

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
APRIL 30, 2008
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 Hennessy 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, 2007 stating that the meeting of the Colts Neck Township Committee would be held on April 30, 2008 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 Hennessy, Deputy Mayor Forester, Committeemembers Florek, Schatzle and Stuart (arriving late)

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

Absent: None

1. **MAYOR'S PROCLAMATION:** Mayor Hennessy proclaimed the week of May 5 through May 9, 2008 Municipal Clerks Week. Mayor Hennessy recognized the Municipal Clerk as a time honored and vital part of local government existing throughout the world and the Office of Municipal Clerk as the oldest among public servants. He extended appreciation to the Municipal Clerk and Deputy Clerk of Colts Neck and all Municipal Clerks for the vital services performed and exemplary dedication to the communities they represent.
2. **APPROVAL OF MINUTES OF APRIL 9, 2008.** Mr. Florek made two revisions to the minutes on his report in the 9th and 10th paragraphs of Page 5. Mr. Florek made a motion to approve, as amended, seconded by Mr. Forester and unanimously carried.

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

3. **2008 MUNICIPAL BUDGET:** Mayor Hennessy read a prepared statement, which highlights the 2008 municipal budget. Mayor Hennessy stated the combined impact of the loss of State aid (-\$163,000), increased pension costs (+\$163,801), and mandated revaluation costs (+\$81,000), equaled 2.82 cents of the total tax increase of 2.9 cents. Mayor Hennessy stated had it not been for these three items alone, the tax rate would have been virtually flat this year. Mayor Hennessy stated funding for the School Resource Officer for the High School has been set aside in the budget if the Township Committee approves the filling of this position. Mayor Hennessy then opened the budget hearing for public comment.

Mr. Robert Sayko, a resident, questioned the funding for the School Resource Officer. Mayor Hennessy responded the money has been set aside within the budget, but the filling of that position has not been approved by the Township Committee as yet. The issue would be discussed further in Closed Session.

Mr. Forester commented the general population is upset gas prices increased 22 percent, yet this year's pension increase was 63 percent.

Mr. Vince Scotti, a resident, commented the tax revenue increase of almost 12 percent seems like a large increase and requested discretionary spending be cut. Mayor Hennessy responded the budget takes into account \$163,000 of State aid that is not forthcoming this year, pension fund increases were almost \$164,000, both of which the Township had no control over. Mr. Florek stated the Township also faces an \$81,000 revaluation mandate together with significant gasoline price increases. Mr. Florek noted the Township has cut back on spending. Mr. Forester commented the Township has no control over pension costs. Mayor Hennessy commented the budget workshop sessions are open to the public and again urged the community members to attend these well publicized sessions.

Ms. Elaine Mann, a resident, questioned the percentage of employees paying into the health care plan. Mr. Bowden responded stating under the new Police contract all officers will pay one percent of their salary. Prior to this contract, only officers hired after 1997 paid into the health plan. The white collar contract requires staff hired after to 1997 contribute, and those hired before 1997 do not contribute. Likewise, Department Heads hired before 1997 do not contribute. Mr. Anfusio and Mr. Frank do contribute to the health plan.

Mr. Don Grasso, a resident, questioned who determines the salary and wages of Township staff. Mayor Hennessy responded the average salary increase is three percent. Mr. Bowden noted the Police are in the lower third of the pay scale in Monmouth County. Mr. Grasso questioned DPW salary increases and noted a person assigned to cut the grass was found sleeping. Mr. Bowden stated the DPW employees are under a union contract, which defines the yearly salary increases. Mr. Grasso questioned the salary of the Health Officer, and Mr. Antonides advised the salary figure budgeted for the Health Officer position includes two Health Officers during a three-month transition period prior to Mr. McBride's retirement. Discussion ensued regarding percentage salary increases. Mr. Florek and Mr. Forester commented one of the union contracts involved binding arbitration and the Township had no voice in the ultimate salary decision reached.

