

**TOWNSHIP OF COLTS NECK  
TOWNSHIP COMMITTEE MEETING  
JUNE 30, 2004**

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The meeting of the Colts Neck Township Committee was called to order at 7:30 p.m. by Mayor Burry, 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 has been satisfied by forwarding a "News Release" to the Asbury Park Press on December 17, 2003 stating that a meeting of the Colts Neck Township Committee would be held on June 30, 2004 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 Forester, Committeemembers, Florek, Hennessy, Stuart, and Mayor Burry

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

Absent: None

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1. **ANNOUNCEMENT**: Mayor Burry announced the summer Township Committee meeting schedule; July 14, 2004 and August 11, 2004.
2. **APPROVAL OF MINUTES OF MAY 26, 2004 AND JUNE 9, 2004** was read by Mayor Burry. Mr. Stuart made a motion to approve the minutes of May 26, 2004, seconded by Mr. Hennessy and abstained by Mr. Forester. Mr. Florek made a motion to approve the minutes of June 9, 2004, seconded by Mr. Stuart and abstained by Mr. Hennessy.

5/26/04 MINUTES:

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
RECORD OF VOTE	MAYOR BURRY	DEPUTY MAYOR FORESTER	FLOREK	HENNESSY	STUART
<i>Motion To Approve</i>					X
<i>Motion Seconded</i>				X	
<i>Approve</i>	X		X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>		X			
<i>Absent/Excused</i>					

6/9/04 MINUTES:

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
RECORD OF VOTE	MAYOR BURRY	DEPUTY MAYOR FORESTER	FLOREK	HENNESSY	STUART
<i>Motion To Approve</i>			X		
<i>Motion Seconded</i>					X
<i>Approve</i>	X	X	X		X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>				X	
<i>Absent/Excused</i>					

3. **ORDINANCE 2004-16**: AN ORDINANCE AMENDING SECTION 102-85, ENTITLED “A-4 MIXED HOUSING DISTRICT”, OF CHAPTER 102, “DEVELOPMENT REGULATIONS”, OF THE TOWNSHIP CODE OF THE TOWNSHIP OF COLTS NECK was read by Mayor Burry by title on second reading. Mr. Stuart gave a brief history of how this Ordinance came to pass. Mr. Bennett said it was the Grande Association who requested this as their own bylaws prohibit the parking of any commercial vehicles overnight. Mayor Burry opened the public hearing.

Mr. Domidion said he feels this Ordinance is an appropriate step to take at this time as it is important to keep parking regulations consistent with the rest of the community. Mr. Stan Wersé, Esq. of Keansburg, NJ, formerly a resident of the Grande, said the way the Ordinance currently reads will prohibit anyone with a commercial plate. Residents were assigned two parking spaces, and those in affordable housing units have no garages. People who live in the Grande tend to be blue collar workers. They have to have their work vehicles with them. This Ordinance is contrary to affordable housing. Mr. Wersé suggested to prohibit a weight for vehicles and/or prohibit permanent signage or assign parking. Mr. Wersé said the bottom line is that he feels there are better solutions to this problem. Mr. St. Germaine said he grew up in Colts Neck and is asking if he can work together with the Township on this problem. Mr. St. Germaine showed magnetic signs which can be removed from his vehicle every evening. Mayor Burry thanked the public for their comments and said she has heard some valid reasons expressed by both sides this evening.

Mayor Burry said similar problems like this occurs in the Clover Hill area with a plumbing worker. Mayor Burry suggested that the Grande Association work with Mr. St. Germaine and perhaps assign him a parking spot for his vehicle. The Township Committee can't enforce this. Mr. Peter Berkely, Residential Properties Management Association said the condo association has a democratic environment and process. The Grande Association Committee would have to have a democratic vote. Currently the Association's rules prohibit commercial parking. Mr. Berkely said he feels the Zoning should be consistent throughout the entire Township. To change this bylaw within the Grande, it would have to get a vote within the Grande Association.

Mr. Jim Sanseverino, Grande Association President, said the Association has been exploring this issue for almost three years. Mr. Sanseverino said he feels these types of vehicles take away from the ambiance of the community and doesn't want to see a small problem turn into a larger one.

Mr. Jack McGrath said he feels the Township has to keep continuity.

