carried by voice vote by all at 8:23 p.m.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<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. Forester, seconded by Mrs. Burry and unanimously carried by voice vote.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<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 Mrs. Burry, seconded by Mr. Stuart and unanimously carried to adjourn public meeting at 9:05 p.m.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR FLOREK	DEPUTY MAYOR STUART	HENNESSY	BURRY	FORESTER
<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:bk