

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
AUGUST 13, 2008
7:30 P.M. AT TOWN HALL**

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 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, 2007 stating that the meeting of the Colts Neck Township Committee would be held on August 13, 2008 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 Hennessy, Deputy Mayor Forester, Committeemembers Florek, Stuart and Schatzle

Also Present: Robert Bowden; John O. Bennett, III, Esq. (arriving late); Kerri Encarnation, Esq., and Beth Kara

Absent: None

1. **ANNOUNCEMENT:** SCHOOL RESOURCE OFFICER. Mayor Hennessy announced after careful study of the issues, the Township Committee will not proceed with filling the School Resource Officer position in Colts Neck High School at this time. A copy of Mayor Hennessy's announcement is appended.
2. **RECOGNITION:** FIRST AID SQUAD AWARD. The Township Committee recognized Daniel Polvino, a First Aid Squad Cadet, for his volunteerism. Committeeman Schatzle noted Daniel applied for and received the New Jersey First Aid Scholarship Award. Committeeman Schatzle presented Daniel with the John Mattaliano Award, on behalf of the Colts Neck First Aid Squad. Mr. Schatzle stated Mr. Polvino is dedicated, bright, compassionate and hard working, and fulfills John's legacy as a Cadet. Mr. Polvino's mother, Lauren, was present and is also a member of the First Aid Squad. Photographs were taken and Mr. Polvino received a round of applause.
3. **PRESENTATION:** COMMUNICATION UPGRADES. Mr. Sean Golden, Monmouth County Under Sheriff, provided the Township Committee with an update on the current status of emergency communication equipment and the upgrades needed to comply with the FCC mandate to use narrow band channels by January 2013. The Sheriff has pledged to work with the Freeholders on funding as well as with the State for grants in aid to offset the costs of this unfunded mandate. Cooperative purchasing will be researched for potential cost savings. The County is seeking to expand/relocate its over-crowded 911 dispatch facility to meet current needs.
4. **PRESENTATION:** 2007 TOWNSHIP AUDIT. Mr. John Antonides, Chief Financial Officer/Tax Collector, provided a summary of the 2007 Township Audit. Mr. Antonides noted there were two audit findings, both of which received corrective action. Mr. Antonides reported the tax collection rate is 99.31%, and commended his staff for this outstanding accomplishment. Mr. Bowden commended Mr. Antonides for his outstanding job as CFO and Tax Collector, noting most municipalities have two professionals. Mr. Antonides reported the recent Bond Anticipation Notes sale generated 8 or 9 bids, where heretofore 2 or 3 bids was the norm, and which resulted in short term financing rates of 1.99% to 3.2%.

5. **RESOLUTION 2008-104:** CERTIFICATION OF THE 2007 ANNUAL AUDIT was read by title by Mayor Hennessy. Mr. Stuart made a motion to approve, seconded by Mr. Schatzle and unanimously carried.

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

After adoption and certification by the Governing Body, Mr. Antonides departed.

6. **APPROVAL OF MINUTES OF JUNE 25, 2008:** Mr. Schatzle made a motion to approve, seconded by Mr. Forester, and carried by Messrs. Forester, Schatzle and Hennessy. Messrs. Florek and Stuart abstained.

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

7. **APPROVAL OF MINUTES OF JULY 13, 2008:** Mr. Schatzle made a motion to approve, seconded by Mr. Florek and unanimously carried.

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

8. **RESOLUTION 2008-105:** RESOLUTION CONFIRMING AWARD OF CONTRACT, PROFESSIONAL APPRAISAL SERVICES, BLOCK 41, LOT 3 was read by title by Mayor Hennessy. Mr. Bowden noted this parcel is located between the soccer and baseball fields at Five Point Park. Of five firms bidding, Johnson Realty Services, Sea Girt, was the low bidder at \$2,000. Mr. Forester made a motion to approve, seconded by Mr. Schatzle and unanimously carried.

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

9. **RESOLUTION 2008-106:** RESOLUTION CONFIRMING SALE OF 1996 E-1 PUMPER was read by title by Mayor Hennessy. Mr. Florek noted this is the first step in keeping fire equipment current and maintaining the Township's favorable ISO rating. Brindlee Mountain Fire Apparatus, LLC, Union Grove, Alabama, was the successful bidder at \$77,026. Mr. Florek made a motion to approve, seconded by Mr. Stuart and unanimously carried.

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

10. **RESOLUTION 2008-107:** RESOLUTION AUTHORIZING RENEWAL OF 2008/2009 LIQUOR LICENSE was read by title by Mayor Hennessy. Mr. Bowden stated this resolution renews the license for A.M. Rose, (I Cavallini). One license remains in temporary renewal status, i.e., Colts Neck Inn. Mr. Stuart made a motion to approve, seconded by Mr. Florek and unanimously carried.

