

**TOWNSHIP OF COLTS NECK**  
**TOWNSHIP COMMITTEE MEETING**  
**JUNE 11, 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 June 11, 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. **PRESENTATION:** NATIONAL PARKS AND RECREATION ASSOCIATION AWARD NOMINATION – COLTS NECK VIDEO - Mayor Hennessy said he thought it would also serve as a tribute to Mr. Charles Buck, Public Works Superintendent, to have him view this evening's video. Mayor Hennessy introduced Dr. Harold Nolan, Parks and Recreation Director. Dr. Nolan gave a brief history on how the video came to be. Colts Neck is one of four nominations in the nation for the National Parks and Recreation Association Award. Mr. Phil Maida turned on the 12 minute video for all to see. Everyone extended a round of applause. Mayor Hennessy publicly thanked Mr. Bruce Bennett for gathering the funds for this video project. Dr. Nolan displayed the finalist plaque for all to see. Dr. Nolan advised we won't know who the winner is until October. Mayor Hennessy introduced Mr. Frank Baker, Parks and Recreation Chairman. Mr. Baker said the credit goes to Dr. Nolan. Everyone extended a round of applause.
  
2. **PRESENTATION:** TO MR. CHARLES BUCK – FROM COLTS NECK TOWNSHIP COMMITTEE – IN HONOR OF HIS RETIREMENT – Mayor Hennessy called Mr. Buck forward. Mayor Hennessy said a lot of work and creativity on Mr. Buck's part has gone into making the Township what it is today. Mayor Hennessy read a prepared statement.<sup>1</sup> Mayor Hennessy presented a plaque and a gift to Mr. Buck on behalf of the Township Committee. Everyone extended a round of applause and photographs were taken. Senator Bennett read and presented Mr. Buck with a Senate Resolution. Senator Bennett said it is something not often done, but he has known Mr. Buck for most of his life and wishes him a happy retirement. Everyone extended a round of applause and photographs were taken. Mr. Buck said he feels honored this evening and he has seen many changes over the years. He is sad to leave. Mr. Buck thanked everyone for their well wishes.

Mayor Hennessy called for a brief recess at 8:05 p.m.

Mayor Hennessy called the meeting back to order at 8:10 p.m.

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<sup>1</sup> Mayor Hennessy's prepared statement attached.

3. **APPROVAL OF MINUTES FOR APRIL 30, 2003, MAY 14, 2003, AND MAY 28, 2003** was read by Mayor Hennessy. The minutes for May 28, 2003 were approved, and the minutes for April 30, 2003, and May 14, 2003 were tabled to the next meeting by Mrs. Burry, seconded by Mr. Forester and unanimously carried.

Roll call indicated the following:

