

**TOWNSHIP OF COLTS NECK  
TOWNSHIP COMMITTEE MEETING  
AUGUST 8, 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 August 8, 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: Mayor Stuart, Deputy Mayor Hennessy, Committeemembers Forester, Florek and Schatzle

Also Present: Robert Bowden; Thomas Bace, Esq., and Beth Kara

Absent: None

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Mayor Stuart opened tonight's meeting stating he received a letter from Freeholder Burry advising the Monmouth County Board of Chosen Freeholders approved the purchase, fee simple, of 75 acres of the Eyres property contiguous to the Hominy Hill Golf Course. This letter states, ". . . In addition to further buffering the golf course, the property will connect to Colts Neck owned property. Not only will this land be used as Open Space in Monmouth County, the Park System envisions additional use as a nature trail and possibly an equestrian trail."

Mayor Stuart gave kudos to Freeholder Burry and the Board of Chosen Freeholders for this acquisition. Mr. Florek commented this acquisition was quite a feat, especially since the Eyres' received approval to sub-divide this property.

1. **ANNOUNCEMENT:** Mayor Stuart announced the regularly scheduled Township Committee meeting on September 5, 2007 is re-scheduled to Thursday, September 6, 2007, 7:30 p.m., Town Hall.
2. **MAYOR'S PROCLAMATION:** Mayor Stuart joined the Friends of Addiction Recovery-NJ, National Council on Alcoholism and Drug Dependence and proclaimed September 2007 as National Alcohol and Drug Addiction Recovery Month with this year's theme being Join the Voices of Recovery: Saving Lives and Saving Dollars within the Township. Mayor Stuart read the Proclamation in full and urged all residents to participate in the Sixth Annual Recovery Walk on Saturday, September 15, 2007 at Liberty State Park. Mayor Stuart recognized Ms. Anita Dedalis, the Township's Recovery Delegate, and the Recovery Delegation for their contributions to the recovery community within the Township.
3. **PRESENTATION:** Mr. Ron Maslo, Senior Project Consultant for the New Jersey Board of Public Utilities (BPU), Office of Clean Energy, provided a presentation on the incentives available to commercial and government buildings to install energy efficient equipment. Since its inception, \$500 million was refunded under this program. Currently annual incentives up to \$200,000 for each gas and electric meter on commercial and government buildings are available. Mayor Stuart thanked Mr. Jarrett Engel for bringing this program to the Township's attention. Mr. Maslo advised BPU may soon be approving a program to offset costs of energy audits for government buildings, including schools and fire stations. Mr. Bowden stated he received a quote of \$7,500.00 to audit the Township's buildings, and it may be prudent to delay an audit until the BPU program is finalized. Members from both the Business Advisory Committee and the Environmental Commission attended this evening's meeting

and many questions were asked and answered. Mr. Maslo is available to address groups about this program, he provided all attendees with brochures and asked anyone interested in the program to contact him directly.

4. **APPROVAL OF MINUTES OF JULY 11, 2007:** Mr. Florek made one revision to Page 6 of the minutes. Mr. Florek made a motion to approve, as amended, seconded by Mr. Hennessy and unanimously carried.

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

5. **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 second reading by Mayor Stuart. Mr. Bowden advised this ordinance provides the funding for the purchase of the DPW roll-off truck. With no comments by the Governing Body, Mayor Stuart opened the meeting to public comment.

Ms. Virginia Amend, a resident and editor of the Colts Neck Calendar, questioned the purpose of this truck. Mr. Bowden stated this roll-off truck would be used during clean-up days, snow plowing, and brush and leaf collections. The MCIA consolidates all Monmouth County municipal funding needs and by doing so, is able to achieve a more advantageous interest rate than if the Township would seek funds independently.

Mr. Vince Domidion, a resident, commended the Governing Body for using the MCIA to fund this purchase stating this funding mechanism benefits from Monmouth County's AAA bond rating.

With no further comments from the public, Mayor Stuart closed the meeting to public comment. Mr. Forester made a motion to approve, seconded by Mr. Hennessy and unanimously carried.

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

6. **RESOLUTION 2007-119:** APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY (MCIA) TO FINANCE THE ACQUISITION OF CERTAIN CAPITAL EQUIPMENT WHICH WILL BE LEASED BY THE MCIA TO THE TOWNSHIP OF COLTS NECK, NEW JERSEY; APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MCIA'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2007 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED

NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS was read by title by Mayor Stuart. This resolution gives the Mayor and Clerk administrative authority to initiate action in Ordinance 2007-11. Mr. Forester made a motion to approve, seconded by Mr. Hennessy and unanimously carried.

