

TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
JUNE 25, 2003

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 25, 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

1. **ANNOUNCEMENT**: Mayor Hennessy announced the Township Committee meeting Summer schedule will be July 9th and August 13th only.
2. **RESOLUTION 2003-104**: CONFIRMING APPOINTMENTS TO LOCAL EMERGENCY PLANNING COMMITTEE was read by Mayor Hennessy. Mayor Hennessy announced the members who will be serving on this Committee. Mrs. Burry said she is hoping to draft Mr. David Engebretson onto the Historic Preservation Committee. Mayor Hennessy said it is a privilege to serve as liaison to this Committee. With no further comments, Mrs. Burry made a motion to approve this Resolution, 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

Senator Bennett swore in those members present, with Fire Chief Thomas Savage present. Everyone extended a round of applause and photographs were taken.

3. **RESOLUTION 2003-105**: CONFIRMING APPOINTMENT OF PUBLIC WORKS ROAD SUPERINTENDENT – MR. EDWARD THOMPSON: was read by Mayor Hennessy. Mayor Hennessy gave some background on Mr. Thompson's history with Colts Neck. Mrs. Burry said in 1998 she and former Mayor Southcott were both present at the annual State League of Municipalities Convention in which Mr. Thompson received his certificate for Public Works Manager. Mr. Stuart said Eddie is a great asset to the Township and has done a great job. Eddie thanked the Governing Body and said he has a large set of shoes to fill, but as he has worked with Mr. Buck for many years, he has learned a lot from him. 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

Everyone extended a round of applause and photographs were taken.

Mayor Hennessy called for a brief recess at 7:45 p.m.

Mayor Hennessy called the meeting back to order at 7:50 p.m.

4. **RESOLUTION 2003-16**: CONFIRMING APPOINTMENT OF DEPUTY COURT ADMINISTRATOR was read by Mayor Hennessy. Mayor Hennessy gave some background on Colleen Schulster's history with Colts Neck. With no comments made, Mrs. Burry made a motion to approve this Resolution, 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

5. **PRESENTATION**: 2002 MUNICIPAL AUDIT – Mayor Hennessy introduced John Antonides, Finance Officer. Mr. Antonides reported the Township is fiscally sound. The tax collection rate for 2002 was 98.49%. There were two audit comments to address in the 2002 Municipal Audit; a dog license was not deposited within the mandated 48 hours and the Recreation Department did not deposit some funds within the mandated 48 hours. Mr. Antonides said regarding the dog license he feels with current changes in his office this won't happen again. Mr. Antonides said Dr. Harold Nolan, Recreation Director, has not addressed the required response, he can not answer for the Recreation Department. Mayor Hennessy said he will address this at the next Recreation meeting. Mr. Bowden said it is a requirement that the Finance Officer submit a Corrective Action Plan.

6. **RESOLUTION 2003-107**: ACCEPTING 2002 AUDIT was read by Mayor Hennessy. With no comments made, Mr. Forester 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

The Governing Body signed the group affidavit.

7. **APPROVAL OF MINUTES FOR APRIL 30, 2003, MAY 14, 2003, AND JUNE 11, 2003** was read by Mayor Hennessy. Mrs. Burry made a motion to approve the Minutes of April 30, 2003, May 14, 2003, and to table the Minutes of June 11, 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

8. **RESOLUTION 2003-108**: CONFIRMING APPROVAL OF 2003/2004 LIQUOR LICENSES was read by Mayor Hennessy. Mr. Bowden explained there is a liquor license transfer pending from Ray's Seafood Restaurant to I'Cavallini which is not before you this evening. 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. **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 by title on first reading. Mr. Florek said that issues are still pending with volunteer emergency personnel. Mr. Florek said the Township Committee has pursued this program with the best intention for emergency volunteers. Some volunteers have expressed unselfish views that they are volunteers and wish no compensation. Mr. Florek requested to put this item off until the next meeting. Mr. Forester said that he too has heard volunteer concerns regarding this and would like to hear further views of the volunteers. With no further comments the Township Committee unanimously agreed to table this Ordinance until the next Township Committee meeting.

10. **RESOLUTION 2003-109**: AUTHORIZING AWARD OF BID – IMPROVEMENTS TO CEDAR DRIVE was read by Mayor Hennessy. Mr. Bowden explained the funding is in place in the current budget. Lucas Brothers was the lowest responsible bidder at the contracted amount of \$419,998.00. The Township Engineer recommends proceeding. With no further comments, Mrs. Burry made a motion to approve this Resolution, 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

11. **RESOLUTION 2003-110**: AUTHORIZING AWARD OF BID – 2003 MASON DUMPTRUCK was read by Mayor Hennessy. Mr. Bowden explained the funding is in place in the current budget. Motors Fleet/Plaza Ford was the lowest responsible bidder in the amount of \$37,632.00, which was lower than anticipated. With no further comments, Mr. Stuart 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

12. **RESOLUTION 2003-111**: AUTHORIZING AWARD OF BID – 2003 BRUSH CHIPPER was read by Mayor Hennessy. Mr. Bowden explained the funding is in place in the current budget. Seeley Equipment was the lowest responsible bidder in the amount of \$25,843.00. The bid was \$843.00 over the estimated amount, however, the difference was found in our operating accounts. With no further comments, Mr. Stuart 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

13. **RESOLUTION 2003-112**: AUTHORIZING AWARD OF BID – MOWING UNIT FOR ROADSIDE MOWER was read by Mayor Hennessy. Mr. Bowden explained funding is in place in the current budget. Storr Tractor was the lowest responsible bidder in the amount of \$23,115.00. 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

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

RESOLUTION 2003-113: AUTHORIZING REFUND OF INSPECTION FEES – ZB APPLICATION NO. 595 (SHOEMAKER)

