

**TOWNSHIP OF COLTS NECK  
TOWNSHIP COMMITTEE MEETING  
MAY 14, 2003**

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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 Clerk Bowden. "The notice of the requirements of the New Jersey Public Meetings Law have been satisfied by forwarding a "News Release" to the Asbury Park Press on December 16, 2002 stating that a meeting of the Colts Neck Township Committee would be held on May 14, 2003 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: Deputy Mayor Burry, Committeemembers, Florek, Forester, and Stuart and Mayor Hennessy

Also Present: Robert Bowden, John O. Bennett III, Esq. and Aime Sweeney

Absent: None

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1. **STUDENT GOVERNMENT DAY:** Mayor Hennessy turned the floor over to Mr. Forester. Mr. Forester introduced the acting Governing Body:

- JP Walsh Mayor
- Alyssa Anzer Deputy Mayor
- Brittany Zander Township Administrator
- Ryan Kelly Chief of Police
- Kristin Johns Public Works Superintendent
- Mary Purdy Parks and Recreation Director
- Todd Stoner Health Officer
- Danielle Gaffney Finance Officer
- Ryan Keller Township Committeeman
- Hirsch Malhotra Township Committeeman
- Alyssa Besho Township Committeewoman
- (Ron Polakowski – Faculty Advisor, Colts Neck High School)

Mayor Walsh called the meeting to order. Ms. Zander read the roll call, vote was by hand.

The Student Government followed their special agenda<sup>1</sup> discussing four different topics of interest. Mayor Walsh led each discussion, while Township Administrator, Brittany Zander performed the roll call. Votes were cast by a hand vote and a verbal all in favor.

Mayor Hennessy called for a brief recess at 8:20 p.m. to allow the Student Governing Body and the Official Governing Body to switch places to proceed with the official agenda for May 14, 2003.

Mayor Hennessy called the meeting back to order at 8:25 p.m.

2. **MAYOR'S APPOINTMENTS:** Mayor Hennessy appointed Mrs. Mary Massey Esq. as Environmental Commission Chairwoman, with a term expiring December 31, 2003. Mayor Hennessy said Mrs. Massey has a lot of experience in Environmental Law and will be a great asset to this Commission. Mayor Hennessy introduced Mrs. Massey. Mrs. Massey thanked Mayor Hennessy for giving her this opportunity.

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<sup>1</sup> See attached Student Government Day Agenda.

Mayor Hennessy appointed Mr. David Paddock as a member of the Environmental Commission with a term expiring on December 31, 2005. Mr. Paddock said he has a degree in Environmental Science and is happy to serve on this Commission.

Mr. Bowden swore in Mr. Paddock, with Mayor Hennessy and Chairwoman Massey present. Everyone extended a round of applause and photographs were taken.

3. **ORDINANCE 2003-8**: AN ORDINANCE ENTITLED THE 2003 SALARY ORDINANCE OF THE TOWNSHIP OF COLTS NECK was read by Mayor Hennessy by title on second reading. Mayor Hennessy explained this Ordinance reflects the non-union salaries. The average increase is 3.5%. Mayor Hennessy opened the public comments, hearing none, Mayor Hennessy closed the public comments. Mr. Forester made a motion to adopt this Ordinance, seconded by Mrs. Burry and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart, and Mayor Hennessy.

Oppose: None

4. **APPROVAL OF MINUTES FROM APRIL 9, 2003** was read by Mayor Hennessy. Mrs. Burry made a motion to table these minutes to the next meeting of April 30, 2003, seconded by Mr. Stuart and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart, and Mayor Hennessy.

Oppose: None

5. **RESOLUTION 2003-82**: CERTIFYING AMOUNT RAISED BY TAXATION FOR THE LOCAL COLTS NECK BOARD OF EDUCATION was read by Mayor Hennessy. Mayor Hennessy read a prepared statement.<sup>2</sup> With no comments made, Mrs. Burry made a motion to approve this Resolution, seconded by Mr. Florek and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart, and Mayor Hennessy.

Oppose: None

6. **RESOLUTION 2003-83**: CERTIFYING AMOUNT RAISED BY TAXATION FOR THE FREEHOLD HIGH SCHOOL DISTRICT BOARD OF EDUCATION was read by Mayor Hennessy. Mr. Florek said he feels the whole process of the Governing Body certifying this budget is a poor one. A three week review is not really enough time for such a complex budget. We did the best we could. Mr. Stuart said that indeed this is a very complex budget. The whole process is a very stressful one. Many towns have reached a position. Mr. Stuart said that both he and Mr. Florek have discussed this at great length and feels what they came up with will not be too detrimental to the schools. Mayor Hennessy read an article from the Asbury Park Press regarding Monday evenings meeting with regards to the regional school budget. The consensus in the article is to reduce the budget, however, this was

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<sup>2</sup> Mayor Hennessy's statement attached.

not an affirmative vote. Each municipal Governing Body has to vote separately. Mr. Wasser had some very persuasive arguments. Mayor Hennessy pointed out that if each Resolution from the Regional Governing Bodies are not unanimous it will then get sent to the County for the final decision.