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

Oppose: None

4. **PRESENTATION: BLOCK 44.01, LOT 9.10-89 STONE HILL ROAD, MR. ROBERT MUNOZ, ESQ.** Mayor Hennessy introduced Mr. Robert Munoz, Esq., attorney for applicant (Donatello). Mr. Munoz advised the Governing Body that the applicants property is encumbered by an easement which when fenced and monumented in accordance with the requirements of the Township, creates an unusual situation. Based upon the configuration of their property and the easement a substantial portion of their property is located inside the easement area and is unavailable for their use. The easement comes within a few feet of their dwelling. The applicants understand that relief from the DEP will be necessary in order to achieve their goals. However, a preliminary commitment from the Township Committee to remove the easement will assure us that if and in the event they achieve relief from the DEP that relief from the Township Committee will be forthcoming. Also, the DEP may be more inclined to grant the applicants relief with the Township Committee's commitment in hand. Mayor Hennessy asked how long this will take? Mr. Munoz said a few months or maybe up to six months. Senator Bennett said the Governing Body really can't tell the builder to take down the fence. Mr. Munoz said they are only asked that the Township Committee would not object if the delineation process begins. Mayor Hennessy asked if this is a single application? Mr. Munoz said yes, no one else has joined in. Mrs. Burry asked if there is an exchange of wetlands? Mr. Munoz said we won't know until the DEP gets back to us. Mr. Stuart asked if the applicant is looking to vacate entire area back to the property line? Mr. Munoz said no, probably back to the fence. Mr. Stuart said he was astonished to see how close the fence is to the home. Senator Bennett said the easement really isn't the problem, the buffer is. Mrs. Burry asked if the builder has a degree of responsibility for selling a home not revealing the location of the buffer and related easements? Mrs. Burry said she is very sympathetic to the applicants. Mr. Florek said he agrees. Mr. Forester said he is in favor of not challenging an appeal. The general consensus of the Township Committee is to proceed and not challenge the application. Senator Bennett asked Mr. Munoz to draft a letter to Mr. Bowden copying him in it.
5. **ORDINANCE 2003-9: AN ORDINANCE CREATING AN EMERGENCY SERVICES VOLUNTEER LENGTH OF SERVICE AWARDS PROGRAM (LOSAP) IN THE TOWNSHIP OF COLTS NECK, PURSUANT TO P.L. 1997, C.388 (N.J.S.A. 40A:14-183 ET SEQ.)** was read by Mayor Hennessy. Mr. Florek requested this Ordinance be tabled until the next Township Committee meeting of June 25, 2003. Mr. Bowden explained the latest date this Ordinance can be introduced is July 9<sup>th</sup>.
6. **ORDINANCE 2003-10: AN ORDINANCE TO AMEND CHAPTER 70 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF COLTS NECK ENTITLED ALARMS** was read by Mayor Hennessy by title on first reading. Mayor Hennessy said this Ordinance reflects a presentation made by Police Chief Sauter. Mr. Bowden explained the first two offenses will be given a written warning, the third offense will be a \$100.00 fine, and the fourth and subsequent false alarm(s) there will be a \$200.00 fine. Mr. Forester said he strongly is in favor of this Ordinance. With no further comments Mayor Hennessy set the public hearing for July 9,

2003. Mr. Forester made a motion to introduce this Ordinance, 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

7. **RESOLUTION 2003-100**: AUTHORIZING AWARD OF BID FOR FOUR WHEEL DIRVE VEHICLE FOR POLICE DEPARTMENT was read by Mayor Hennessy. Mr. Bowden explained this is a replacement vehicle for the Police Department. Kelle Chevrolet was the low bidder at \$34,888.00 plus \$1,230.00 for a warranty. With no further comments, Mrs. Burry made a motion to approve this Resolution, 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

8. **RESOLUTION 2003-101**: AUTHORIZING AWARD OF BID – POWER SYSTEM GENERATOR FOR POLICE DEPARTMENT was read by Mayor Hennessy. Mr. Bowden advised that Caro Electric was the low bidder at \$27,480.00. With no further comments, Mr. Florek made a 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

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

Resolution 2003-102: Authorizing Tax Overpayment – 2003

With no further comments, Mr. Florek made a motion to approve the aforementioned consent 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

10. **ADMINISTRATIVE REPORT** - Mr. Bowden reported that every three years a company can come in and audit the bills to seek where savings may be had. Any savings discovered, the auditing company will receive 33% of the savings for the first year only. Strategic Reengineering Inc. has put a proposal together to offer this service. There is no cost to the Township unless a means of savings is detected. Mayor Hennessy asked if it was made clear that this auditor may come up empty handed? Mr. Bowden say yes. Mrs. Burry said that she had a similar audit done and no savings where found. Mr. Bowden advised the Finance Officer, John Antonides, will be making a presentation on a new phone system at one of

the next meetings. The Township Committee decided to wait for the new phone system before committing to an audit.

Mr. Bowden also reported that Police Chief Sauter notified him that there is a Federal grant for about \$125,000.00 to hire a new police officer. This police officer would be required to dedicate 75% of their duties for three years to school patrol. Mr. Bowden suggested that maybe the regional Board of Education would consider chipping in some of the cost. After brief discussion, Mr. Forester made a motion to proceed in applying for said Federal grant, 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. **MOTION TO APPROVE VOUCHERS** was made by Mr. Stuart for all vouchers totaling \$26,872.45, 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

12. **TOWNSHIP COMMITTEE REPORTS:**

Mr. Forester reported that the Senior Citizen Club is revising its bi-laws.