Ms. Kathy Gizzo, a resident, questioned if Department Heads are justifying salary increases for their staff. She commented DPW staff are working on weekends at the time and one half salary rate. Mayor Hennessy stated most weekend work involves picking up leaves. Mr. Bowden commented he defends all Township employees, stating employees are not overpaid when compared to the public sector; and Township departments, stating they are not over-staffed nor over-managed.

Ms. Kathryn McQuillan, a resident, questioned if money has been allocated for the proposed School Resource Officer position for the High School and asked if a decision to fill the position would be reached tonight. Mayor Hennessy responded stating there will be a meeting with the Principal of the High School and the Police Chief to further discuss this issue. Mayor Hennessy further stated while funds have been allocated for this position, no decision will be reached tonight, and he commented "this is a work in progress."

Mr. Grasso questioned deer control costs. Mr. Bowden responded advising of the deer removal process and each deer removed cost the Township \$55. Mr. Forester stated prior to the Township assuming this unfunded mandate, the County assumed removal responsibility, and costs were borne by the State. Mr. Forester stated funds have been set aside in the Animal Control budget for removal of dead deer on roads within the Township within 48 hours.

Ms. Roseann Scotti, a resident, questioned whether there was any leeway in reducing the 2.5 cents currently collected for farmland, open space and historic

preservation. Mr. Stuart responded advising the Township is running out of farms to save. Mr. Stuart advised the farms saved had very high per acre values. Mr. Stuart envisions a sunset on this tax. Sen. Bennett stated this tax began by referendum and can only end by referendum; the Governing Body cannot end this tax itself.

Ms. Elaine Mann questioned the elimination of the Business Advisory Committee. Mayor Hennessy stated this group was minimally funded.

Mr. Vince Domidion, a resident, commented there is more concern about the budget this year than in previous years. Mr. Domidion stated in comparison to other towns, he is amazed a township of this size is run as well with a smaller budget and only 56 employees. Mr. Domidion stated he sat through the budget workshops and commented it is a great process. Mr. Domidion stated with regard to the SRO, he recommends it be funded by a per pupil ratio.

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

4. **RESOLUTION 2008-63A:** RESOLUTION TO AMEND APPROVED BUDGET IN ACCORDANCE WITH THE PROVISIONS OF 40A:4-9 was read by title by Mayor Hennessy. Mr. Bowden commented the State required this amendment during its review of the 2008 Budget, and it will be published in the Asbury Park Press on May 7, 2008. A public hearing on the amendment, which transfers monies from inside the CAP to outside the CAP, is scheduled during a regular meeting of the Township Committee on May 14, 2008. Mr. Forester made a motion to approve, seconded by Mr. Florek and unanimously carried.

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

Messrs. Antonides and Allison left the meeting.

5. **ORDINANCE 2008-6:** AN ORDINANCE ENTITLED A 2008 SALARY ORDINANCE OF THE TOWNSHIP OF COLTS NECK was read by Mayor Hennessy by title at second reading. With no comments, from the Governing Body, Mayor Hennessy opened the meeting to public comment. Hearing none, Mayor Hennessy closed the meeting. Mr. Stuart made a motion to approve, seconded by Mr. Florek and unanimously carried.

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

6. **ORDINANCE 2008-7:** CAPITAL ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE PURCHASE OF VARIOUS CAPITAL EQUIPMENT, AND APPROPRIATING \$396,000 THEREFOR, AUTHORIZED IN AND BY THE TOWNSHIP OF COLTS NECK, IN THE COUNTY OF MONMOUTH, NEW JERSEY was read by title at first reading by Mayor Hennessy. Mr. Bowden stated the capital equipment within this ordinance was approved during the 2008 budget process. Mr. Forester made a motion to approve, seconded by Mr. Schatzle and unanimously carried. Mayor Hennessy set the public hearing May 14, 2008.