The Township Committee discussed the breakdown in Schedule "A" of Resolution 2003-83 totaling a deduction of \$1,537,000.00. After discussing Schedule "A", Mr. Florek made a motion to approve this Resolution, seconded by Mr. Stuart.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Stuart, and Mayor Hennessy.

Oppose: Committeeman Forester

7. **RESOLUTION 2003-84**: CONFIRMING APPOINTMENT OF PROFESSIONAL CONSULTANT – WIRELESS ANTENNAE REPLACEMENT (FSD ENTERPRISES, LLC – MR. DECLAN O'SCANLAN) was read by Mayor Hennessy. Mr. Bowden explained that a consultant is necessary to assist the Town with the replacement of the two antennas adjacent to Police Headquarters and said the cost is not to exceed \$6,000.00. With no further comments, Mr. Stuart made motion to approve this Resolution, seconded by Mrs. Burry and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart, and Mayor Hennessy.

Oppose: None

8. **MOTION TO ADOPT A CONSENT AGENDA** was read by Mayor Hennessy for the below Resolutions:

Resolution 2003-85: Authorizing Recreation Program Refunds

Resolution 2003-86: Authorizing Release of Maintenance Guarantee – PB Application No. 403F (Sessa)

Resolution 2003-87: Approving Raffle Application No. 03-08 – Monmouth Conservation Foundation (June 7<sup>th</sup> 50/50)

Resolution 2003-88: Approving Raffle Application No. 03-09 – Monmouth Conservation Foundation (June 22<sup>nd</sup> 50/50)

Resolution 2003-89: Approving Raffle Application No. 03-10 – St. Joseph's School (50/50 Raffle)

Resolution 2003-90: Approving Raffle Application No. 03-11 – St. Joseph's School (On Premise Raffle)

Resolution 2003-90A: Approving Raffle Application No. 03-12 – Jewish Federation of Greater Monmouth County

With no comments made, Mr. Forester made a motion to approve the aforementioned consent Resolutions, seconded by Mrs. Burry and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart, and Mayor Hennessy.

Oppose: None

9. **ADMINISTRATIVE REPORT:** Mr. Bowden reported that last year the Township Committee discussed a cost-containment proposal with Qualcare, whereby Qualcare would negotiate with out of network doctors and hospitals for lower payments. Qualcare would then receive 25% of the savings. The Governing Body was not in favor of cost-containment then. The Township's healthcare carrier, Qualcare, has asked that this be presented once again. Mr. Stuart said he feels this service should already be provided and doesn't feel it's a good idea. Mr. Stuart said he feels they should be looking elsewhere to give us a cost savings. Mrs. Burry concurred with Mr. Stuart.

Mr. Bowden concluded his report by reminding the Governing Body that the Board of Freeholders will be meeting at the Library on May 29<sup>th</sup>, at 8 p.m.

10. **MOTION TO APPROVE VOUCHERS** was made by Mr. Forester to approve all vouchers totaling \$511,515.04, seconded by Mrs. Burry and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart, and Mayor Hennessy.

Oppose: None

11. **TOWNSHIP COMMITTEE REPORTS:**

Mr. Florek reported Mr. Andrew Delledone was made a senior member of the Colts Neck First Aid Squad and had won a statewide cadet scholarship. Mr. Florek further reported the First Aid Squad successfully used the defibulator at Huddy's as someone went into cardiac arrest. The successful use of the defibulator saved a life. Mr. Florek also reported the next blood drive will be at St. Mary's Church on May 23, 2003, 6 p.m. to 9 p.m.

Mr. Florek reported the Fire Department is seeking permission to dredge standpipes as most are silted in. Mr. Gerken said the estimate is \$5,000.00 to do the dredging. Mr. Florek made a motion to approve the dredging of the standpipes, seconded by Mrs. Burry and unanimously carried.

Mr. Stuart said he has no report this evening as he has been busy working on the local and regional school budgets.

Mrs. Burry reported that she and Mr. Stuart met to discuss plans for Phalanx Road. Mrs. Burry said they decided there will not be a light on Phalanx and Laird Road. A blinking light will be placed on Mulenbrink & Phalanx Roads. Mrs. Burry said that she and Mr. Stuart both agreed with the D.O.T. that a light on Heyers Mill Road and Route 537 is too close to this Route 34 intersection. More enforcement is strongly urged. Tree cutting is also necessary along many roadways in order to improve visibility. Mr. Bowden said a letter will be put together to submit to the County.

