

**TOWNSHIP OF COLTS NECK  
TOWNSHIP COMMITTEE MEETING  
JUNE 27, 2007  
7:30 P.M. AT TOWN HALL**

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The meeting of the Colts Neck Township Committee was called to order at 7:30 p.m. by Mayor Stuart 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, 2006 stating that the meeting of the Colts Neck Township Committee would be held on June 27, 2007 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 Hennessy, Committeemembers Forester, Florek and Schatzle

Also Present: Robert Bowden; Keri Encarnation, Esq., and Beth Kara

Absent: Mayor Stuart

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With Mayor Stuart absent this evening, Deputy Mayor Hennessy assumed the position of Acting Mayor.

1. **ANNOUNCEMENT:** TOWNSHIP COMMITTEE MEETING SUMMER SCHEDULE – MEETINGS ON JULY 11<sup>TH</sup> AND AUGUST 8<sup>TH</sup> ONLY. RESUME TWO MEETINGS PER MONTH IN SEPTEMBER. Acting Mayor Hennessy announced the summer schedule for the Township Committee of one meeting per month for July and August.
  
2. **RESOLUTION 2007-101:** OPPOSING SENATE BILL NO. 2828 was read by title by Acting Mayor Hennessy. Acting Mayor Hennessy stated this resolution is in response to the legislation introduced by Senator Karcher, which would reverse the 1988 non-revocable and non-alterable legislation with Tinton Falls to educate all children housed at Earle, effective July 1, 2007. The proposed legislation ignores pending issues concerning Earle Naval Base, whereby 300 housing units may be privatized by 2010. Acting Mayor Hennessy reported he recently attended the Colts Neck High School graduation, after which James Wasser expressed his concern about the overcrowding this change would cause by 2012 within the Freehold Regional School District. Mr. Schatzle stated he is extremely displeased with this entire issue and feels Colts Neck has been sold out. Mr. Schatzle stated there should be no privatization of Earle housing in 2010 in light of the recent security breach at Fort Dix, and Colts Neck will be fighting this issue from a security standpoint. With no further comments, Mr. Schatzle made a motion to approve, seconded by Mr. Forester and carried by all present.

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

3. **PRESENTATION:** 2006 AUDIT: Acting Mayor Hennessy turned the meeting over to Mr. John Antonides, Chief Financial Officer. Mr. Antonides stated there were three audit findings for 2006, as follows: 1) The Recreation Department is not including supporting documentation within several of their voucher packages; 2) The Recreation Department has a department store credit card; and 3) During our audit of the Township's Payroll, we noted that the Court Administrator is approving her own overtime. Mr. Antonides stated the three findings have been corrected.

Mr. Antonides reported the Township has a 99% tax collection rate, and he praised his staff for their effective collection methods and for doing a great job. Discussion ensued regarding the recent tax sale, which resulted in record numbers of premium bids received for the 14 properties. Mr. Antonides advised the 2007 taxes on the 14 properties are now current.

With no further comments from the Governing Body, Acting Mayor Hennessy opened the meeting to public comment.

Mr. Chuck Cammarata, a resident, asked Mr. Antonides if the tax sale was well attended. Mr. Antonides responded it was with approximately 20-25 individuals present. Mr. Cammarata then questioned the Cash and Investments decrease for 2006. Mr. Antonides advised a large portion of that decrease was the COAH payment to Long Branch (\$1.2 million).

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

4. **RESOLUTION 2007-102:** CERTIFICATION OF THE ANNUAL AUDIT was read by title by Acting Mayor Hennessy. With no comments from the Committee, Mr. Forester made a motion to approve, seconded by Mr. Florek and unanimously carried by all present.

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

5. **RESOLUTION 2007-103:** APPROVING PURCHASING POLICY AND PROCEDURES MANUAL was read by title by Acting Mayor Hennessy. Acting Mayor Hennessy read the chapter titles of the manual and turned the discussion over to Mr. Antonides. Mr. Antonides stated he has been working on this manual since his appointment as Qualified Purchasing Agent last year. Last week Mr. Antonides met with Department Heads to familiarize them with the requirements of this manual, which follows State statutes and puts current practices into print. Mr. Florek commented the manual looks good. Acting Mayor Hennessy opened the meeting to public comment.

