

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
MAY 14, 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 May 14, 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 Schatzle and Stuart

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

Absent: Committeemember Florek

1. **ANNOUNCEMENT:** Mayor Hennessy announced the May 28th Township Committee meeting is cancelled. Members of the Township Committee will be attending the NOPE (Neighbors Opposed to the Privatization of Earle) community meeting at Colts Neck High School at 7:00 p.m.

2. **PUBLIC RECOGNITION:** The Colts Neck High School Mock Trial team members were recognized by Mayor Hennessy. Mayor Hennessy stated they were awarded the Daniel J. O'Hern Mock Trial Award for winning this year's Monmouth County High School Mock Trial Competition. Out of a total of 241 teams in the State of New Jersey, the Colts Neck Mock Trial team came in third and will represent New Jersey in the Third Annual American Mock Trial Invitational to be held May 18-20, in Charlotte, North Carolina. Mayor Hennessy praised the team members, Laura Joseph, Kathleen Negri, Evan Preminger, Michelle Tanen, Britney Dupuis, Patrick Fan, William Visone, Amy Hartzell, John Mondel, and Lauren Nadler, and their Teacher-Coach Holly Tracy, and presented certificates of achievement on behalf of the Governing Body to those present. Photographs were taken and all received a round of applause from those present.

3. **STUDENT GOVERNMENT DAY.** Mayor Hennessy welcomed Mr. Robert Siedel, Student Faculty Advisor, Colts Neck High School, and turned the meeting over to Deputy Mayor Forester. Deputy Mayor Forester introduced the following students participating in this year's Student Government Day, noting these outstanding juniors were elected by their peers, and the Mayor was selected by faculty based on an essay competition:
 - Tiffany Baron, Mayor
 - Michelle Amann, Deputy Mayor
 - Brielle Fewer, Ama Ayeh, Committeewomen
 - Rich Gazon, Committeeman
 - Cassie Lewski, Administrator
 - Calla Vodoor, Township Planner
 - Danielle Sarbone, Finance Officer
 - Samantha Pecoraro, Director of Public Works
 - Jack Greenhouse, Police Chief
 - Evan Katz, Director of Recreation and Parks
 - Parker Fitzpatrick, Health Officer

Mayor Baron brought the meeting to order, Administrator Lewski called the roll, and Mayor Baron introduced the first topic of discussion—establishing the position of School Resource Officer at the High School. Discussions ensued during which Police Chief Greenhouse and Chief Financial Officer Sarbone provided information for consideration by the Governing Body. The Governing Body did not see a need to fill this position, given the low crime rate, the two Security Officers currently at the High School, and the projected cost of filling the position, of which the FRSD pledged to fund \$20,000 the first year, with no long-range funding commitment. The consensus of the Governing Body was if the position is filled, the FRSD should pay for it.

The Governing Body then discussed the outside noise at the High School resulting from band practice, football games, playing music through the external speakers and graduation ceremonies, and its affects on nearby residents' quality of life. Discussion ensued and the Governing Body agreed compromise is necessary. The Governing Body is against installing noise barriers from an aesthetics standpoint. The Governing Body proposed a ban on outside activities generating noise before 9:00 a.m. on weekends, and all external noise must be kept under the legal decibel limit.

The Governing Body then discussed the Governor's Teen Driver Study Commission Report, which included 47 proposals for reducing the number of accidents among teen drivers. The Governing Body opposes affixing a sticker to the vehicle driven by a provisional license holder since senior drivers are more aggressive towards provisional drivers, which may lead to increased accidents; the sticker doesn't show the quality of driving, just the age of the driver; and in the event a provisional driver operates multiple vehicles, the transfer of the sticker is impractical. The Governing Body agreed all passengers must wear seat belts, agreed with no plea deals for traffic offenses by a provisional driver, and agreed with limiting the number of passengers, but disagreed with excluding provisional drivers from the road between the hours of 11:00 p.m. to 6:00 a.m. Mayor Baron recommended driving tests be given on actual roads where lane changing expertise and routine driving in traffic are tested rather than on a closed course.

Mayor Baron then opened the meeting to public comment.

Mr. Robert Sayko, a resident, questioned if building a berm or re-positioning the speakers might help to reduce the noise at the High School. The Township Committee agreed more research needs to be done on this topic.

Mr. James Schatzle, a resident and Committeeman, raised the issue of the SRO and the number of incidents at the High School. The Governing Body and the Department Heads questioned the impact of one SRO for 1,600 students and suggested money could be better spent on technology.