Mr. Dominick Sozio asked if anyone else has had a problem with this Ordinance? Mr. Wersé said he can not speak for anyone else. Mayor Burry closed the public hearing.

Mr. Stuart said he feels Mr. Wersé made some good points and doesn't feel the Grande Association wishes to cause any hardship on anyone. The Association's intent is to prevent the overnight parking of commercial vehicles. Mayor Burry said as this Ordinance is currently written, Mr. St. Germaine would be in violation even if he removed his signage because he has commercial plates on his vehicle.

Mr. Florek said he supports this Ordinance and feels continuity should be kept throughout the Township. Mayor Burry said she too feels consistency is very important in this town and hope the Grande Association can make changes here through their own democratic process. Mr. Forester concurred with Mayor Burry. With no further comments, Mr. Forester made a motion to adopt this Ordinance, seconded by Mr. Stuart and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR BURRY</b>	<b>DEPUTY MAYOR FORESTER</b>	<b>FLOREK</b>	<b>HENNESSY</b>	<b>STUART</b>
<i>Motion To Approve</i>		X			
<i>Motion Seconded</i>					X
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

4. **ORDINANCE 2004-17:** AN ORDINANCE PROHIBITING PARKING DURING CERTAIN HOURS ON A CERTAIN PORTION OF KATHLEEN DRIVE IN THE TOWNSHIP OF COLTS NECK AND AMENDING AND SUPPLEMENTING CHAPTER 222, “VEHICLES AND TRAFFIC”, OF THE “CODE OF THE TOWNSHIP OF COLTS NECK” was read by Mayor Burry by title on second reading. Mayor Burry said this Ordinance specifically relates to preventing High School students from parking on Kathleen Drive during school hours. Mayor Burry opened the public hearing. Mr. Sozio thanked the Township Committee for this Ordinance and stated that we need to look into reducing the speed limit on Route 537 next. Mr. Forester asked how the parking at the new Five Points Park will be affected? Mr. Sozio said he does sympathize with senior’s lack of parking. Mr. Vince Domidion said he doesn’t feel we need to accommodate parking for students when transportation is indeed provided for them. With no further comments Mayor Burry closed the public hearing. Mr. Forester made a motion to adopt this Ordinance, seconded by Mr. Stuart and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR BURRY</b>	<b>DEPUTY MAYOR FORESTER</b>	<b>FLOREK</b>	<b>HENNESSY</b>	<b>STUART</b>
<i>Motion To Approve</i>		X			
<i>Motion Seconded</i>					X
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

5. **ORDINANCE 2004-18:** AN ORDINANCE VACATING A CERTAIN PORTION OF THE TOWNSHIP RIGHT-OF-WAY OF WATER STREET IN THE TOWNSHIP OF COLTS NECK, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY (BLOCK 51, LOTS 6 AND 7) was read by Mayor Burry by title on first reading. Mr. Bowden gave a brief explanation. With no further comments, Mayor Burry set the public hearing for August 11, 2004. Mr. Florek made a motion to introduce this Ordinance, seconded by Mr. Hennessy and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR BURRY</b>	<b>DEPUTY MAYOR FORESTER</b>	<b>FLOREK</b>	<b>HENNESSY</b>	<b>STUART</b>
<i>Motion To Approve</i>			X		
<i>Motion Seconded</i>				X	
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

6. **RESOLUTION 2004-123A:** APPROVING CHANGE ORDER NO. 1- CLOVER HILL ROAD (+\$22,730.96) was read by Mayor Burry. Mr. Bowden explained this Resolution approves Change Order No. 1 for the Clover Hill Road Improvement Project in the amount of \$22,730.96 for the paving of Malvern Court. With no further comments, Mr. Forester made a motion to approve this Resolution, seconded by Mr. Hennessy and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR BURRY</b>	<b>DEPUTY MAYOR FORESTER</b>	<b>FLOREK</b>	<b>HENNESSY</b>	<b>STUART</b>
<i>Motion To Approve</i>		X			
<i>Motion Seconded</i>				X	
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