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

7. **RESOLUTION 2008-64:** RESOLUTION ADOPTING THE TOWNSHIP OF COLTS NECK PERSONNEL POLICIES AND PROCEDURES MANUAL was read by title by Mayor Hennessy. Mr. Bowden stated the Governing Body adopted an employee manual four years ago. Every two years, the manual must be reviewed and updated, if necessary, and employees trained. Mr. Bowden stated there are no substantive changes, but those made are required by law. This resolution confirms the changes made to the existing manual. 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 Hennessy		X			
Forester	S	X			
Florek	M	X			
Schatzle		X			
Stuart		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

8. **RESOLUTION 2008-65:** AUTHORIZING AWARD OF BID, 30-YARD ROLL-OFF CONTAINERS FOR CLEAN-UP DAYS was read by title by Mayor Hennessy. Mr. Bowden stated this contract was competitively bid, with four bids received. The bidder selected, Sakoutis Bros., was the lowest responsive, responsible bidder, and Mr. Bowden recommends awarding the contract in the amount of \$27,750 to Sakoutis Bros. 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 Hennessy		X			
Forester		X			
Florek	S	X			
Schatzle	M	X			
Stuart		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

9. **RESOLUTUION 2008-66:** AUTHORIZING SUBMISSION OF TONNAGE GRANT APPLICATION was read by Mayor Hennessy. Mr. Florek stated this resolution authorizes the Township to apply for the State grant for calendar year 2008, and memorializes the commitment of the Township to recycling. Mr. Florek commented the grants received are small, but they do offset recycling

costs. 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 Hennessy		X			
Forester		X			
Florek	M	X			
Schatzle	S	X			
Stuart		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

10. MOTION TO ADOPT A CONSENT AGENDA:

11. *RESOLUTION 2008-67: AUTHORIZING ACCEPTANCE OF SPECIAL PERFORMANCE GUARANTEES, STREET OPENING PERMIT, BLOCK 22, LOT 10.08 (30 DRIFTWOOD LANE).

12. *RESOLUTION 2008-68: AUTHORIZING RECREATION PROGRAM REFUND.

Mr. Forester made a motion to approve, seconded by Mr. Stuart, and unanimously approved.

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

13. DISCUSSION: BOND ORDINANCE PREPARATION. Mr. Bowden spoke of the components of the multi-purpose bond proposed for funding capital items (those with a lifespan of over five years). The multi purpose bond includes funding the fire pumper, \$500,000; the street sweeper, \$225,000, and various road paving jobs. Discussion ensued regarding the roads to be paved. Final decisions included paving for the remainder of North Pointe, \$80,000; Heyers Mill Road (Conover Road to Green Hill), \$450,000, which is offset by a grant of \$150,000; Deepwood Lane, \$95,000; Conover Road (Heyers Mill to Route 34), \$175,000 and Mulberry Lane, \$215,000. Sen. Bennett will prepare a bond ordinance for next meeting.

14. ADMINISTRATIVE REPORT. Mr. Bowden had nothing further to add to his report. Mr. Bowden spoke of the sub-division on Mockingbird Lane (off Dutch Lane). The Township reduced the performance bond, but has retained enough cash on hand to complete the work and have a maintenance bond. Mr. Stuart made a motion to approve, seconded by Mr. Florek and unanimously carried. Sen. Bennett suggested Mr. Alfieri prepare the required paperwork and he will review.

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

Mr. Bowden advised the Fire Pumper will be sold by public auction with the minimum sealed bid at \$85,000. A resolution is required to hold the auction.

Mr. Bowden thanked Ms. Gizzo for placing the pink ribbons on Township buildings as well as throughout the town as part of the Susan G. Komen for the Cure fundraising effort during the month of May.

