

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
SEPTEMBER 30, 2009
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 Acting Mayor Florek followed by a salute to the flag. The following statement was read by Township 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 September 1, 2009, stating the meeting of the Colts Neck Township Committee would be held on September 30, 2009 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: Acting Mayor Florek, Committeemen Schatzle, Engel and Eastman (arriving late).

Also Present: Administrator/Municipal Clerk, Robert Bowden; Deputy Municipal Clerk, Beth Kara; Legal Counsel, John O. Bennett, III, Esq.

Absent: Mayor Forester

Mr. Bowden advised Mayor Forester was out of town this evening.

1. **PRESENTATION**: RECOGNITION OF RETIREMENT OF POLICE OFFICER DANA JOLINE. Chief Sauter spoke of Mr. Joline, noting he was one of the first Police Officers hired by the Township and is the first Police Officer to fully retire after 25 years of service in Colts Neck. Chief Sauter thanked Mr. Joline on behalf of the citizens of Colts Neck and presented him with a retirement badge and an identification card. Acting Mayor Florek thanked Mr. Joline for his service on behalf of the Township Committee and presented him with a plaque, noting grateful appreciation for 25 years of service to the Colts Neck Police Department (13 years as a Patrolman and 12 years as a Sergeant), and thanking him for his dedication, professionalism and commitment to the citizens and community of Colts Neck. Mr. Schatzle spoke of his personal experiences working with Mr. Joline in past years. Mr. Schatzle noted he watched Mr. Joline on the job and always felt his back was covered when Dana was present. Mr. Joline received a round of applause, and was joined by his wife, Maureen; and daughter, Brittney; and members of the Colts Neck Police Department. Photographs were taken.
2. **APPOINTMENT**: MR. DANIEL ROYLE. Chief Sauter thanked the Governing Body for approving the filling of the vacancy created by Mr. Joline's retirement. Chief Sauter spoke of Mr. Royle's qualifications, noting he graduated the Burlington County Police Academy in March 2007, and was hired by the Monmouth County Sheriff's Department in September 2006. Mr. Royle is a fully P.T.C. certified Police Officer.
3. **RESOLUTION 2009-126**: RESOLUTION CONFIRMING APPOINTMENT OF COLTS NECK PATROLMAN MR. DANIEL G. ROYLE was read by title by Acting Mayor Florek. Mr. Schatzle made a motion to approve, seconded by Mr. Engel and unanimously approved.

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

4. **SWEARING IN OF DANIEL G. ROYLE AS A COLTS NECK POLICE DEPARTMENT PATROLMAN.** Mr. Bowden performed the Oath of Office. Mr. Royle's wife, Tina, held the bible, while son, Nicholas; his father, who is a Police Officer in Union Beach; Police Officers in the Monmouth County Sheriff's Department and Colts Neck Police Officers observed. Mr. Royle received a round of applause and photographs were taken.
5. **ORDINANCE 2009-17: AN ORDINANCE AUTHORIZING THE TOWNSHIP OF COLTS NECK TO ACQUIRE CERTAIN REAL PROPERTY KNOWN AND DESIGNATED AS BLOCK 1, LOT 2 ON THE COLTS NECK TOWNSHIP TAX MAP (WOBITO PROPERTY) was read at second reading by Acting Mayor Florek.** Acting Mayor Florek noted this property was being acquired through Open Space and Green Acres Funds, and approximately \$20,000 of Township Open Space Funds for closing fees and surveys. Hearing no comments from the Governing Body, Acting Mayor Florek opened the meeting to public comment.

Mr. Vince Domidion, a resident, stated this is a happy day, noting this is the sixth piece of property publicly owned that protects the Category 1 stream running through it. Mr. Domidion stated this acquisition preserves land from Clover Hill Lane to Route 34 along Route 520.

Mr. Ray Carbone, a Clover Hill resident questioned the acquisition. Mr. Domidion responded noting the high value of the Category 1 stream within this corridor.