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

11. **RESOLUTION 2008-108:** RESOLUTION ENDORSING S-1976/A-2982, AN INCREASE IN STATE POLICE SURCHARGES TO DEFRAY COSTS OF LOCAL POLICE SERVICES was read by title by Mayor Hennessy. Discussion ensued, and the Township Committee expressed opposition for another tax and uncertainty as to where funds generated from this legislation would ultimately be spent. The Township Committee stated they could not support this legislation.

12. **RESOLUTION 2008-108A:** RESOLUTION CORRECTING AWARD OF BID, TRIPLE COMBINATION FIRE PUMPER, \$490,474, was read by title by Mayor Hennessy. Mr. Bowden stated this resolution was necessary to correct the name of the vendor to Pierce Manufacturing, Inc., of Appleton, Wisconsin. Mr. Stuart made a motion to approve, seconded by Mr. Florek and unanimously carried.

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

13. MOTION TO ADOPT A CONSENT AGENDA:

- 14. *RESOLUTION 2008-109:** RESOLUTION AUTHORIZING RECREATION PROGRAM REFUNDS.
- 15. *RESOLUTION 2008-110:** RESOLUTION AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEES, P.B. APPLICATION NO. 659 (GUIFFRE).
- 16. *RESOLUTION 2008-111:** RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY OF MONMOUTH AND THE TOWNSHIP OF COLTS NECK FOR THE INSTALLATION OF TWO FLASHING FIRE HOUSE WARNING SIGNS ON ROUTE 537.
- 17. *RESOLUTION 2008-112:** RESOLUTION AUTHORIZING RELEASE OF ESCROW FEES, P.B. APPLICATION NO. 345 (COLTS NECK COUNTRY CLUB ESTATES).
- 18. *RESOLUTION 2008-113:** RESOLUTION AUTHORIZING RELEASE OF ESCROW FEES, P.B. APPLICATION NO. 532 (SHADOW ISLE GOLF CLUB).
- 19. *RESOLUTION 2008-114:** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES AND ACCEPTANCE OF MAINTENANCE GUARANTEE, P.B. APPLICATION NO. 554 (FULLING MILL ESTATES).
- 20. *RESOLUTION 2008-115:** RESOLUTION APPROVING RAFFLE APPLICATION NO. RA 08-34, ON PREMISES 50/50 RAFFLE, 180 TURNING LIVES AROUND, INC.

Mr. Forester made a motion to approve, seconded by Mr. Schatzle and unanimously carried.

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

- 21. DISCUSSION:** TREE REMOVAL ORDINANCE. The Township Committee reviewed the draft Tree Removal Ordinance prepared by the Long Range Planning Committee. The proposed ordinance only applies to new site plan and subdivision applications during the initial construction phase and does not apply to the individual landowners once a certificate of occupancy is issued or to existing residential lots. After discussion, the Governing Body agreed to proceed. Mr. Bowden stated an ordinance would be prepared for introduction at the next meeting.
- 22. DISCUSSION:** DREDGING OF PONDS AT TOWN HALL CORE SITE. Mr. Bowden advised the Township Engineer reviewed the ponds in question. Several permits would be required. Disposition of the spoils would probably require a permit depending on the amount recovered. The Monmouth County Mosquito Commission is committed to accomplish the dredging with their long arm excavator. Estimates for the project are between \$18,000 to \$25,000. just for required permits, water testing, soil sampling and preparation for the actual dredging. Discussion ensued. The goal is to begin this winter.

23. DISCUSSION: REPEAL OF ORDINANCE CREATING BUSINESS ADVISORY COMMITTEE. Mayor Hennessy read the petition signed by the full board to decommission the Business Advisory Committee. Discussion ensued, and all were in agreement to have Mr. Bowden direct the Township Attorney to prepare an ordinance repealing the Business Advisory Committee.

24. ADMINISTRATIVE REPORT. Mr. Bowden had nothing further to add to his report. Mr. Bowden stated he spoke with Dr. Wasser regarding a meeting with Governing Bodies of the Regional School System. The State is considering the feasibility of K-12 school districts standing alone or consolidating them into regional school districts. Dr. Wasser will be participating in the study and he believes the State is leaning toward eliminating some local boards of education and having a consolidated county board.

Mr. Bowden reported the State has detected defoliation caused by gypsy moths within the Township. The State is asking permission to conduct a gypsy moth egg mass survey within Colts Neck at no charge. Mr. Florek made a motion to approve the study, seconded by Mr. Forester and unanimously approved.

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

Mr. Bowden stated the residents of Gulf Stream Way have requested approval for their annual block party in September. Chief Sauter approved the request as long as there is access for emergency vehicles. Mr. Schatzle made a motion to approve, seconded by Mr. Forester and unanimously approved.

