

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
SEPTEMBER 24, 2008
7:30 P.M. AT TOWN HALL**

The meeting of the Colts Neck Township Committee was called to order at 7:38 p.m. by Mayor Hennessy followed by a salute to the flag. The following statement was read by Municipal Clerk 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 the meeting of the Colts Neck Township Committee would be held on September 24, 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, Committeemembers Florek and Stuart. Committeeman Schatzle (arriving late)

Also Present: Administrator/Municipal Clerk, Robert Bowden; Counsel, Keri Fornino, Esq.; and Deputy Municipal Clerk, Beth Kara

Absent: Deputy Mayor Forester

At the outset of the meeting, Mayor Hennessy noted Deputy Mayor Forester is out of town on business and Committeeman Schatzle was delayed in traffic and would be joining the meeting in progress.

Mayor Hennessy noted the arrival of President George W. Bush in Colts Neck on September 22, 2008. Mayor Hennessy stated the entire Township Committee, Township Administrator Bowden, Police Chief Sauter, Fire Chief Quincannon and Holmdel Fire Chief (former Colts Neck Fire Chief) Tom Savage among others, attended the event held at a private residence in Colts Neck. Mayor Hennessy and the Township officials were very pleased to be a part of this historic event.

Mayor Hennessy called upon Ms. Elaine Mann, NOPE Executive Board member and resident, to provide a briefing on the meeting she attended in Trenton earlier today at Sate Police Headquarters. Ms. Mann advised she and Chiefs Sauter and Quincannon attended the afternoon meeting with Mr. Fuentes; Sen. Beck; Assemblymembers O'Scanlon and Cassagrande; Cong. Chris Smith's aide, Ms. Noonan; Col. Sfayer; and Tinton Falls Administrator Dempsey and the OEM Officer. Ms. Mann reported all received a tour of "the Rock" and were shown the current measures in place to protect the State. Mr. Fuentes stated he will visit the Base and has asked for a letter of concern regarding NWS Earle housing privatization.

1. **ANNOUNCEMENT:** Mayor Hennessy announced the next meeting of the Township Committee will be held October 15, 2008, the third Wednesday of October, due to Yom Kippur falling on the second Wednesday of October.

Committeeman Schatzle arrived at 7:46 p.m.

2. **PRESENTATION:** Messrs. Tom Thomas, P.P., and Timothy Anfuso, P.P., provided an in-depth presentation on COAH. Mr. Thomas noted, as of yesterday, the COAH rules changed. Mr. Thomas provided a history of COAH and its changes. Under Round 3, the timeframe extends from January 1, 2004 through December 31, 2018; at least 25 percent of housing units in the plan must be rental housing; a rental bonus for units that exceed 25 percent of rental obligation; rental obligation must be met with at least 50 percent family units; up to 25 percent of affordable units may be age-restricted units; at least 50 percent of housing must be available to general public; and the housing plans are due by December 31, 2008. The Colts Neck Round 3 obligations are projected at 67 affordable units with a minimum of 17 affordable rental units (25 percent of obligation). Eight options were discussed in meeting the Round

3 obligation. Mr. Thomas noted before the plan is submitted, the Planning Board must adopt the housing plan. The plan will then be sent to the Township Committee for approval. Developers' agreements noting interest must be included as part of the plan when submitting for COAH approval. On behalf of the Governing Body, Mr. Florek thanked Messrs. Thomas and Anfuso for all their hard work these past two years.

3. **APPROVAL OF MINUTES OF AUGUST 13, 2008:** Mr. Schatzle noted spelling corrections on Pages 1 and 6. Mr. Florek made a motion to approve, as amended, seconded by Mr. Stuart and unanimously carried.

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

4. **APPROVAL OF MINUTES OF SEPTEMBER 10, 2008:** Mr. Bowden noted reference to the moment of silence for 9/11 victims at the outset of the meeting should be inserted. Mr. Florek made a motion to approve, as amended, seconded by Mr. Stuart and carried by Messrs. Florek, Stuart and Schatzle; Mayor Hennessy abstained.