Hearing no further comments, Acting Mayor Florek closed the meeting to public comment. Acting Mayor Florek noted the Township is indeed fortunate to acquire this parcel. Mr. Engel made a motion to approve, seconded by Mr. Schatzle and unanimously carried.

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

Committeeman Eastman arrived at 7:53 p.m.

6. **RESOLUTION 2009-123: RESOLUTION CONFIRMING AWARD OF BID, LEAF DISPOSAL SERVICES** was read by title by Acting Mayor Florek. Acting Mayor Florek stated the last bids received were \$2.75 per cubic foot. The re-bidding resulted in a bid price of \$2.35 per cubic foot, which will result in a projected savings of \$6,300 to the Township. The vendor is Overbrook Farm of Orchard Lane, Colts Neck, and the length of award is two years (2009-2010). Mr. Eastman made a motion to approve, seconded by Mr. Engel and unanimously carried.

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

7. **RESOLUTION 2009-127: RESOLUTION SUPPORTING \$400 MILLION STATE-WIDE REFERENDUM FOR GREEN ACRES, WATER SUPPLY, FLOOD PLAIN PROTECTION, HISTORIC PRESERVATION AND FARMLAND**

PRESERVATION was read by title by Acting Mayor Florek. Acting Mayor Florek stated Colts Neck Township has been the recipient of these funds through Green Acres, Farmland Preservation and Historic Preservation projects and acquisitions. On November 3, 2009, the State-wide referendum will be proposed for approval, and Mr. Florek noted it is in the interest of the residents of Colts Neck and New Jersey that this be adopted to continue funding for recreation and conservation purposes for the preservation of farmland for agricultural use and production, for historic preservation purposes, and for water quality protection purposes. Mr. Schatzle made a motion to approve, seconded by Mr. Engel and unanimously carried.

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

13. MOTION TO ADOPT CONSENT AGENDA:

14. *RESOLUTION 2009-124: RESOLUTION AUTHORIZING RECREATION PROGRAM REFUND.

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

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

15. ADMINISTRATIVE REPORT: Mr. Bowden had no report this evening. Mr. Bowden reported on an issue from the previous meeting involving a paving issue on Hominy Hill Road. Mr. Bowden put the developer on notice that they would be in default if the paving was not accomplished by September 30th. Mr. Bowden spoke with the paving contractor, who indicated paving is scheduled for October 12th. The contractor will be advised not to yellow stripe the center line on the pavement. If the paving is not accomplished, this issue will be addressed during the October 14th meeting.

Mr. Bowden reported that effective October 15th, Monmouth County will no longer accept any household batteries (with the exception of "button" batteries) for recycling, as it is too costly, and toxic metals have been reduced or eliminated from these types of batteries in the past ten years. Mr. Bowden stated the next recycling newsletter will address this issue and the battery recycling receptacles will be removed from locations around Town.

Mr. Bowden spoke about the Monmouth County Mosquito Extermination Commission's request to de-silt an unnamed tributary to Yellow Brook adjacent to 45-49 Heyers Mill Road to reduce mosquito habitats. A similar project was done by the County Mosquito Commission last year on Maple Drive, which proved successful. To do this, the Township would have to enter into a Hold Harmless agreement with the County, and each property owner adjacent to the project site would have to properly execute a Right-of-Entry form. The Township Committee agreed to go forward, and Mr. Bowden will proceed with notifying the property owners. Mr. Eastman questioned if the County would be interested in de-silting the ponds at the Town Hall core site. Mr. Bowden stated the County would; however,

it will be a major cost to dispose of the spoils. Acting Mayor Florek noted estimates were the amount of spoils would cover a football field six feet deep. Further discussion on this will ensue at a future meeting.