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

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

Animal Control	\$27.60
Capital Fund	\$259,460.93
COAH	\$178.50
Construction Trust	\$39,749.66
Current Fund	\$12,493,073.96
Escrow	\$18,587.28
Farmland Preservation Trust	\$132.00
Trust Fund	<u>\$29,981.20</u>
TOTAL APPROVED:	\$12,841,191.13

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

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

26. TOWNSHIP COMMITTEE REPORTS:

Mr. Florek reported Colts Neck is the third highest recycling community within Monmouth County. Mr. Florek stated the Township has taken an active role in recycling with 70 percent of its residents participating.

Mr. Florek stated a COAH ordinance for residential fees is in the process of being written. While the State allows the Township to retain fees on residential units, if commercial fees collected are not used within four years, the State will absorb these funds. More information will be forthcoming.

Mr. Florek reported the wells are in place at Five Point Park. The ball fields at Bucks Mill, Laird Road and Conover Road need field help.

Mr. Forester had no report this evening.

Mr. Stuart reported three to four parcels have been identified for possible farmland preservation. Follow-up will be made.

Mr. Stuart reported a property owner is seeking relief from the County Ag Board regarding the overhang on their farm stand. Since several months have passed without resolution, the property owner is seeking relief at the Township level.

Mr. Stuart reported three proposals were received for the sprinkler work in the planting beds around Town Hall. The components of each proposal varied and prices were \$3,100, \$3,700 and \$4,900. Mr. Stuart will be discussing the merits of each proposal with the Shade Tree Commission members and work should commence by fall.

Mr. Stuart reported the Shade Tree Commission has several old green area infringement cases primarily around Rivers Edge. The Commission wants Ms. McGowan to sit with the Township Attorney and turn the cases over to him for action.

Mr. Schatzle had no report this evening.

Mayor Hennessy reported he and Committeeman Stuart went to Washington to testify before the Under Secretary of the Navy about Earle Naval Weapons Station. Sen. Beck and Committeewoman Casagrande attended. Mayor Hennessy stated this was very productive. The Under Secretary commented 95 percent of what he learned that day was new to him. Mayor Hennessy stated the Township Committee has been active against the Earle privatization since 2003 and Congressman Chris Smith has been a supporter of Colts Neck position since the beginning.

Mayor Hennessy reported the Colts Neck Swing Band concert was held July 24th and had over 100 attendees.

Mayor Hennessy reported the Colts Neck Fair begins tomorrow evening and runs through Sunday night. This event is organized by very few Committee volunteers that work very hard and accomplish so much.

Mr. Stuart reported the revaluation maps are going to the State for review Monday. Mr. Stuart does not expect the State approval of the contract immediately since the maps must be approved first.

27. COMMENTS FROM THE PUBLIC:

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

Ms. Virginia Amend, a resident and editor of the Colts Neck Calendar, stated she attended the Colts Neck Business Association meeting this morning and this group is asking for a liaison from the Township Committee. Ms. Amend stated Middletown Township bonded the dredging at Shadow Lake and the project is now exceeding the bond set. Ms. Amend recommends capping the project cost to avoid a similar situation.

Mr. Vince Domidion, a resident, stated the Township Committee was thoughtful and thorough on the SRO position. Mr. Domidion commented on the 2007 audit presentation noting it is not the size of the staff, but the quality of the people, and Colts Neck is indeed fortunate having the staff they do. Mr. Domidion commented he has been reading the COAH amendments and the assumptions are not credible. The population is dynamic, not cumulative. Mr. Domidion commented the spoils disposal from dredging are always a problem, and we may have to treat the spoils dredged from Town Hall. Mr. Domidion stated school consolidation is a possibility. Mr. Domidion wants a needs assessment on the existing fire ponds and other bodies of water in Town to determine their future.

Mr. Dominic Sozio, a resident, commended the Township Committee for their decision on the SRO position. Mr. Sozio also commented Freehold Regional never advised the Township about the proposed cell tower placement at Colts Neck High School. Mr. Sozio reported trucks exceeding the four ton limit are speeding on Five Point Road. There is a weight limit sign, but it may be obscured by overgrown brush. Mr. Sozio requested police monitor this stretch of roadway.

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

28. RESOLUTION 2008-116: EXECUTIVE SESSION was read by Mayor Hennessy at 9:30 p.m. Mr. Stuart made a motion to adjourn and go into Executive Session, seconded by Mr. Florek and unanimously carried.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Hennessy		X			
Forester		X			
Florek	S	X			
Schatzle		X			
Stuart	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 by all present to adjourn closed session.

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

The Township Committee reconvened in public session at 10:20 p.m. and adopted Resolution 2008-117 Authorizing an Appraisal of Block 2, Lot 1, located along County Route 520, beginning at Clover Hill Lane and ending at Township property at Route 34.

The Township Committee also confirmed that this acquisition be submitted as the County Open Space Grant project for this year.

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

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

Meeting adjourned at 10:21 p.m.

 Robert Bowden
 Township Administrator/Clerk

Attachment