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

5. **ORDINANCE 2008-12:** AN ORDINANCE REPEALING CHAPTER 3 ENTITLED, "BUSINESS ADVISORY COMMITTEE" OF THE TOWNSHIP CODE OF THE TOWNSHIP OF COLTS NECK was read by title at second reading by Mayor Hennessy. Mayor Hennessy noted the Business Advisory Committee members have requested the dissolution of its committee given the success of the non-government Business Association. With no comment from the Governing Body, Mayor Hennessy opened the meeting to public comment. Hearing none, Mayor Hennessy closed the meeting. 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			
Deputy Mayor Forester					X
Florek	S	X			
Schatzle	M	X			
Stuart		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

6. **ORDINANCE 2008-13:** AN ORDINANCE TO AMEND CHAPTER 132 OF THE CODE OF THE TOWNSHIP OF COLTS NECK PERTAINING TO THE AUTHORITY TO ISSUE RAFFLE LICENSES was read by title at first reading by Mayor Hennessy. Mr. Bowden stated the scheduling of Township Committee Meetings may not leave enough lead time for organizations to obtain Governing Body approval of raffle license applications. This ordinance would

provide the Municipal Clerk with the authority to approve raffle license applications. Mr. Florek stated the authority to approve should include the Deputy Municipal Clerk. Mr. Schatzle made a motion to approve, as amended, seconded by Mr. Florek and unanimously carried. Mayor Hennessy set the public hearing date October 15, 2008.

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

7. **ORDINANCE 2008-14:** AN ORDINANCE AMENDING CHAPTER 184 ENTITLED, "SALES, SPECIAL", OF THE TOWNSHIP CODE OF THE TOWNSHIP OF COLTS NECK was read by title at first reading by Mayor Hennessy. Discussion ensued on the number of auction licenses to be issued for any given location. Messrs. Florek and Forester (in September 10 meeting) agreed to three per year, Messrs. Stuart and Schatzle agreed to five per year. With no majority, the issue will be carried over to the next meeting when all Governing Body members are present.
8. **ORDINANCE 2008-15:** AN ORDINANCE OF THE TOWNSHIP OF COLTS NECK IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTERS 102, DEVELOPMENT REGULATIONS, AND 67, SHADE TREE COMMISSION OF THE CODE OF THE TOWNSHIP OF COLTS NECK PERTAINING TO TREE REMOVAL AND PRESERVATION was read by title at first reading by Mayor Hennessy. With no comments by the Governing Body, Mr. Stuart made a motion to approve, seconded by Mr. Florek and unanimously carried. Mayor Hennessy set the public hearing October 29, 2008.

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

9. **RESOLUTION 2008-129:** AUTHORIZING AWARD OF BID, 2008 ROAD IMPROVEMENT PROGRAM was read by title by Mayor Hennessy. Mr. Bowden stated although the Board of Education entered into a cooperative agreement and their work was included as part of the bid solicitation, Mr. Bowden received an e-mail today advising the Board was not interested in proceeding. Based on the recommendation of the Township Engineer, by this resolution the Township Committee will award the contract to Earle Asphalt Co., Farmingdale, New Jersey, the low bidder, at a total cost of \$1,131,267.33. Funding is available from a NJ DOT Grant, defaulted sub-division P.B. No. 371C, Bond Ordinance No. 2008-08, and Capital Budget Ordinance No. 2008-07. 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			
Deputy Mayor Forester					X
Florek	S	X			
Schatzle	M	X			
Stuart		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

10. **RESOLUTION 2008-130:** APPROVING PAYROLL DEDUCTION FOR AN EMPLOYEE-FUNDED VISION PLAN, PREMIER VISION CARE NETWORK was read by title by Mayor Hennessy. Mr. Bowden advised this benefit would be provided to employees at no cost to the Township. The resolution authorizes an employee payroll deduction for optional enrollment. 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			
Deputy Mayor Forester					X
Florek	S	X			
Schatzle	M	X			
Stuart		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

11. **MOTION TO ADOPT A CONSENT AGENDA:**
12. ***RESOLUTION 2008-131:** APPROVING INSERTION OF SPECIAL ITEM OF REVENUE, SOLID WASTE ADMINISTRATION, RECYCLING GRANT.
13. ***RESOLUTION 2008-132:** AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES AND ACCEPTANCE OF MAINTENANCE GUARANTEE, P.B. APPLICATION NO. 521 (STONE HILL ESTATES).
14. ***RESOLUTION 2008-133:** AUTHORIZING RELEASE OF SPECIAL PERFORMANCE GUARANTEE, HOME DEMOLITION, BLOCK 51, LOT 14 (139 HOCKHOCKSON ROAD).
15. ***RESOLUTION 2008-134:** AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEES, P.B. APPLICATION NO. 663 (BIRDSALL).
16. ***RESOLUTION 2008-135:** AUTHORIZING RECREATION PROGRAM REFUNDS.

Mr. Bowden proposed amending the original consent agenda to include approval of the following, which was approved for inclusion by the Governing Body:

17. ***RESOLUTION 2008-135A:** APPROVING RAFFLE APPLICATION NOS. RA 08-37 AND RA 03-38, COLTS NECK EDUCATION FOUNDATION.