Mr. Sean McGee, a resident, arrived, and at the request of Mr. Bowden, addressed the Governing Body pertaining to the issuance of a building permit for basement renovations. Currently, Mr. McGee is in litigation regarding his driveway, which may last upwards of two months. Mr. McGee has been issued code violations for the driveway and is seeking Governing Body approval for a building permit so that the basement renovations may begin. Counsel Bennett noted the Governing Body is the only body that may grant relief to Mr. McGee when code violations exist, and the driveway violations have nothing to do with the basement renovations planned. Mr. Engel made a motion to allow the issuance of a building permit for basement renovations, seconded by Mr. Eastman and unanimously carried. Mr. Bowden will advise Mr. Anfuso the permit for basement renovations may be issued.

16. **MOTION TO APPROVE VOUCHERS:** Mr. Schatzle reported he reviewed the vouchers, noting all were in order, and are as follows:

Animal Control	\$118.55
Capital Fund	\$28,752.00
COAH	\$575.00
Construction Trust	\$12,369.84
Current Fund	\$2,520,255.78
Farmland Preservation Trust	\$1,530.25
Grant Fund	\$1,991.25
Tax Collectors Trust	\$25,431.38
Trust Fund	<u>\$9,399.53</u>
TOTAL APPROVED:	\$2,600,423.58

Mr. Schatzle made a motion to approve, seconded by Mr. Engel, and unanimously carried; however, Mr. Eastman stated he abstains from approving payments on any matter that deals with the Police.

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

17. **TOWNSHIP COMMITTEE REPORTS**

Mr. Engel reported the Colts Neck First Aid Squad scheduled a drill Tuesday, and is planning a second drill pertaining to ambulance safety.

Mr. Engel reported the Friends of the Library are planning many annual activities including the Book Sale, Art Show and the Williamsburg Christmas.

Mr. Engel reported the Alliance has sponsored many student programs during 2009, including Campfire USA, Prevention First, Camp Anytime, Project Graduation at Colts Neck High School, the Candlelight Vigil at Colts Neck High School, Old Towne Colts Neck Day, and has participated in Clean Communities activities and paddleboats at the Fair. In addition, the Alliance purchased various media for the Library and provided lecturers at schools. Mr. Engel stated the Alliance is valuable to the community, and those interested in becoming involved should see Anita or Emory Dedalis or Mr. Engel.

Mr. Schatzle reported the NOPE rally pertaining to the privatization of NWS Earle is planned for October 27th at Colts Neck High School. Mr. Schatzle urged all to keep the date open and attend the event.

Mr. Schatzle proposed the following resolution be adopted this evening:
 “RESOLUTION AUTHORIZING THE COLTS NECK TOWNSHIP COMMITTEE TO PETITION THE NEW JERSEY LEGISLATURE TO ENACT SPECIAL LEGISLATION REGARDING COSTS AND SECURITY ISSUES SURROUNDING THE CONVERSION OF MILITARY HOUSING LOCATED AT EARLE NAVAL WEAPONS STATION”. Counsel Bennett stated this resolution petitions the New Jersey Legislature to enact special legislation requesting the State Treasurer to issue a cost benefit analysis and security report regarding the conversion of military housing to civilian housing at Earle Naval Weapons Station. In addition, the Township Committee further requests that any special legislation also include a moratorium on issuance of certain State permits and plan approvals until a full and complete analysis of the impacts surrounding the conversion have been revealed and addressed. Acting Mayor Florek added “community resources, public services and emergency services” to the third paragraph referencing the significant impact on the community. A question arose as to whether this should be a resolution or an ordinance. Counsel Bennett will research and advise. Mr. Schatzle made a motion to approve, as amended, seconded by Mr. Eastman and unanimously approved. Resolution No. 2009-128A was assigned to this document.

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

Mr. Eastman reported the Shade Tree Commission has met and wants the Code Enforcement Officer to attend their next meeting. Mr. Bowden will advise Mr. Galinski.