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

7. **ORDINANCE 2007-12:** 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 at second reading by Mayor Stuart. Mayor Stuart stated this easement permits the installation of underground wiring to the new cell tower to be located behind the First Aid building. Hearing no comments from the Governing Body, Mayor Stuart opened the meeting to public comment.

Ms. Virginia Amend asked who receives the cell tower revenue? Mayor Stuart responded that the Township receives the revenue. The tower has capacity for four carriers and three have signed up for tower positions. The first year revenue contains incentives and will be about \$100,000, while the second year with three carriers will be about \$70,000. Ms. Amend then asked if we want that ugly thing in the heart of Town? Mayor Stuart explained the site approval process the Township went through, the official notification of all residents within 200' of the planned site, and the placement of the tree tower was unopposed. Mr. Florek stated the two current antennas, one of which is 110' tall, will be removed and replaced with a 120' tree type antenna. It is not necessary for the tree antenna to be topped with a light. Mr. Hennessy stated the entire issue was covered in prior Township Committee meeting minutes.

With no further comments from the public, Mayor Stuart closed the meeting to public comment. Mr. Hennessy made a motion to approve, seconded by Mr. Schatzle and unanimously carried.

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

8. **ORDINANCE 2007-13:** AN ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING THE TOWNSHIP OF COLTS NECK'S AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT was read by title at first reading by Mayor Stuart. Mr. Florek stated the State is requiring the appointment of a Municipal Housing Liaison to administer the Township Affordable Housing Plan on a daily basis. That function has been performed by Mr. Anfuso in his capacity as Affordable Housing Administrator. Mayor Stuart stated this ordinance is not creating an additional position, just re-naming the function, and the responsibilities will remain with Mr. Anfuso, Township Planner. With no further comment, Mr. Florek made a motion to

approve, seconded by Mr. Forester and unanimously carried. Mayor Stuart set the public hearing September 5, 2007.

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

9. **RESOLUTION 2007-120:** SUPPORTING ASSEMBLY CONCURRENT RESOLUTION NO. 258 PERTAINING TO EARLE NAVAL BASE was read by title by Mayor Stuart. This resolution supports Assemblywoman Beck’s action opposing the use of homes within Naval Weapons Station Earle for civilian purposes and urging the Department of the Navy to cancel any plans for reasons of National security and local economic impacts. Mr. Schatzle was pleased the resolution addresses the issue of National security and stated civilians should not be permitted to live on a Naval Weapons Station. Mayor Stuart noted Assemblywoman Beck also included a petition to sign for those opposing civilian housing at NWS Earle. Mr. Schatzle made a motion to approve, seconded by Mr. Hennessy and unanimously carried.

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

10. **RESOLUTION 2007-121:** RESOLUTION IN OPPOSITION TO THE SALE OF STATE ASSETS was read by title by Mayor Stuart. Mr. Forester stated he does not understand the value of selling the State assets on either a short- or long-term basis. Mayor Stuart stated he opposes the sale of any of the State’s roadways. Mr. Forester made a motion to approve, seconded by Mr. Florek and unanimously carried.

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

11. **MOTION TO ADOPT A CONSENT AGENDA:**
12. **\*RESOLUTION 2007-122:** AUTHORIZING SUBMISSION OF 2008 DRUG AND ALCOHOL PREVENTION GRANT (\$14,595.00).
13. **\*RESOLUTION 2007-123:** AUTHORIZING RELEASE OF SPECIAL PERFORMANCE GUARANTEES, BLOCK 19, LOT 2 (DEMOLITION).
14. **\*RESOLUTION 2007-124:** AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEE, P.B. APPLICATION NO. 648, OMNIPOINT COMMUNICATION ANTENNAE (TOWN HALL).

15. **\*RESOLUTION 2007-125:** APPROVING INSERTION OF SPECIAL ITEM OF REVENUE – CLEAN COMMUNITIES GRANT.
16. **\*RESOLUTION 2007-126:** APPROVING INSERTION OF SPECIAL ITEM OF REVENUE – DRUNK DRIVING ENFORCEMENT FUND GRANT.
17. **\*RESOLUTION 2007-127:** AUTHORIZING RECREATION PROGRAM REFUNDS.
18. **\*RESOLUTION 2007-127A:** APPROVING RAFFLE APPLICATION NO. 07-29, COLTS NECK FAIR GAMES, ROLLER BOLLER AND FAT CAT, ANIMAL RESCUE FORCE.

Mr. Florek made a motion to approve, seconded by Mr. Hennessy and unanimously carried.