Mr. Forester also reported he attended the Earle Naval Weapons Station Celebration of the 61<sup>st</sup> Anniversary of the Battle of Midway. It was a good time.

Mr. Forester continued to report that the Shade Tree Commission will be presenting a proposed tree protection Ordinance. They are also working on setting up memorials with trees.

Mrs. Burry congratulated Aime Sweeney for receiving her Municipal Clerk Certification and excelling as well as she did.

Mrs. Burry reported that Polo was a washout again. Hope for better weather next time.

Mrs. Burry further reported that she attended Becker Hardware's 100<sup>th</sup> Anniversary Celebration. There were many presentations. It was a good time.

Mrs. Burry said she too attended the Earle Naval Weapons Station Celebration of the 61<sup>st</sup> Anniversary of the Battle of Midway. Captain Skully is a most impressive commander.

Mrs. Burry continued to report that the State has officially announced that Colts Neck will be the recipient of a \$8.7 million grant for the purchase of development rights for farmland in town. This is commonly known as the Planning Incentive Grant (PIG). The Farmland Preservation Committee is in need of more landowners to participate.

Mrs. Burry also reported the Historic Preservation Committee is working on "20<sup>th</sup> Century Colts Neck – People and Places".

Mrs. Burry concluded her report by saying that both she and Mr. Stuart have been busy working on the Phalanx Road traffic report with the County.

Mr. Stuart reported that a new flashing light will be installed on the corner of Muhlenbrink and Phalanx Roads. The County will also be trimming down trees. The site triangle will be enlarged and the flashing light will be seen from a distance. The County feels the flashing light will be more adequate. The County also recommends that a full traffic light be installed at Laird and Phalanx Roads. Mr. Stuart said in the past he may have thought the Township was not at the point of needing traffic lights at these intersections, however, I've changed my mind and a full traffic light will be installed. Everyone extended a round of applause.

Mr. Florek reported there were over 130 participants who participated in having their finger prints done for the Sports Foundation. Mr. Florek said the police are to be commended for their good job.

Mr. Florek continued to report the First Aid has sworn in a new member, Mr. Carpel. Mr. Florek advised the Governor signed into law a Volunteer Emergency – Worker's Survivors Pension (VESP). This is a survivors pension, paid by the State, for certain volunteer emergency workers who are killed in the performance of their volunteer duties.

Mr. Florek advised the insurance company has acknowledged coverage for the new Fire Department tanker truck.

Mr. Florek further reported that he met with the Trail Riders. They are aware that by amending the Planning Incentive Grant (PIG) they can have a means to try to continue linking the trail system throughout town.

Mr. Florek concluded his report by advising the Colts Neck Library has a new Librarian, Virginia Lyons. The former Librarian, Beth Miller has been relocated to Howell Township. The Friends of the Library are considering a spelling B for sometime in the Fall or Winter. Mr. Florek said the Children's Garden is doing wonderful and there are many great projects for the children.

Mayor Hennessy reported as the Memorial Day Parade was cancelled this year due to inclement weather, suggested having a "Heritage" parade on a Sunday in October. Mayor Hennessy suggested altering the parade route by starting at Cedar Drive School, parade down Heyers Mill Road and end at the Municipal Complex. All Boards, Commissions, and Committees are encouraged to participate.

Mayor Hennessy further reported that Lenore Lesta was sworn in as Fire Police.

Mayor Hennessy said the new Environmental Commission Chairwoman, Mary Massey, is reaching out for all to join.

Mayor Hennessy reported that he forwarded a trail rider map over to Dr. Nolan this evening.

Mayor Hennessy also reported there is discussion on refurbishing the potting shed at Bucks Mill Park by a group of volunteers.