RESOLUTION 2003-114: AUTHORIZING REFUND OF INSPECTION FEES – ZB APPLICATION NO. 598 (MAHER)

RESOLUTION 2003-115: APPROVING TAX OVERPAYMENT – 2003

RESOLUTION 2003-116: APPROVING SPECIAL ITEM OF REVENUE FOR DRUNK DRIVING ENFORCEMENT FUND GRANT

RESOLUTION 2003-117: APPROVING SPECIAL ITEM OF REVENUE FOR DOMESTIC VIOLENCE AGAINST WOMEN GRANT

RESOLUTION 2003-118: APPROVING RAFFLE APPLICATION 2003-13 CEREBRAL PALSY OF MONMOUTH & OCEAN COUNTIES

With no comments made, Mrs. Burry made a motion to approve the aforementioned Resolutions, 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

15. **DISCUSSION**: LOT SIZE AVERAGING PROVISIONS IN AG ZONE – After brief discussion, Mrs. Burry made a motion to introduce the Lot Size Averaging Ordinance at the next Township Committee meeting, 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

16. **DISCUSSION**: NOTICE OF TORT CLAIM FORMS- Mr. Bowden explained that Colts Neck is a member of the Mid-Jersey Joint Insurance Fund, which consists of 12 member municipalities. All member municipalities have been asked to adopt a Resolution confirming the use of standard Notice of Tort Claim forms. After brief discussion, the Township Committee's consensus was to proceed. Mr. Bowden said a Resolution will be on the next agenda.

17. **ADMINISTRATIVE REPORT** - Mr. Bowden said he has no report this evening.

18. **MOTION TO APPROVE VOUCHERS** was made by Mr. Forester for all vouchers totaling \$1,900,938.68, 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

19. **TOWNSHIP COMMITTEE REPORTS**

Mr. Forester reported the Senior Citizen Club held a prom at the Colts Neck High School and everyone in attendance had a very good time. Today the seniors went on a trip to Ellis Island. The Senior Citizen Club continues to grow and is an asset to the Town.

Mrs. Burry said in an upcoming Township Committee meeting she would like to present, on behalf of the Township Committee and the Farmland Preservation Committee, plaques to recognize the participants in the farmland preservation program.

Mrs. Burry said that she and Tim Anfusio, Township Planner, have been discussing square footage of structure size on farms.

Mrs. Burry further reported that she attended the High School graduation. The valedictorian is Adam Clark, a Colts Neck resident. Mrs. Burry said in Adam Clark's speech he quoted his grandfather, "keep your eye on the circle, not on the hole".

Mr. Stuart reported that he has been making progress with the Glenn Gerken regarding New Street. Mr. Stuart said he will be meeting with the Police Chief regarding ideas on traffic enforcement.

Mr. Stuart said he received a letter from the State regarding grant funding which may help with traffic enforcement.

Mr. Stuart further reported that at the last Township Committee meeting a large crowd was present regarding traffic issues on Phalanx Road. Mr. Stuart said speed limits and passing lanes will be looked into. Mr. Bowden said that Tim Anfuso suggested antique traffic lights. Mr. Stuart said he will look into this.

Mr. Stuart continued to report the Assembly passed A540 which appears to be a good thing. There are several pros and cons and it is hopeful it reaches the Senate soon. Senator Bennett said it won't be taken up until after election in November.

Mr. Florek reported he has been busy working on the LOSAP Ordinance and negotiations. The Fire Department is moving ahead with bidding the 7100 gallon elliptical tanker. Mr. Bowden advised the bid opening will be July 18th.

Mayor Hennessy reported that he attended the Beacon Hill Equestrian Event. It was a wonderful thing for Colts Neck. It was very festive with Olympic jumpers.

Mayor Hennessy concluded by saying he attended the Colts Neck Domestic Response Team graduation. The team will be called upon by the Police Department to interview the victims of domestic violence.

20. **COMMENTS FROM THE PUBLIC**

Mr. Vincent Domidion advised that there can be a benefit by fluctuating speed limits on a roadway. They tend to act as a warning to motorists.

Mr. Domidion suggested to raise the minimum lot size, in the A.G. lot size averaging, to three acres.

Mr. Domidion asked the status of the Mercer Road Grant? Mr. Bowden said he will ask for \$160,000.00.

Mr. Domidion asked if today was the deadline for the Freehold Regional Certification? Mr. Bowden said he will be calling tomorrow as they never approached us.

21. **RESOLUTION 2003-119**: EXECUTIVE SESSION was read by Mayor Hennessy. With no further comments made, Mrs. Burry made a motion to adjourn and go into executive session at 8:40 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

Motion by Mr. Florek, seconded by Mr. Forester to reconvene in public session at 9: 40 p.m., and unanimously carried.

Roll call indicated the following:

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

Oppose: None

PB APPLICATION NO. 486 – GREENHILL ESTATES (MARTELLI)

Mr. Florek moved a Resolution authorizing reductions in the Letter of Credit and Cash Performance Bonds for PB Application No. 486 – Greenhill Estates (Martelli)

Mr. Bennett explained the Resolution would reduce proportional amounts of the existing Letter of Credit and Cash to the amount needed to finish the subdivision itemized in an engineer’s estimate dated June 4, 2003 in the amount of \$505,900.00.

With no second to the Resolution, the Resolution was not adopted.

Motion was made by Mr. Stuart, seconded by Mrs. Burry to adjourn Closed Session, with a unanimous voice vote.

Motion was made by Mr. Stuart, seconded by Mrs. Burry to reconvene in public session and adjourn public meeting, with a unanimous voice vote.

Executive Session was adjourned at 9:45 p.m.

Robert Bowden, Township Administrator/Clerk

RB/as