Mr. Florek made a motion to approve, as amended, 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					

18. **ADMINISTRATIVE REPORT.** Mr. Bowden had nothing further to add to his report. Mr. Bowden stated Greenleaf Landscape Systems and Services, Inc., is requesting the Township Committee's approval for serving alcohol at their picnic at Bucks Mill Park and has provided a certificate of insurance, naming the Township as additional insured. Mr. Stuart made a motion to approve, seconded by Mr. Florek and unanimously carried. Mr. Bowden stated Colts Neck is one of the few municipalities that still permits alcohol in its parks, and the Governing Body may want to consider prohibiting its use in the future to be more in line with the surrounding communities.

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					

Mr. Bowden discussed an Inter-local Municipal Services Agreement for the provision of court room video conferencing services between Tinton Falls and Colts Neck. Mr. Bowden stated this shared service would cost \$1,200 per year and would eliminate the need to transport criminals to the Township. Mr. Stuart stated he wants a cost benefit analysis done showing projected savings before reaching a decision. Mr. Florek questioned the number of transports each year. Counsel Fornino stated Freehold has video conferencing, and it eliminates the lengthy process of prisoner transport. Messrs Bowden and Schatzle will prepare the analysis for further Governing Body consideration.

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

Animal Control	\$15.60
Capital Fund	\$22,608.50
COAH	\$129.25
Construction Trust	\$10,334.04
Current Fund	\$218,592.82
Grant Fund	\$250.00
Trust Fund	<u>\$10,430.08</u>
TOTAL APPROVED:	\$262,360.29

Mr. Bowden requested the addition of one voucher in the amount of \$120.00, payable to the Monmouth County Clerks Association, for a League Breakfast and Business Meeting, at which Ms. Kara will be recognized for her certification as a Municipal Clerk, effective October 2007. Mr. Florek made a motion to approve all vouchers, as amended, seconded by Mr. Schatzle and unanimously carried.

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

20. TOWNSHIP COMMITTEE REPORTS:

Mr. Florek reported the Thompson Park field manager has offered an alternative to the underground irrigation system at the Five Point Park ball fields. For a cost of \$15,000 (versus \$80,000 projected for the underground irrigation system), a piece of equipment can be purchased that can be pulled by a utility vehicle to water the field in three or four passes. Discussion ensued regarding the storage of the proposed equipment, which vehicle would be utilized, and who would be responsible for this task. Mr. Schatzle suggested further discussion with Colts Neck Polo, as a movable system has many positives.

Mr. Florek reported Mr. Mike Romano had a heart attack last week; however, he is doing well and plans to return next week.

Mr. Stuart reported he and Mr. Bowden met with Green Acres staff yesterday and visited the Route 520, Clover Hill site. The Green Acres staff liked the site, and things look very positive for the Monmouth County Open Space Grant application submitted.

Mr. Schatzle reported the First Aid Squad is in the process of renovating its building, and noted the new epoxy floor is a wonderful addition. New windows are planned next. All renovations are paid by the Squad's donations.

Mr. Schatzle reported the Board of Health will hold its annual Flu Shot Clinic for Senior residents on October 15, 2008 at the Court House.

Mr. Schatzle reported the 180 Turning Lives Around group had a successful fund raiser through Colts Neck Polo.

Mr. Schatzle reported the Local Emergency Planning Committee Swiftreach 911 software upgrade is almost complete.

Mr. Schatzle reported the Drug and Alcohol Alliance will be sponsoring the skateboard event this Saturday in the municipal complex parking lot.

Mr. Schatzle reported he will be working with Mr. Florek and Pop Warner leaders to resolve the noise complaints by residents at the High School during Pop Warner football games.

Mayor Hennessy had no report this evening.

21. COMMENTS FROM THE PUBLIC:

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

Ms. Elaine Mann, a resident, thanked Mr. Florek for seeking field irrigation alternatives. Ms. Mann stated she experienced an emergency situation at her residence during which the dispatcher disputed the new house number Ms. Mann provided. Mr. Schatzle suggested she contact the Police Chief to resolve the issue with dispatch. Mr. Schatzle requested he be advised of any problems resulting from the renumbering of Route 34 and stated he will work to have the problems manually corrected.

Mr. Vince Domidion, a resident, commented on the COAH housing presentation. Mr. Domidion suggested consideration be given to wastewater pools. Mr. Domidion advised the roadway on Professional Circle west of Leland Road is breaking up. Mr. Bowden stated he will check this.

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

22. **RESOLUTION 2008-136:** EXECUTIVE SESSION was read by Mayor Hennessy at 9:30 p.m. Mr. Stuart made a motion to adjourn and go into Executive Session to discuss personnel and contract negotiations, 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. Florek, seconded by Mr. Schatzle and unanimously carried to adjourn closed session.

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

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

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					

Meeting adjourned at 10:20 p.m.

Robert Bowden
Township Administrator/Clerk