Ms. Kathy Gizzo, a resident, questioned if the Governing Body reviewed any analyses of the impact the SRO had at other schools (pre and post SRO). The response to Ms. Gizzo was that every town is different and has to be considered individually.

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

Committeemember Ayeh made a motion to adjourn, seconded by Deputy Mayor Amann, and unanimously carried.

The Student Government Day meeting adjourned at 8:15 a.m.

Deputy Mayor Forester stated the group did an outstanding job, and commented they were very informative. Deputy Mayor Forester thanked all students for taking the time to participate in this year's event. Deputy Mayor Forester stated the 12 students are a credit to Colts Neck High School, their families, and the

community they serve. Deputy Mayor Forester thanked Mr. Siedel, their faculty advisor. Certificates of Recognition were given to all participants on behalf of the Township Committee. Mayor Hennessy thanked the parents for supporting their children. The group received a round of applause from all in attendance.

Mayor Hennessy called a five-minute recess at 8:17 p.m. during which photographs were taken.

At 8:23 p.m., Mayor Hennessy re-convened the Township Committee meeting.

4. **PRESENTATION**: Mr. Jarrett Engel presented a check from Metropolitan Life to the First Aid Squad. Mr. Engel's employer has donated monies to the First Aid Squad in previous years. Mayor Hennessy thanked Mr. Engel and his employer on behalf of the Township Committee.
5. **PRESENTATION**: Mr. Peter Falvo, Esq., addressed the Governing Body on behalf of his clients, Mr. & Mrs. DeSaye, and requested reconsideration on the Governing Body's prior decisions on 38 Deputy Minister Drive. Photographs and maps provided by Mr. Falvo were reviewed. Discussion ensued regarding the placement of fencing and the possibility of changing the conservation easement to a landscape easement. Mr. Anfuso will be consulted regarding this issue and it will be brought back to the Township Committee for reconsideration.
6. **PUBLIC HEARING**: With regard to the 2008 amended Budget, Mr. Bowden stated the Governing Body held a public hearing on the 2008 Budget at the last meeting. This second public hearing is required since technical revisions were made during review in Trenton requiring adjustments inside and outside the CAP, which will not affect the tax rate. With no comments made by the Governing Body, Mayor Hennessy opened the meeting to public comment. Hearing none, Mayor Hennessy closed the meeting.
7. **RESOLUTION 2008-70**: CONFIRMING ADOPTION OF 2008 MUNICIPAL BUDGET was read by title by Mayor Hennessy. Mr. Forester made a motion to approve, seconded by Mr. Schatzle, and unanimously carried by all present.

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						

8. **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 second reading by Mayor Hennessy. Mr. Bowden commented this ordinance provides the funding for the various capital improvements and capital equipment that were discussed and approved by the Governing Body during the 2008 Budget workshops. With no comments made by the Governing Body, Mayor Hennessy opened the meeting to public comment. Hearing none, Mayor Hennessy closed the meeting. Mr. Forester made a motion to approve, seconded by Mr. Schatzle and unanimously carried by all present.

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					

9. **BOND ORDINANCE 2008-8:** BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE PURCHASE OF VARIOUS CAPITAL EQUIPMENT APPROPRIATING \$1,745,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,515,250 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, 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 explained that certain things can't be bought under the "pay as you go" method usually followed by the Township. This ordinance provides funding for a fire pumper, a street sweeper, and various road improvements on North Point, Mulberry Lane, Heyers Mill Road, Deepwood Lane, and Conover Road. Mr. Stuart made a motion to approve, seconded by Mr. Schatzle and unanimously approved by all present. Mayor Hennessy set the date for public hearing June 11, 2008.

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

10. **RESOLUTION 2008-71:** URGING THE GOVERNOR AND LEGISLATURE TO IMPLEMENT A STAY ON THE FURTHER IMPLEMENTATION OF THE COAH THIRD ROUND PROPOSALS AND THE FAIR HOUSING ACT was read by title by Mayor Hennessy. Mr. Stuart stated the COAH numbers are outrageous and the formulas are unrealistic, and the NJLM agrees. Mr. Stuart advised this resolution requests a review of sites be considered. With regard to projected growth, this year New Jersey experienced its first net loss of population. Mayor Hennessy commented the NJLM supported COAH in Rounds 1 and 2; however, they are not supporting Round 3. With no further comments, Mr. Forester made a motion to approve, seconded by Mr. Schatzle and unanimously approved by all present.