15. MOTION TO APPROVE VOUCHERS. Mr. Forester reported he reviewed and signed the vouchers, noting all were in order, and are as follows:

Animal Control	\$282.25
Construction Trust	\$12,973.13
Current Fund	\$2,486,477.31
Escrow	\$11,308.17
Farmland Preservation Trust	\$330.00
Grant Fund	\$1,040.00
Trust Fund	\$11,223.56
TOTAL APPROVED:	\$2,523,634.42

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

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

16. TOWNSHIP COMMITTEE REPORTS:

Mr. Florek reported the League of Municipalities is looking to challenge the third round COAH requirements, and is seeking a \$500 contribution from each municipality to support this effort. Mr. Florek made a motion to contribute \$500 to the COAH coalition formed by the NJLM, seconded by Mr. Stuart and unanimously carried.

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

Mr. Florek reported Mt. Olive Township is seeking a stay of third round requirements. Mr. Florek wants to do the same. All concurred. Mr. Bowden stated a resolution would be prepared.

Mr. Florek stated a Township in Warren County has approached him to address their County League at the end of May regarding the COAH coalition he is spearheading.

Mr. Florek reported 60 volunteer fire fighters are in need of the Hepatitis B vaccine, which costs \$130 for a three-shot course of treatment. Mr. Schatzle commented there are grants for this program each year, and Mr. Schatzle will consult with the Health Officer and advise.

Mr. Florek reported the Fire Department advocates adoption of a Knox box ordinance. This would permit keys to all commercial facilities to be securely housed in the fire truck for emergency use when authorized by the County.

Mr. Forester reported Student Government Day would be held in two weeks with the Junior students from Colts Neck High School. The students are paired with Department Heads for the morning, attend a luncheon at Huddy's, and then return in the evening to conduct a Township Committee meeting.

Mr. Stuart reported he attended a meeting with Messrs. Forester, Gale, Molloy and Bowden on April 21, 2008 regarding Earle. The Secretary's report from DOD will be released this summer, with the environmental report issued in November or December. Mr. Stuart noted the Navy is still going forward with plans to house civilians at Earle, and the Navy has until May 2009 to designate the placement of the planned access road.

Mr. Stuart reported he and Mr. Forester met with Dr. Wasser, FRSD, to discuss the proposed placement of the Verizon cell tower. Verizon researched five alternate sites on which to locate their 128' tower; however, they kept returning to the High School site as the best location. The cell tower proposal would go before the Zoning Board of Adjustment if this is to proceed.

Mr. Stuart reported it is the one-year anniversary of the Colts Neck green initiatives, and thanked Jarrett Engle for his assistance with this initiative. The Township has switched to "green" cleaning products and "green" grass fertilizers. In addition, an anti-idling campaign was instituted throughout the Township. In Town Hall, the lighting for the main floor central workspace was converted to energy efficient "green" light fixtures, which resulted in the Township receiving an incentive check in the amount of \$220 from the New Jersey Clean Energy Program for making the lighting change.

Mr. Schatzle reported the First Aid Squad has ordered new rigs, all rigs being purchased with fund drive money.

Mr. Schatzle reported Colts Neck Polo begins the 2008 season on May 25th.

Mr. Schatzle reported the Drug and Alcohol Alliance is meeting with Colts Neck schools and other youth organizations for more educational programs in the coming year. Discussion ensued regarding the Judge's flexibility in sentencing under age drinkers. Counsel Bennett is to bring suggestions to the next meeting to give the Judge leeway in setting fines, and all agreed community service should be included in the sentencing for under age drinkers.

Mr. Schatzle reported the Colts Neck Business Association is proceeding with its plans for Old Towne Colts Neck Day scheduled for June 7th (June 8th rainedate).

Mr. Schatzle reported the Chief of Police sent letters to businesses regarding the re-numbering of Route 34. The Postmaster is personally visiting all affected parties, and on May 3rd, the 911 System will change to reflect the address changes. There will be a dual address system running during transition.

Mr. Schatzle reported the NOPE organization will be holding a community briefing on May 28th at Colts Neck High School to discuss the Earle housing issue and its impact on the surrounding communities.