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

19. **DISCUSSION:** REVIEW REVALUATION PROPOSALS AND DEVELOP ACTION PLAN FOR SELECTION OF FIRM – COMMITTEEMEN FORESTER AND FLOREK, MR. ELDO MAGNANI. Mr. Florek stated the Township received four bids out of a total of six bid packages issued. Two firms are approximately \$300,000 and two firms are approximately \$320,000; all are within \$20,000 of each other and on target of the \$295,000 estimated. Discussion ensued regarding the method used to interview the firms, and the consensus was to for the Governing Body to interview all four firms in public forum. Mr. Magnani stated a selection should be made by the end of September to keep within the timeframe for completion set by the County. Mr. Magnani stated it is very important to select a firm with seasoned staff that can be relied upon to accurately evaluate the unique properties within Colts Neck and a firm that has enough staff to complete the job on time. Mr. Magnani stressed the importance of his supervising the staff as well as the process to ensure an accurate revaluation. Mr. Bowden stated the Governing Body is not held to awarding this to the lowest bidder, as it will be awarded as a professional contract. Discussion ensued and it was agreed to have a special meeting of the Township Committee on September 19<sup>th</sup> starting at 7:00 p.m. to interview each of the four firms in one-half hour intervals in public forum. Mr. Bowden advised the tax maps are thought to be in good shape and were provided to the State by Glenn Gerken; however, no response has been received yet. Mr. Bowden is hoping the State’s response will be forthcoming before September 19<sup>th</sup> to give the Governing Body a better cost figure for the revaluation.

Mayor Stuart then opened the meeting to public comment.

Ms. Virginia Amend stated the individual interview with the taxpayer is a “crook”. She stated the real issue is how the maps are delineated. Mr. Magnani discussed the creation of value control sections by him and members of the firm selected to develop neighborhoods. Ms. Amend then stated other states have the assessor conduct the revaluation, and she questioned why Mr. Magnani is not doing it here. Mayor Stuart stated it is physically impossible for one person to complete the revaluation within the State’s mandated timeframe given the Township’s 3,800 line items.

Mr. David Kostka, Chair of the Environmental Commission and a resident, suggested having each company perform one appraisal and critique the work as part of the selection process. Mr. Magnani responded this is a mass appraisal,

not just an appraisal of one house and that may not be an accurate test of the capabilities of a firm. Mr. Magnani stated he is contacting other municipalities to gain information on their revaluation experiences with the four firms. Mr. Magnani stated the Township does not want to hire a firm that is already overloaded or left work unfinished.

Mr. Magnani will be working with Township Police to have background checks done for each person that will be visiting Township properties. Those persons will carry three forms of identification: a Township-issued identification badge, the employing firm's identification and a letter of introduction from Mr. Magnani.

Mr. Magnani stated he will meet with any taxpayer or groups to discuss the revaluation. Mr. Magnani anticipates using the Township website to keep residents updated on the process. The Township Committee thanked Mr. Magnani.

- 20. ADMINISTRATIVE REPORT:** Mr. Bowden reported the Code Compliance Officer position authorized during the budget hearings was filled and the incumbent will work 20 hours per week. Mr. Bowden will introduce Mr. Thomas Conticchio to the Governing Body in the near future.

Mr. Bowden reported \$20,000 was authorized during the budget hearings to address the DPW septic problem. The low bidder came in at \$35,920. The Health Officer suggested the job be re-bid, as the bids are too high. A way to reduce costs would be eliminating some site restoration work. Mr. Florek noted the discrepancy for the line items between firms. Mr. Bowden review and will try to bring the project in at \$20,000.

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

Animal Control	\$15.60
Capital Fund	\$1,067,987.50
COAH	\$186.25
Construction Trust	\$26,444.13
Current Fund	\$1,262,876.26
Escrow	\$23,436.33
Farmland Preservation Trust	\$4,540.00
Grant Fund	\$3,559.99
Trust Fund	<u>\$18,759.98</u>
<b>TOTAL APPROVED:</b>	<b>\$2,407,806.04</b>

Mr. Forester noted the vouchers were for an entire month, all were in order, and he made a motion to approve all vouchers, seconded by Mr. Hennessy and unanimously carried.

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

- 22. TOWNSHIP COMMITTEE REPORTS:**

Mr. Forester had no report this evening..

Mr. Hennessy reported the Fishing Derby was very successful and 183 fish were caught at the Town Hall pond.

Mr. Hennessy reported the Colts Neck Fair would be held August 16-19, 2007, and he thanked the Colts Neck Calendar and Colts Neck Journal for their Fair coverage

Mr. Florek reported the Architectural Review Committee is preparing for this year's Architectural Excellence Awards, which will be presented at a Township Committee meeting in October.