7. **RESOLUTION 2004-124:** APPROVING SUBMISSION OF A 2005-2007 COLTS NECK ALLIANCE TO PREVENT ALCOHOLISM AND DRUG ABUSE DEDR GRANT APPLICATION TO THE COUNTY OF MONMOUTH (\$17,822.00) was read by Mayor Burry. Mr. Hennessy explained that the Colts Neck Alliance is seeking a DEDR Grant for \$17,822.00 for various programs sponsored by the Alliance. With no further comments, Mr. Hennessy made a motion to approve this Resolution, seconded by Mr. Florek and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR BURRY</b>	<b>DEPUTY MAYOR FORESTER</b>	<b>FLOREK</b>	<b>HENNESSY</b>	<b>STUART</b>
<i>Motion To Approve</i>				X	
<i>Motion Seconded</i>			X		
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

8. **RESOLUTION 2004-125:** APPROVING 2004/2005 LIQUOR LICENSE RENEWALS was read by Mayor Burry. Mayor Burry pointed out that Colts Neck Inn is not on this evening's Resolution. The Colts Neck Inn has a temporary thirty day license to work out some of their internal difficulties. Mr. Bennett suggested adding to the Resolution a clause that grants an extension of up to sixty days to the Colts Neck Inn. With no further comments, Mr. Florek approved this Resolution as amended, seconded by Mr. Hennessy and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR BURRY</b>	<b>DEPUTY MAYOR FORESTER</b>	<b>FLOREK</b>	<b>HENNESSY</b>	<b>STUART</b>
<i>Motion To Approve</i>			X		
<i>Motion Seconded</i>				X	
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

9. **RESOLUTION 2004-126A:** AUTHORIZING AND SUPPORTING SUBMISSION OF A "SHARE" GRANT FOR PUBLIC HEALTH MANDATES was read by Mayor Burry. Mr. Bowden explained that this Resolution will join the Township of Colts Neck with the Township of Freehold in applying for a grant for the purpose of a feasibility study for the SHARE Grant Program. The Township of Colts Neck agrees to provide a portion of the required local matching funds in the amount of \$239.25 as its contribution to the study's costs. With no further comments, Mr. Forester made a motion to approve this Resolution, seconded by Mr. Florek and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR BURRY</b>	<b>DEPUTY MAYOR FORESTER</b>	<b>FLOREK</b>	<b>HENNESSY</b>	<b>STUART</b>
<i>Motion To Approve</i>		X			
<i>Motion Seconded</i>			X		
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

10. **MOTION TO APPROVE A CONSENT AGENDA** for the following Resolutions:

Resolution 2004-127: Authorizing Dedication By Rider – Clean Communities  
Resolution 2004-127A: Accepting Performance Guarantees, PB Application No. 593 (Sorsby)

Resolution 2004-127B: Authorizing Release of Performance Guarantees, Application Escrow Fees and Partial Release of Inspection Fees and Acceptance of Maintenance Guarantees for PB Application No. 434, Sections I and II (Pirates Associates)

Resolution 2004-128: Authorizing Release of Inspection Fees – PB  
Application No. 495

Resolution 2004-128A: Authorizing Recreation Program Refunds

Resolution 2004-128B: Authorizing Tax Overpayment Refund – 2004

With no comments made, Mr. Hennessy made a motion to approve all aforementioned Resolutions, seconded by Mr. Florek and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR BURRY</b>	<b>DEPUTY MAYOR FORESTER</b>	<b>FLOREK</b>	<b>HENNESSY</b>	<b>STUART</b>
<i>Motion To Approve</i>				X	
<i>Motion Seconded</i>			X		
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

11. **DISCUSSION**: CATEGORY ONE WATERSHED DESIGNATION – Mayor Burry asked Mr. Vince Domidion to give a brief history on this. Mr. Domidion advised that Colts Neck is dedicated to preserving its water and feels passing of this Resolution would make for minimal impact. Mr. Domidion said the NJDEP has recognized the Swimming River Reservoir as a Category One water body with the provisions of the Surface Water Quality Standards. The water quality of the reservoir is indivisible from the quality of the water. This Resolution formally requests that the NJDEP formally adopt the proposed designation of the entire Swimming River Reservoir watershed including all of the HUC 14 subwatersheds draining into the reservoir as Category One waters. Mayor Burry said she understands that the Mumford’s who reside on Montrose Road have expressed some concern, but does not see them present this evening. Mr. Stuart said he feels that Mr. Domidion gave a splendid explanation. Mr. Florek asked how this will affect Rivers Edge? Mr. Domidion gave a brief explanation. With no further comments, Mayor Burry read the following Resolution in full:

**RESOLUTION 2004-130**: Requesting Swimming River Reservoir Watershed Be Designated Category 1 Waters. With no further comments, Mr. Hennessy made a motion to approve this Resolution, seconded by Mr. Stuart and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR BURRY</b>	<b>DEPUTY MAYOR FORESTER</b>	<b>FLOREK</b>	<b>HENNESSY</b>	<b>STUART</b>
<i>Motion To Approve</i>				X	
<i>Motion Seconded</i>					X
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

12. **DISCUSSION**: MONTROSE ROAD SCHOOLHOUSE – FOUNDATION REPAIR/REPLACEMENT. Mayor Burry explained our Township Engineer assessed the overall structural stability of the building foundation. His conclusion was that a more extensive job needs to be done in order to bring this structure up to code. Mayor Burry said we previously approved up to \$20,000.00 and asked if we should go out to bid? Mr. Bowden said that he feels this project should be formally bid. Mr. Florek said he is not sure we need to over engineer this. Mr. Bowden said that he has reached out for other quotations without any success. Mayor Burry said that she is concerned with quotations which indicate ripping out and disposing of a hundred year old bricks. She also stressed that the historic integrity of the structure must be protected. Mr. Bowden suggested getting together with Mr. Gerken, Township Engineer, to discuss further details for this project.

13. **DISCUSSION**: FARM FENCING AND FARM LABOR HOUSING- Mayor Burry read the following list of proposed changes to the current Ordinance:

- The height of open wire fencing has increased from 6’ to 10’
- Open wire fencing (greater than 6’ in height) must be setback a minimum of 15’ from a street line
- The size of the farm labor housing has increased from 900 s.f. to 1,200 s.f.
- The COAH income eligibility required has been eliminated
- The minimum acreage requirement for farm labor housing has been reduced from 20 acres to 15 acres
- The maximum number of farm labor housing units has been reduced from five units to three units per farm
- A grandfather clause has been added for farm labor housing existing prior to this amendment
- A certification has been added which requires the farmer to annually certify that the occupants of the farm labor housing units are fulltime employees of the farm
- A fire smoke detector inspection and Board of Health certification of the potable well and septic system have been added for each change in tenancy
- The requirement for planning Board site plan approval has been eliminated
- The requirement to demolish the farm labor housing unit upon termination of use has been eliminated. This will allow the structure to be converted to another agricultural use such as farm operation office or storage.

The Township Committed briefly discussed the definition of “full-time” employee. Mr. Bennett recommended placing the term “full-time” in the definition area and define a full-time employee as working twenty or more hours per week or 1,000 hours or more a year. The Township Committee unanimously agreed. Mr. Bowden advised the Ordinance will be on the next meeting for introduction.

14. **UNFINISHED BUSINESS:** DOG BARKING ORDINANCE – Mr. Bennett gave a brief overview as to why this topic of concern surfaced. The main problem with the existing Ordinance is the term “habitual”. It is very vague. There are many ways to define the term habitual. The Judge has indicated as the current Ordinance exists, it is unenforceable. Mr. Florek said he doesn’t have a problem with the current Ordinance as it’s written, however, he said he would like the Prosecutor to have something to work with. Mr. Hennessy said he would not like to have to revisit this again in the future and would rather define it to the best of our ability now. Mr. Hennessy said he feels there should also be a pooper scooper Ordinance in place and suggested we also address this issue at the present time. Mr. Stuart said he feels this Ordinance to be a “feel good” Ordinance and does not see how it will be enforceable. Mr. Stuart said he feels this issue falls in-line with a nuisance. Mayor Burry called Mr. Dave Martin to the floor. Mr. Martin said he is sad and yet happy to say his dog barking problem has been resolved due to his neighbor’s departure from town due to their unfortunate family circumstances. Mr. Bennett reminded the Township Committee that the Judge did say this is a Township problem and he is unable to enforce the current Ordinance. Mr. Domidion suggested changing the term from “habitual” to “persistent”. Mr. Florek said the owner is still ultimately responsible to control their dog. Mayor Burry said she feels we will come up with more input with a sub-committee to which she named Mr. Florek & Mr. Hennessy and seek to introduce an Ordinance at the next Township Committee meeting.
15. **ADMINISTRATIVE REPORT-** Mr. Bowden advised the audit is complete and has been distributed to the Township Committee. The Finance Officer will be at the next meeting to review it with you. At that time a group affidavit will need to be signed by the entire Governing Body. The audit synopsis will be in this Friday’s paper.