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

11. **RESOLUTION 2008-72:** AUTHORIZING SALE OF TOWNSHIP PERSONAL PROPERTY – 1996 E-1 PUMPER was read in by title by Mayor Hennessy. Mr. Schatzle spoke with Fire Chief Quincannon and was advised the time lapse between the sale of this pumper and the arrival of the new pumper will be brief. Mr. Schatzle stated this plan won't affect the Township's ISO rating. Mr. Schatzle made a motion to approve, seconded by Mr. Stuart and unanimously carried by all present.

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

12. **MOTION TO ADOPT A CONSENT AGENDA:**

13. ***RESOLUTION 2008-73:** APPROVING RAFFLE APPLICATION NO. 08-8, OFF-PREMISES, PROGRESSIVE 50/50 RAFFLE; AUGUST 17, 2008, COLTS NECK PTO.
14. ***RESOLUTION 2008-74:** APPROVING RAFFLE APPLICATION NO. 08-9, ON-PREMISES, 50/50 RAFFLE; JUNE 6, 2008, COLTS NECK PTO.

Mr. Schatzle made a motion to approve, seconded by Mr. Forester, and unanimously approved by all present.

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

15. **DISCUSSION:** POSSIBLE INTRODUCTION OF ORDINANCE NO. 2008-9, AN ORDINANCE AMENDING CHAPTER 73, ENTITLED "ALCOHOLIC BEVERAGES" OF THE TOWNSHIP CODE OF THE TOWNSHIP OF COLTS NECK. Mayor Hennessy read both Section 1 and Section 1.A. Counsel Bennett advised this resolution gives the Court more options when sentencing, including suspension of driving privileges for up to six months and/or ordering community service be performed, and sets fines of underage drinking on private property to no less than \$250 for a first offense and no less than \$350 for any subsequent offense. Mr. Schatzle stated the Drug and Alcohol Prevention Alliance is in favor of this ordinance. Mayor Hennessy read the ordinance by title at first reading. Mr. Stuart made a motion to approve, seconded by Mr. Schatzle and unanimously carried. Mayor Hennessy set the public hearing date June 11, 2008.

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

16. **DISCUSSION: EXTERNALLY ILLUMINATED SIGNS.** Mayor Hennessy discussed the current sign ordinance, which permits either externally or internally illuminated signs. The Long Range Planning Committee believes that signs play a major role in shaping the image of Colts Neck and the appearance of Route 34. Long Range Planning recommends that all future signs be externally illuminated to promote a country or rural feel, as opposed to the typical strip highway commercial appearance found elsewhere along Route 34. Mayor Hennessy commented much of the signage within the Township is at the end of its lifespan and advocates the passage of such an ordinance. Mr. Schatzle commented with the re-numbering of Route 34 by the Postmaster, this may be the ideal time for passage of an ordinance, and suggested the ordinance include height and size of numbering. Mayor Hennessy suggested the ordinance include provisions for shrubbery to stop lighting from straying. In closing, one more discussion is planned at the next meeting prior to possible introduction
17. **ADMINISTRATIVE REPORT.** Mr. Bowden had nothing further to add to his report. Mr. Bowden advised the Fire Company is coming to the Planning Board next month and is asking to have their application fees waived. Mr. Schatzle made a motion to approve, seconded by Mr. Stuart and unanimously carried by all present.

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

Mr. Bowden advised the Monmouth County Park System is soliciting applications for the Monmouth County Open Space Grant Program, which are due no later than September 17, 2008. Mr. Bowden asked if there are any projects the Governing Body wants addressed. Mayor Hennessy advised the Program is seeking land acquisitions.

Mr. Bowden advised the Central New Jersey Mensa group is looking to serve beer and wine at their annual picnic, and have provided a certificate of insurance. Mr. Forester made a motion to approve, seconded by Mr. Stuart and unanimously carried by all present.

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					

Mr. Schatzle commented he would like to see the parks alcohol free one day in the future.

Mr. Bowden advised the Township First Aid Squad and the Police Department are scheduled to receive \$12,275 from an inheritance to be used at their discretion. Counsel Bennett urged the Auditor be consulted on the correct way to insert this donation into the budget to utilize the funds. Mr. Schatzle stated he was very touched that this benefactor came through with her promise. Chief Sauter has requested to use his donation to purchase an illuminated sign trailer. Mr. Stuart made a motion to approve, seconded by Mr. Forester and unanimously carried by all present.