Mayor Hennessy concluded his report advising that at last evenings Planning Board meeting, the Planning Board approved Spatial Design's application for access from Wide Horizons.

Mayor Hennessy said he appreciates residents concerns regarding safety measures on Phalanx Road.

### 13. COMMENTS FROM THE PUBLIC:

Ms. Ellen Shakespeare, North Pointe Drive, said it was heartbreaking to hear about another accident on Muhlenbrink and Phalanx Roads and is very happy to hear a traffic light will be put up now.

Ms. Margery Wold, said she too is very pleased to hear of the traffic light installation at such a dangerous intersection.

Mr. Paul Gassert, said he is a resident for 25 years and lives near the intersection of Muhlenbrink and Phalanx Roads. Mr. Gassert said as his heart goes out to those who have lost their lives, there has never been visible sight triangles or proper signage at this intersection. No one abides by the speed limitations. There never is enforcement. The road has never been graded properly. Mr. Gassert said he feels rushing to install traffic lights at this time is not necessary, but more a need for police enforcement.

Mr. Stuart said the bottom line is that the County can't guarantee safety. There is nothing like enforcement. Mr. Stuart said perhaps someday Colts Neck will have a traffic division. The long range plan is to straighten out the curve.

Mr. Lupia suggested placement of stop signs on all four corners. Mr. Stuart said studies show they don't work.

Mr. John Walsh commended the Township Committee for moving ahead and taking safety precautions on Phalanx Road. Mr. Walsh said he feels there should be other roads that should be looked at. Mr. Stuart said again, safety begins with the drivers.

Mr. Phil Shappel said he feels the speed limit should be lowered. The grading is very poor. There is a wider stretch on Muhlenbrink which promotes drag racing.

Ms. Jill Valentino, Spruce Lane, said that she too is concerned with the poor grading on Phalanx Road.

Mr. Greg Villani, Rivers Edge, said there are a number of fender benders leaving St. Mary's Church after CCD. A lot of traffic is generated because of it. Making left turns out of Rivers Edge is also very dangerous.

Mr. Jerry Ceres said he commends the Township Committee on their decision to install a traffic light, however, there is one observation. The nature of the demographics in Western Monmouth County have changed. A light may protect some, however, drivers will find other outlets. We need to contact the State and advise them what is going on in Colts Neck roadways and County roadways.

Mr. Gassert suggested installing deer signs to disway speeding. Mayor Hennessy said it is a good point. Phalanx Road has the most active deer hit record.

Mr. Arthur Alfaro said he commends the Township Committee for keeping the local tax rate down. Mr. Alfaro also thanked Mr. Bowden for writing a letter to the D.O.T.

Mr. Steve McGuire asked if there is a committee which studies roads?

Mr. Vince Domidion said the wider part on Muhlenbrink gives the impression to the drive that it's ok to drive faster. Mr. Domidion suggested to narrow the road and make it uniform.

Mrs. Laura Kolnowski suggested instead of maintaining the local municipal tax rate to increase it by hiring of more police officers.

Mrs. Judy Laufer asked how many officers there are out on the roads at one time.  
Mr. Bowden said it varies.

Ms. Eileen Spina suggested placing speed bumps on Heyers Mill Road.

Mrs. Burry said she is surprised no one has mentioned banning cell phones.

Senator Bennett said he sponsored a Senate Bill banning hand held cell phone usage State wide. He hopes it will pass.

Mr. Domidion said he has noticed the appearance of the Colts Neck Shopping Center has improved. Kudos to Sal Milazzo, Code Enforcement Officer.

Mrs. Virginia Amend said she is pleased to see citizens out at a Township Committee meeting to voice their concerns. Mrs. Amend said we have never had a police open house and would like to see the town do one someday. Mayor Hennessy said it is a good idea.

14. **ADJOURNMENT:** With no further comments, Mrs. Burry made a motion to adjourn at 10:05 p.m., 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

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Robert Bowden,  
Township Administrator

RB/as