Mr. Eastman reported the Historic Preservation Committee continues to work with a contractor to restore the Montrose Road School House. The contractor would like to have DPW staff dig a trench around the building for drainage. Mr. Bowden requested the particulars of the trench required.

Mr. Eastman reported the annual Historic Preservation House Tour is scheduled for October 3rd from 10:00 a.m. to 4:00 p.m. Tickets may be obtained at Colts Neck Realty, and prices are \$25 for the House Tour; \$15 for the Luncheon at Huddy’s.

Acting Mayor Florek reported the COAH Committee met and are in the process of finalizing the plan to answer the third round challenge. The mediation is scheduled for October 26th, and Acting Mayor Florek plans to attend.

Acting Mayor Florek reported the Fire Department recently sent out requests for donations. Acting Mayor Florek stated the Fire Department is a dedicated group of volunteers that work hard and help the Township maintain a high Fire Safety rating, which keeps property insurance rates lower. Acting Mayor Florek urged residents to be generous.

18. **COMMENTS FROM THE PUBLIC:**

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

Mr. Vince Domidion, a resident, thanked the Township Committee for adopting the Open Space resolution this evening. Mr. Domidion stated Monmouth County passed a similar resolution. Mr. Domidion stated with reduced property values, this is an opportune time for the Township to acquire land. Mr. Domidion stated open

space acquisitions were approved by the voters several years ago, and Colts Neck benefits directly from the Dedicated Open Space Fund.

Mr. Domidion stated while the Mosquito Commission is dealing with dredging to improve streams that are badly silted, the Township should perform a survey of fire ponds to assess their current status and develop a plan to discuss with the Mosquito Commission. Mr. Schatzle advised the Township has more water than it had 15 years ago, given the mutual aid agreements Colts Neck has with surrounding communities for water. Mr. Domidion stated in an emergency these resources may be strained and urged the fire ponds be surveyed.

Mr. Ray Carbone, a resident, spoke of the revaluation noting those hardest hit will be the long-standing residents. To offset the tax burden on residents, Mr. Carbone suggested having each Township department build in a five to ten percent reduction in their proposed 2010 budget. Acting Mayor Florek responded noting the Governing Body and Administrator went through an exacting process last year, as it does each year, whereby each line item was thoroughly reviewed. Mr. Bowden stated approximately one-half the budgets were reduced when compared with prior years, while others stayed the same or increased slightly. Increases occurred in areas where road materials, fuel and electricity were adversely impacted from rising prices.

Ms. Judy Laufer, a resident, congratulated the Colts Neck Business Association on their sold-out Barn Tour.

Hearing no further comments, Acting Mayor Florek closed the meeting to public comment.

17. **RESOLUTION 2009-129: EXECUTIVE SESSION.** At 8:22 p.m., Mr. Schatzle made a motion to approve, seconded by Mr. Engel and unanimously carried by voice vote. Mr. Bowden stated he does not anticipate formal action being taken this evening.

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

Motion by Mr. Eastman, seconded by Mr. Engel, and unanimously carried to adjourn Closed Session and reconvene in Public Session.

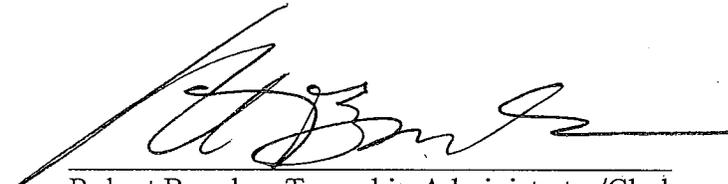
RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Forester					X
Acting Mayor Florek		X			
Schatzle		X			
Eastman	M	X			
Engel	S	X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

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

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Mayor Forester						X
Acting Mayor Florek			X			
Schatzle		S	X			
Eastman		M	X			
Engel			X			

X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded

Meeting adjourned at 9:45 p.m.



Robert Bowden, Township Administrator/Clerk