Mr. Bowden reported that the Township is in receipt of a \$10,207.00 municipal stormwater regulation program grant.

Mr. Bowden reported that the front steps are near completion and the road improvement program is wrapping up. There appears the Township may have \$50,000.00 to \$70,000.00 left over from various sources. Mr. Bowden suggested that as we received a quotation of \$16,829.00 for installation of new sandstone treads for the back steps to Town Hall that we could do it now while the men are here for the front steps or we can hold off until next year. Mayor Burry said she feels it would behoove us to get moving on this as that staircase seems very dangerous in its current state. Mr. Bowden made clear that the \$16,829.00 estimate is for the treads only, to redo the entire staircase, it may be around \$75,000.00. Mayor Burry said she feels the back stairs are a hazard and “an accident waiting to happen”. Mr. Hennessy suggested changing the voting district from Town Hall to the lower level of the Library as most of the damage that occurred on the steps is due to the delivery and removal of the polling machines. Mr. Bowden said that he has discussed moving the voting district to the Library but was advised not to do it this year as it’s a presidential election. Mr. Bowden said the Township Engineer feels the current structure is sound. After brief discussion, the Township Committee unanimously agreed to proceed to repair the treads now however, Mr. Forester would have preferred total reconstruction.

16. **MOTION TO APPROVE VOUCHERS** was made by Mr. Forester for all vouchers totaling \$4,651,547.07, seconded by Mr. Stuart and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR BURRY</b>	<b>DEPUTY MAYOR FORESTER</b>	<b>FLOREK</b>	<b>HENNESSY</b>	<b>STUART</b>
<i>Motion To Approve</i>		X			
<i>Motion Seconded</i>					X
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

17. **TOWNSHIP COMMITTEE REPORTS:**

Mr. Stuart said he has no report this evening.

Mr. Forester reported that both he and Mr. Stuart saw a demo for a new street sweeper at the Public Works facility. It was very costly and suggested that shared services for a street sweeper would be a better way to go.

Mr. Forester reported that he attended a meeting at Brookdale regarding the Business district.

Mr. Forester continued by reporting he attended the graduation ceremony at the Colts Neck High School in which 260 students graduated. The classes are indeed growing.

Mr. Forester reported that the senior's will be having their annual picnic soon.

Mr. Hennessy reported the Recreation Department's summer camp program has approximately 400 students enrolled. The recent track meet was very successful. On July 14<sup>th</sup> at the core center, the Big Band will be here for a free concert. There will also be a fishing derby at Town Hall on Saturday, July 10<sup>th</sup>. July 4<sup>th</sup> there will be the annual fireworks at dusk at the Bucks Mill Park. There will be a band playing.

Mr. Florek reported that in meeting with the Trail Riders he learned it is not law yet for reduction of speed limit while driving by horse riders.

Mr. Florek further reported that the Tennis Program is proceeding nicely.

Mayor Burry reported on an old problem regarding the helipad at Due Process. Mayor Burry read a letter in full that she received from Mr. Bob Cooke. Mr. Cooke's letter complained about issues of noise, safety, and excessive flight traffic. Mr. Bowden said he will pull out the old file and contact Mr. Mike Stieb Esq. to discuss this. Mr. Bennett said they do indeed need to log every flight or they loose their license, however, we do not have any jurisdiction over this. Mayor assured everyone that the Township will reopen this file.

Mayor Burry reported the fifth annual house tour will be on October 2<sup>nd</sup>. There will be five homes on the tour this year.

Mayor Burry further reported that she received a letter from the Monmouth Museum. They raised \$10,000.00 for their education fund as a result of their successful Garden Tour through Colts Neck. The Monmouth Museum donated \$200.00 to the Colts Neck Friends of the Library.