Mr. Cammarata asked if the Township was purchasing its gasoline from the County. Mr. Antonides responded stating the Township is in a comparably priced cooperative agreement with the Board of Education, which shares the tanks at the DPW site with the Township. Mr. Cammarata then asked about the plan to install a larger holding tank. Mr. Forester responded advising there is no room for a larger above-ground storage tank, and below ground tanks are very expensive to install. Hearing no further comments from the public, Acting Mayor Hennessy closed the meeting to public comment.

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

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

6. **ORDINANCE 2007-11:** ORDINANCE AUTHORIZING THE GUARANTY BY THE TOWNSHIP OF COLTS NECK, NEW JERSEY OF PAYMENT OF PRINCIPAL AND INTEREST ON THE CAPITAL EQUIPMENT LEASE REVENUE BONDS, SERIES 2007 (COLTS NECK PROJECT), OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY was read by title at first reading by Acting Mayor Hennessy. Mr. Antonides reported this financing would be used to purchase a roll off truck previously approved for DPW. The purchase would require three payments over the next three years with rates of 3.68%, 3.75% and 3.82%. Mr. Antonides stated the Township would await the Improvement Authority action anticipated for August. Mr. Florek made a motion to approve, seconded by Mr. Forester and unanimously carried by all present. Acting Mayor Hennessy set the public hearing August 8, 2007.

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

Mr. Antonides excused himself from the meeting at 7:50 p.m.

7. **ORDINANCE 2007-12:** AN ORDINANCE AUTHORIZING THE TOWNSHIP OF COLTS NECK TO CONVEY AN EASEMENT FOR UTILITY PURPOSES UPON, UNDER AND THROUGH A PORTION OF BLOCK 16, LOT 11 (124 CEDAR DRIVE) ON THE COLTS NECK TOWNSHIP TAX MAP was read by title by Acting Mayor Hennessy. T-Mobile provided the request for a right-of-way agreement that JCP&L is requiring prior to their providing electricity to the wireless communications tower to be constructed at the municipal complex. Construction of the tower is expected to start in early fall. Mr. Florek made a motion to approve, seconded by Mr. Forester and unanimously carried by all present. Acting Mayor Hennessy set the public hearing August 8, 2007.

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

8. **RESOLUTION 2007-104:** AUTHORIZING RENEWAL OF 2007/2008 LIQUOR LICENSES was read by title by Acting Mayor Hennessy. Mr. Florek 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 Stuart					X
Acting Mayor Hennessy		X			
Forester		X			
Florek	M	X			
Schatzle	S	X			
X - indicates vote NV - Not Voting Ab – Absent M - Moved S - Seconded					

9. **RESOLUTION 2007-105:** AUTHORIZING AWARD OF BID FOR 2007 ROAD IMPROVEMENT PROGRAM was read by title by Acting Mayor Hennessy. This resolution awards a bid of \$150,870.00 for the 2007 Road Improvement Program to A. Montone Construction, Inc., Holmdel, New Jersey. Mr. Schatzle 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 Stuart					X
Acting Mayor Hennessy		X			
Forester	S	X			
Florek		X			
Schatzle	M	X			
X - indicates vote NV - Not Voting Ab – Absent M - Moved S - Seconded					

10. **RESOLUTION 2007-106:** ESTABLISHING A POLICY FOR THE USE OF THE COLTS NECK COMMUNITY CENTER IN THE TOWNSHIP OF COLTS NECK was read by title by Acting Mayor Hennessy. Acting Mayor Hennessy read the Township policy for the use of the Community Center, stated as follows: 1) The Community Center shall only be utilized for meetings or events directly sponsored or organized by the Township, and for activities or programs conducted by non-profit organizations and groups.; 2) All organizations and groups shall be responsible for set-up and clean-up of the Community Center and for the costs of repair and/or damage thereto ***and providing insurance, as requested by the Township.***; 3) The Township Committee may revoke permission granted to any group or organization for failing to follow any applicable laws, ordinances, rules and regulations. Mr. Florek suggested and the Governing Body agreed the original resolution be amended to include the bolded, italicized addition to Section 2 above. With no further comments, Mr. Florek made a motion to approve, as amended, seconded by Mr. Forester and unanimously carried by all present.

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

11. **MOTION TO ADOPT A CONSENT AGENDA:**
12. **\*RESOLUTION 2007-107:** AUTHORIZING FIREWORKS DISPLAYS FOR JULY 4<sup>TH</sup> (***JULY 5<sup>TH</sup> RAINDATE***) CELEBRATION AND COLTS NECK FAIR (AUGUST 16-19, 2007).
13. **\*RESOLUTION 2007-108:** ESTABLISHING A TAX FILE SHARING PROGRAM WITH DATA TRACE INFORMATION SERVICES.