Mrs. Burry said there will be a dinner this Tuesday for potential farmland preservation participants. Mrs. Burry further reported that she received a letter from the State Agriculture Board advising Colts Neck's application has been approved, however, there are four to five conditions we still need to meet by May 19<sup>th</sup>.

Mrs. Burry reported that she read an article in the Asbury Park Press about a veteran's clinic which recently opened at Fort Monmouth in which Mr. Chris Lupia was a big help with this.

Mrs. Burry continued to report that she sent a letter to the old Historic Society of Colts Neck seeking their response to turning Montrose Road School House over to the Township. Their response thus far has been very positive.

Mrs. Burry further reported the September 11<sup>th</sup> Memorial Fountain has the water turned on and the trees are blooming. However, we are still in arrears and need \$5,000.00 more to pay for this memorial.

Mr. Forester reported the senior luncheon was a great success and had a good turnout. Kevin Sauter, Chief of Police, and James Schatzel, First Aid Squad member, were present. It was a good program and well received.

Mr. Forester reported that he went to the Monmouth County Transportation meeting, however, nothing pertinent to Colts Neck was discussed.

Mr. Forester concluded by saying that Student Government Day today was an absolute pleasure.

Mayor Hennessy reported that he officiated his third marriage this month. The happy couple flew in from Australia for the nuptials.

Mayor Hennessy reported on various upcoming events:

Junior Olympics will be on May 17, 2003, 9 a.m. This will mark the 25<sup>th</sup> year for the Junior Olympics. It is a great event.

Memorial Day Parade will be on May 26, 2003, 10:30 a.m. The Recreation Department is doing a fine job of organizing this event.

12. **COMMENTS FROM THE PUBLIC:**

Mr. Innucci, 5 Wide Horizon Drive, said he is very concerned about the suggested land swap by Spatial Design. Mr. Innucci asked the Township Committee to not consider doing this land swap. Mr. Innucci asked when a full public forum regarding this will be? Mayor Hennessy said if we reach that point, notification would be sent out.

Mrs. Burry said the applicant, Spatial Design, will be making a presentation at the next Township Committee meeting on May 28<sup>th</sup>. Mrs. Burry said only this body has the right to approve or disapprove any land swap. Mayor Hennessy said he presumes the applicant will indeed appear before the Governing Body at the next Township Committee meeting. Mayor Hennessy gave some of the history on this suggested land swap. Mayor Hennessy said he received a safety report from Traffic Safety Officer, Richard Maxwell, who gave a negative report on the Laird Road traffic issue. Mrs. Burry clarified that it will be a discussion item only at the next meeting.

Mr. Arthur Kayhill, Wide Horizons, asked what the official Planning Board vote was? Mayor Hennessy explained.

Mrs. Rose Kayhill, Wide Horizons, said she doesn't understand why they were informed that no one can build on the greenway and she is angry that we are even here this evening discussing this. Mayor Hennessy said he appreciates everyone's thoughts on this subject, and we will see where it takes us.

Mr. Stuart said he doesn't feel there are enough facts at this point. Mrs. Kayhill said she does commend Spatial Design for being sensitive to their feelings. Mrs. Burry said her concerns are that greenways are an intricate part of a subdivision and should remain as such. Historically greenways have been considered untouchable

Mayor Hennessy gave some background on what occurred at last evening's Planning Board meeting pertaining to potential curb-cuts on Wide Horizon.

Mr. Tom Russel said that he read in the Planning Board minutes of February 12, 2002, Mavrookas exchanged property. Mr. Stuart said he feels we are getting ahead of ourselves and we don't have all the facts yet.

Mrs. Kayhill asked if a builder can be forced to build or not build? Mayor Hennessy said we do not discourage commercial builders.

Mr. Vincent Domidion said the process of certifying the local and regional school budgets is a very rigorous effort. There is a great contrast between the local municipal budget and the local school board budget. Mr. Domidion said he feels the Township Committee could have knocked a few more pennies off the tax rate by making more cuts.

Mrs. Laura Kolnowski said she feels there should be a light on Laird and Phalanx for safety reasons, or at the very least a four way stop. This particular intersection is very dangerous.

Mr. John Walsh said he feels placing "comments from the public" at the end of the agenda is ridiculous. The public doesn't have a voice on actions that have taken place beforehand. Mayor Hennessy concluded by saying all Ordinances provide for a public hearing and the Governing Body always opens items up to the public as they deem necessary.

13. **RESOLUTION 2003-91**: EXECUTIVE SESSION was read by Mayor Hennessy. With no comments made, Mrs. Burry made a motion to adjourn and go into Executive Session at 10:15 p.m., seconded by Mr. Stuart and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart, and Mayor Hennessy.

Oppose: None

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Robert Bowden,  
Township Administrator

RB/as