Mayor Burry reported on July 15<sup>th</sup> there will be a meeting with Earle Naval Base regarding the housing initiative.

Mayor Burry concluded her report by advising she received a map from Vince Domidion of historic roads throughout Colts Neck. The Mayor has appointed Mr. Domidion and Mr. Florek to study these roads and arrive at a position; with suggestions.

18. **COMMENTS FROM THE PUBLIC:**

Mr. Paul Franklin, resident, stated his daughter attended an event sponsored by the PTO at the Cedar Drive School on June 4<sup>th</sup>. Mr. Franklin said his daughter suffered a concussion and neck strain. Mr. Franklin said that though he is present this evening with an emotional attachment, he does not feel the Township of Colts Neck is legally responsible. Mr. Franklin stated that the inflatable slide of 24' high did not have the state required permits on it as the police report indicated. Mr. Franklin said in his opinion that hazards of inflatable tall slides do pose a great risk to users. Mr. Franklin said New Brunswick had a similar incident. The rate of inflatable ride accidents is increasing. Every sixth grader present on June 4<sup>th</sup> was at risk. Mr. Franklin said he feels to permit tall inflatable rides provides too high a risk to take a chance to allow. Low inflatable rides would be more acceptable. Mr. Franklin said he doesn't wish to pursue any litigation but feels this is a community issue to address. Mr. Franklin suggested inflatable devices should be limited to a height of not more than 12' and suggest we put an Ordinance in place reflecting this.

Mayor Burry said she is very sorry to hear this happened. Mayor Burry asked if the State does issue permits? Mr. Franklin said yes, but this entity has yet to produce any.

Mr. Bennett said he has great empathy for what occurred in Mr. Franklin's family. Mr. Bennett said it is a great suggestion in limiting the height of inflatable devices, but, is uncertain if the State regulations would preempt anything we would do on a local level. Mayor Burry said we will have Mr. Bennett determine the feasibility of doing this.

Mr. Domidion said there were good points discussed in relation to the farm housing however suggests adding 1000 hours per year to better define the full-time employee.

Mr. Domidion thanked the Township Committee for approving the watershed Resolution this evening.

Mr. Domidion said he wanted to point out that there are still other issues related to the inflatable ride accident such as poor management, rides not being secure to the ground as well as too many on the ride at one time.

19. **RESOLUTION 2004-128:** EXECUTIVE SESSION was read by Mayor Burry. Mr. Stuart made a motion at 10:25 p.m. to adjourn and go into Executive Session, seconded by Mr. Hennessy and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
RECORD OF VOTE	MAYOR BURRY	DEPUTY MAYOR FORESTER	FLOREK	HENNESSY	STUART
<i>Motion To Approve</i>					X
<i>Motion Seconded</i>				X	
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

Motion by Mr. Stuart, seconded by Mr. Florek to reconvene in public session at 10:45 p.m., and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
RECORD OF VOTE	MAYOR BURRY	DEPUTY MAYOR FORESTER	FLOREK	HENNESSY	STUART
<i>Motion To Approve</i>					X
<i>Motion Seconded</i>			X		
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

The Township Committee adopted Resolution 2004-131 confirming and approving settlement of an employment contract with CWA Local 1034 pursuant to the terms and conditions of a memorandum of agreement dated June 24, 2004 between both parties, motion by Mr. Florek, seconded by Mr. Forester and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
RECORD OF VOTE	MAYOR BURRY	DEPUTY MAYOR FORESTER	FLOREK	HENNESSY	STUART
<i>Motion To Approve</i>			X		
<i>Motion Seconded</i>		X			
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

Motion was made by Mr. Stuart, seconded by Mr. Forester to adjourn meeting at 10:46 p.m., and unanimously carried.

<b>COLTS NECK TOWNSHIP COMMITTEE</b>					
<b>RECORD OF VOTE</b>	<b>MAYOR BURRY</b>	<b>DEPUTY MAYOR FORESTER</b>	<b>FLOREK</b>	<b>HENNESSY</b>	<b>STUART</b>
<i>Motion To Approve</i>					X
<i>Motion Seconded</i>		X			
<i>Approve</i>	X	X	X	X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>					

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Robert Bowden,  
Township Administrator

RB/as