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

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

Animal Control	\$304.44
Capital Fund	\$570.00
COAH	\$151.50
Construction Trust	\$10,664.21
Current Fund	\$5,072,498.07
Grant Fund	\$300.00
Trust Fund	<u>\$10,357.80</u>
TOTAL APPROVED:	\$5,094,834.02

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

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					

19. **TOWNSHIP COMMITTEE REPORTS:**

Mr. Forester reported the Friends of the Library are holding their book sale and weekend events during the first weekend in June, which is the same weekend as the Olde Towne Colts Neck event.

Mr. Forester reported he attended the Senior Citizens luncheon, at which a very well prepared representative from the NOPE group discussed the Earle issues facing the community. Mr. Forester thought this was a very informative presentation, praising it highly.

Mr. Forester stated the Student Government Day event had a fine group of individuals participating this year.

Mr. Stuart reported the Amdur farm was finally closed, noting it has been three years since the application was filed under the Farmland Preservation Program.

Mr. Stuart reported there is a COAH meeting tomorrow at the State House in Trenton at 4:00 p.m. Senator Beck and Assemblymembers Casagrande and O'Scanlon will be present. Mr. Anfuso will accompany Mr. Stuart to this meeting.

Mr. Schatzle reported the NOPE community briefing is scheduled May 28th and this group is anticipating attendance at 700 people.

Mr. Schatzle reported the Colts Neck Business Association is having the Olde Towne Colts Neck event on June 7th. The Governing Body will participate in

the parade, which begins on Merchants Way at 10 a.m., and ends at Becker's Hardware. This event is sponsored by the Business Association to promote the businesses in Town and includes many attractions at each of the four hubs within the business districts along Route 34.

Mayor Hennessy stated Mr. Dave McGuigan is retiring from assisting at the Township's annual Junior Olympics. Mayor Hennessy wants to send a letter of appreciation to Mr. McGuigan for his invaluable assistance these past 30 years.

Mayor Hennessy reported that on May 2nd he attempted to meet with Mr. Land, Principal at the High School, but was unsuccessful.

Mr. Hennessy reported he and Chief Sauter attended a Leadership and Public Ethics symposium at Monmouth University. Mr. Chris Christie was the keynote speaker at the luncheon, and Mr. Hennessy commented he is a dynamic speaker.

Mayor Hennessy reported he met with Colts Neck Sports Foundation (CNSF) representatives, field expert Tom Orgo, and Ed Thompson at Five Point Park to discuss the conditions on the ball fields. The CNSF is looking to fund the field irrigation. Mayor Hennessy stated Mr. Orgo provided the group with some great ideas. Mr. Bowden commented there is still approximately \$5,000 in the Five Point Park bond.

Mr. Hennessy reported the annual Colts Neck Bike Tour was very successful once again this year. Mayor Hennessy received a very nice letter from Doug Mitchell, the tour coordinator, expressing his appreciation for the support of the Recreation Department and the community.

Mayor Hennessy reported the Memorial Day Parade is scheduled for May 26th, and the Colts Neck Community Band will perform at Colts Neck High School on May 29th.

Mayor Hennessy reported the Environmental Commission is taking a field trip to study recycling. Mayor Hennessy is pleased with our long range plans to develop recycling processing by DPW staff.

20. COMMENTS FROM THE PUBLIC:

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

Mr. Robert Sayko, a resident, verbalized his concerns about the filling of the SRO position, and provided the Township Committee with questions for consideration. While Mr. Sayko supports the goal of the very best educational opportunity for the students, he does not see this position helps due to lack of evidence. Mr. Sayko stated the SRO is not known to be effective, and stated it seems like a feel good solution. Mr. Sayko stated the schools are not the primary place to teach morality, and suggested speaking with students on their feelings about this position.

Ms. Judy Laufer, a resident and President of Colts Neck Senior Citizens, spoke of the Friends of the Library events scheduled for the weekend starting June 4th through the 8th including the One Town, One Book event; the book sale and the 4th and 5th grade spelling bees.

Ms. Laufer reported the Senior group has 270 members. They recently visited the Pine Grove Dude Ranch, and today they went to Sights and Sounds. The next meeting will have a performance by a professor of the Brookdale Music Department.

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

21. **RESOLUTION 2008-73:** EXECUTIVE SESSION was read by Mayor Hennessy at 9:50 p.m. Mr. Forester made a motion to adjourn and go into Executive Session, seconded by Mr. Schatzle and unanimously carried by all present.

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. Schatzle, seconded by Mr. Stuart and unanimously carried by all present to adjourn closed session.

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

Motion by Mr. Schatzle, seconded by Mr. Forester and unanimously carried by all present to reconvene in public session and adjourn meeting.

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

Meeting adjourned at 11:15 p.m.

 Robert Bowden
 Township Administrator/Clerk