17. COMMENTS FROM THE PUBLIC:

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

Mr. Robert Sayko, a resident, questioned the “no idling” initiative, expressed his support of the proposed changes to the under age drinking punishments, and questioned how speeding on local roads can be curtailed. Mr. Sayko then commented on the minutes posted on the Township website, the time lapse between the of the purchase of a new fire pumper truck and the sale of the deficient fire pumper truck. Mr. Sayko then asked who decides which computers are purchased. In closing, Mr. Sayko commented he is very pleased with how the Town is run.

Mr. Forester commented the taxes are 1.4% of the perceived value of one’s house. When comparing this to neighboring towns, the tax rate is quite favorable, especially since Colts Neck does not, by design, have a large scale commercial tax base, and the debt load is lower than surrounding towns. Mr. Forester suggested a look at all factors.

Ms. Kathy Gizzo, a resident, questioned if the 2008 Budget and meeting minutes were on the Township website. She was advised these documents are on the website.

Mr. Chris Lupia, a resident, commented the greenway he reported several weeks ago was cleaned up slightly; however, there is still a load of bricks on the greenway. Mr. Bowden stated Code Enforcement would re-visit the site. Counsel Bennett commented the Code Enforcement Officer would prepare a violation notice and a fine would be set by the Judge.

Mr. Lupia then commented on the posting of Building Permits, and he was advised anyone could call the Building Department to ascertain if a permit has been issued for a particular location. Mr. Lupia then commented on the garage built on Woodhollow. Mr. Stuart responded he would have Code Enforcement re-visit the property to ensure it is built according to plan.

Ms. Elaine Mann, a resident and Clean Communities Coordinator, asked Counsel Bennett to remember the Clean Communities Program when community service sentences are considered during sentencing.

Ms. Mann commented on the NOPE (Neighbors Opposed to Privatization of Earle) briefing scheduled for May 28th. Ms. Mann advised Assemblywoman Casagrande has given her full support, and Congressman Smith has introduced a bill on this issue. Ms. Mann also commented on the “Christmas Tree” items.

Ms. Cindy O’Brien, a resident, noted her agreement with Mr. Domidion on equitable funding for the proposed School Resource Officer at Colts Neck High School. Ms. O’Brien hopes for a presence at the Middle School to nip the problem in the bud, and be proactive rather than reactive.

Ms. O’Brien expressed her concern about planning for the 2009/2010 school budget in the event Earle goes ahead and privatizes the housing, sending students to schools during the last 75 days of the school year. Mr. Stuart responded stating if the plan proceeds, the earliest new students would arrive in 2011; however, this may all change given the reports that are forthcoming and the access road location has not been determined.

Ms. Kathy McQuillan, a resident, questioned if there were restrictions on when holiday decorations had to be taken down within the Township, similar to the restrictions imposed in The Grande community. Counsel Bennett responded no, there are not.

Ms. Peggy Iovardi, a resident, expressed her support of filling the SRO position.

Mr. Vince Domidion, a resident, commented the final paving had not been completed on Homestead and questioned if the Township still held the bond, suggesting the Township may be able to use the monies held to complete the work.

Mr. Domidion asked if once the revaluation is completed and the overall tax rate changes, will the 2.5 cent open space tax rate change?

Mr. Domidion encouraged the Governing Body to limit itself to the student participation rate for the SRO position.

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

- 18. RESOLUTION 2008-69:** EXECUTIVE SESSION was read by Mayor Hennessy at 9:45 p.m. Mr. Forester made a motion to adjourn and go into Executive Session, seconded by Mr. Schatzle and unanimously carried.

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

Motion by Mr. Florek, seconded by Mr. Forester and unanimously carried to adjourn closed session.

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

Motion by Mr. Florek, seconded by Mr. Stuart and unanimously carried to reconvene in public session and adjourn meeting.

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

Meeting adjourned at 11:10 p.m.

Robert Bowden
Township Administrator/Clerk