14. **\*RESOLUTION 2007-109:** GRANTING RELIEF FOR THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY FOR A CERTAIN RESIDENCE LOCATED AT BLOCK 51, LOT 2.01 ON THE COLTS NECK TOWNSHIP TAX MAP (264 ROUTE 537 EAST).
15. **\*RESOLUTION 2007-110:** AUTHORIZING RECREATION PROGRAM REFUNDS.
16. **\*RESOLUTION 2007-111:** APPROVING RAFFLE APPLICATION NO RA 07-10, 50/50 ON-PREMISES RAFFLE, SPECIAL PEOPLE UNITED TO RIDE (SPUR).

Mr. Florek suggested and the Governing Body agreed to amend Resolution 2007-107 to include the rain date of July 5<sup>th</sup> (bolded, italicized above). With no further comment from the Committee, Mr. Florek made a motion to approve, as amended, seconded by Mr. Forester and unanimously carried by all present.

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

17. **ADMINISTRATIVE REPORT:** Mr. Bowden had nothing further to add to his report.
18. **MOTION TO APPROVE VOUCHERS.** Mr. Forester reported he reviewed and signed the vouchers, noting all were in order, which are as follows:

Capital Fund	\$500.50
Construction Trust	\$9,518.07
Current Fund	\$2,589,556.28
Escrow	\$23,047.04
Farmland Preservation Trust	992.00
Grant Fund	\$96.78
Trust Fund	<u>\$7,077.57</u>
<b>TOTAL APPROVED:</b>	<b>\$2,630,788.24</b>

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

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

19. **TOWNSHIP COMMITTEE REPORTS:**

Acting Mayor Hennessy reported the annual Fishing Derby will be held July 14<sup>th</sup> at the Town Hall lake.

Acting Mayor Hennessy reported the July 4<sup>th</sup> celebration will be held at Bucks Mill Park. At 7:00 p.m., the Swing Band will perform; at 8:00 p.m., the Community Band will perform; and at 9:00 p.m., the fireworks begin.

Acting Mayor Hennessy reported there are now 37 purple martin babies at Bucks Mill. The babies will be flying soon. At Town Hall, there are three nests with eggs, which show a lot of potential.

Mr. Forester reported he attended the horse show during the weekend. He spoke with the owner of the farm, who asked the event receive more publicity from the Township in the future. Mr. Forester commented this was a very nice way to spend an afternoon.

Mr. Florek reported the Request for Proposal (RFP) for the Township revaluation would be issued by the end of this week. Proposals are due in the Clerk's Office at Town Hall by 2:00 p.m. July 25<sup>th</sup>. The Township Committee will interview the two lowest bidders and select the firm by the end of August.

Mr. Florek reported with the legislation recently introduced by Assemblyman Panter and Senator Karcher regarding Earle, he is researching the legal avenues available to stop the implementation of this legislation.

Mr. Schatzle reported the Board of Health continues to explore shared services as a means to fill the December 2007 vacancy of the Health Officer position in September/October 2007.

Mr. Schatzle reported Polo has had a very successful first half of the season, with excellent fund raising for those participating organizations.

**20. COMMENTS FROM THE PUBLIC:**

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

Mr. Chuck Cammarata, a resident, expressed his surprise at the speed with which the Earle legislation was passed. He is disappointed at its expedited passage, which makes it ready for implementation this school year. Mr. Cammarata then asked about the housing issue at Earle. Mr. Bowden explained, in broad terms, the agreement the owner of the housing has with the Navy, which provides \$3.5 million in rent whether or not the housing is occupied. At present, eight units are occupied.

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

21. **RESOLUTION 2007-112:** EXECUTIVE SESSION was read by Acting Mayor Hennessy at 8:20 p.m. Mr. Forester made a motion to adjourn and go into Executive Session, seconded by Mr. Florek and unanimously carried by all present.

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

Motion by Mr. Schatzle, seconded by Mr. Hennessy and unanimously carried to adjourn Executive Session.

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

Motion by Mr. Schatzle, seconded by Mr. Florek and unanimously carried to adjourn meeting.

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

Meeting adjourned at 8:55 p.m.

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Robert Bowden  
Township Administrator/Clerk

RB:bk