Mr. Florek reported the numbers to fulfill the COAH requirements look higher than originally anticipated.

Mr. Florek reported the County lost the opportunity to purchase Allaire Airport. It was sold to a private consortium.

Mr. Florek asked Mr. Bowden if he heard anything from the County about the timing of installing the emergency light on Route 537 at Firehouse 1. Mr. Bowden did not hear anything beyond the County agreed to allow the installation. Mr. Florek asked Mr. Bowden to follow-up with the County on the projected date for this installation.

Mr. Florek reported the Fire Department brush truck was received and is currently being lettered. The Fire Department recently purchased two turn out coats at a cost of \$1,600 (the expensive coats are \$1,600 apiece). The Fire Department will begin its annual fund drive in September. Ten years ago, the Fire Department purchased the repeater station for radio transmission, and DPW and First Aid joined that system. The Fire Department is now looking toward sole use of their repeater system and having the First Aid and DPW have a separate Township-provided repeater system.

Mr. Florek noted there is inconsistent street numbering on Route 34 south of the Route 537 intersection, which delays the response time of emergency responders. Mr. Florek spoke with the Postmaster about this issue. The Postmaster will need a written request to initiate corrective action.

Mr. Schatzle reported Colts Neck First Aid is an all volunteer group in existence for 40 years that does an excellent job handling over 700 calls annually with its two ambulances and one rescue truck. The call volume is increasing, and the First Aid Squad is seeking new members. Mr. Schatzle then gave the floor to Mr. Jarrett Engel, First Aid Squad President, who demonstrated the new First Aid website that is linked to the Township website. Mr. Engel worked with the vendor and all members of the Squad to develop this site, which provides information to about the Squad to the general public and includes a "members only" section that is a virtual office for news and updates about Squad activities. On behalf of the Township Committee, Mayor Stuart thanked Mr. Engel for this presentation and all his work on developing this very useful site.

Mayor Stuart reported Long Range Planning is working with the Shade Tree Commission to tweak the Tree Ordinance. This is a complex issue and will take more time to develop the final version of this ordinance.

Mayor Stuart gave kudos to Mr. Rich Galinski, Mr. Ed Thompson and the DPW staff for the great job they did cleaning up the property on Eagles Nest. This property is in foreclosure and became a neighborhood eyesore. Thanks to Messrs. Galinski and Thompson and the DPW staff, the property was restored to a more presentable appearance.

**23. COMMENTS FROM THE PUBLIC:**

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

Mr. Vince Domidion, a resident, asked if the septic system replacement can be divided up between the firms bidding, resulting in a cost savings.

Mr. Sal Barbagallo, a resident, asked if it was possible to tie the DPW septic system into the Earle system. Mayor Stuart stated this option will be explored.

Mr. David Kostka offered to have the Environmental Commission meet with Long Range Planning and provide input on drafting the Tree Ordinance. Mayor Stuart will advise Long Range Planning and Shade Tree Commission of the offer and thanked Mr. Kostka.

Mr. Christ Lupia, a resident, asked what is the date for completing the Township revaluation? Mayor Stuart responded everything must be completed for the effective date of 2009.

Mr. Lupia asked when the Tree Ordinance will be finalized. Mayor Stuart responded the ordinance is being crafted by Long Range Planning and Shade Tree Commission members, and it will be a while before it is finalized. Once finalized, the ordinance will be placed on the Township Committee meeting agenda for first reading and public hearing at second reading. The philosophy behind this ordinance is to save heritage trees.

Mr. Chuck Cammarata, a resident, asked what is the status of installing the fire signal light on Route 537 at Fire Company 1? Mr. Florek responded the Township is waiting for the County to install the light.

Ms. Virginia Amend asked if the Township has heard from Congressman Chris Smith regarding the investigation into the proposal for civilian housing at NWS Earle. Mayor Stuart responded this is an internal investigation and not one the Township is invited to be a part of; however, if any additional information is received, he will share it with Ms. Amend.

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

24. **RESOLUTION 2007-128:** EXECUTIVE SESSION was read by Mayor Stuart at 9:18 p.m. Mr. Hennessy made a motion to adjourn and go into Executive Session, seconded by Mr. Forester and unanimously carried.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Stuart		X			
Hennessy	M	X			
Forester	S	X			
Florek		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			
Hennessy	S	X			
Forester		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. Forester and unanimously carried to adjourn meeting.

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

Meeting adjourned at 10:10 p.m.

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Robert Bowden  
Township Administrator/Clerk

RB:bk