

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
OCTOBER 8, 2003**

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 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 16, 2002 stating that a meeting of the Colts Neck Township Committee would be held on October 8, 2003 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 Burry, Committeemembers, Florek, Forester, Stuart, and Mayor Hennessy

Also Present: Robert Bowden, Tom Bace, Esq., John O. Bennett III. Esq. (arrived at 8:55 p.m.), and Aime Sweeney

Absent: None

Mayor Hennessy turned the floor over to Mr. Stuart for an announcement. Mr. Stuart announced the Township Committee has authorized the hiring of two additional police officers by the end of this year. The Township will now have 22 sworn officers including the Chief of Police. The new officers will allow more police emphasis in two areas; traffic safety and investigations. New officers will increase the ratio of officers to 1,000 residents to 1.8 using the 2000 census of a total Colts Neck population of 12,331.

1. **PRESENTATION**: FARM ANIMAL SANCTUARY – Mayor Hennessy introduced Mrs. Kathleen Schatzmann. Mrs. Schatzmann briefed the Governing Body on her proposal for a Farm Animal Sanctuary. Mrs. Schatzmann said the Peaceable Farm is a tax exempt, "not-for-profit" farm animal sanctuary with an educational outreach program within Colts Neck for individuals of all ages. The vision is to rescue abused, abandoned, and neglected farm animals. The animals will live out their lives in a peaceful surrounding with food, shelter, medical care, and kindness. The outreach program aims to educate the public on the care and maintenance of farm animals, consequences of irresponsible behavior, and ways to foster a sentiment of kindness to animals and people through tours, public speakers and special events. Mrs. Schatzmann concluded by saying she is seeking five usable acres of the 16 acres located at Obre Preserve. Mayor Hennessy recalled the animal farm that existed several decades ago on Cross Road. This type of program sounds like it is cutting edge for Colts Neck. Mayor Hennessy said he is concerned the interest level will wane. Mrs. Schatzmann said it is indeed a wonderful program which would bring families and the community together. Financially it would not impact the Township. Mayor Hennessy asked if the property will remain with the Township. Mrs. Schatzmann said yes. Mrs. Burry said it is important to note the educational benefits of this proposal. Mrs. Burry asked jokingly if the chickens will be contained. Mrs. Schatzmann said yes. Mr. Forester said he is interested to learn more about animal maintenance and long term care. Mr. Bowden asked if budgetary costs were configured yet? Mrs. Schatzmann said she has some approximate numbers and believes it would take six months to a year to begin. Mrs. Burry said she feels the Township would want to see that you have the money set aside in you organization first. Mr. Bowden asked if private property was sought out for this project? Mrs. Schatzmann said no, because she feels public property is best suited for this type of project.

Mr. Bowden explained there are certain laws in which the Township must comply such as insurance, leasing, etc. Mayor Hennessy thanked Mrs. Schatzmann for her presentation and called for a brief recess at 8:05 p.m.

Mayor Hennessy called the meeting back to order at 8:15 p.m.

2. **APPROVAL OF MINUTES** FOR SEPTEMBER 10, 2003 AND SEPTEMBER 24, 2003 was read by Mayor Hennessy. Mrs. Burry made a motion to approve the minutes for September 10, 2003 and table the minutes from September 24, 2003, seconded by Mr. Forester and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, and Mayor Hennessy

Oppose: None

Abstain: Committeeman Stuart abstained from approval of minutes for September 10, 2003.

3. **ORDINANCE 2003-15**: AN ORDINANCE AUTHORIZING THE LEASE OF TOWNSHIP PROPERTY, KNOWN AS BLOCK 16, LOT 11 (POLICE HEADQUARTERS) was read by Mayor Hennessy by title on first reading. Mayor Hennessy explained what this Ordinance is for. Mrs. Burry asked why there are no specifications? Mr. Bowden said this Ordinance only authorizes the lease. Mr. Bace said after this Ordinance is adopted then bid specifications will go out and have to be approved by Resolution. Mr. Florek questioned the timing of this and asked if this can wait? Mr. Bowden advised that he feels this is the appropriate time for this matter and Mr. Bace further explained. With no further comments, Mayor Hennessy set the public hearing for October 29, 2003. Mr. Stuart made a motion to introduce this Ordinance, seconded by Mr. Forester and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart and Mayor Hennessy

Oppose: None

4. **ORDINANCE 2003-16**: AN ORDINANCE REPEALING CHAPTER 222-69 OF THE CODE OF THE TOWNSHIP OF COLTS NECK PROHIBITING LEFT TURNS FROM BLOCK 31, LOT 25.01 ONTO MERCHANTS WAY was read by Mayor Hennessy by title on first reading. Mayor Hennessy explained. With no comments made, Mayor Hennessy set the public hearing for October 29, 2003. Mr. Forester made a motion to introduce this Ordinance, seconded by Mrs. Burry and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart and Mayor Hennessy

Oppose: None

5. **RESOLUTION 2003-150**: AUTHORIZING AWARD OF BID; PRIVATE SNOW PLOWING SERVICES (3 YEARS): was read by Mayor Hennessy. Mr. Bowden advised this bid reflects a three year contract for 8 primary vehicles at \$180/hr., 4 four wheel drive pick-ups at \$140/hr., and 1 supervisor at \$130/hr. Mr. Bowden advised the hourly rates have increased from the last three year contract. The Road Supervisor and I recommend approval. With no further comments, Mrs. Burry made a motion to approve this Resolution, seconded by Mr. Stuart and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart and Mayor Hennessy

Oppose: None

6. **RESOLUTION 2003-151**: AUTHORIZING AWARD OF BID – ROCK SALT was read by Mayor Hennessy. Mr. Bowden explained Atlantic Salt is the apparent low bidder at \$38.87/ton for a two year contract. With no further comments, Mr. Stuart made a motion to approve this Resolution, seconded by Mr. Forester and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart and Mayor Hennessy

Oppose: None

7. **RESOLUTION 2003-152**: SUPPORT STATEWIDE PUBLIC QUESTION NO. 1; ADDITIONAL FUNDING FOR OPEN SPACE, FARMLAND AND HISTORIC PRESERVATION AND COMMUNITY PARKS was read by Mayor Hennessy in full. Mayor Hennessy explained. Mr. Stuart asked if this is going to raise money by refinancing debt? Mr. Forester explained. Mr. Bowden advised this Resolution is to include “historic preservation”. With no further comments, Mrs. Burry made a motion to approve this Resolution as amended, seconded by Mr. Florek and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart and Mayor Hennessy

Oppose: None

8. **RESOLUTION 2003-153**: ESTABLISHING A HALLOWEEN CURFEW was read by Mayor Hennessy in full. The Township Committee had a brief discussion regarding the start date of the curfew. Mrs. Burry made a motion to amend this Resolution to indicate start date of October 27th to November 1st, seconded by Mr. Stuart and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart and Mayor Hennessy

Oppose: None

9. **RESOLUTION 2003-154**: AUTHORIZING SALE OF SURPLUS PERSONAL PROPERTY was read by Mayor Hennessy. Mr. Bowden explained over the years Colts Neck joins with neighboring towns to auction off items which have no useful life left. When entering into contract with the auctioneer he will get 10% of proceeds. This has been successful over the years. With no further questions, Mr. Forester made a motion to approve this Resolution, seconded by Mrs. Burry and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart and Mayor Hennessy

Oppose: None

10. **MOTION TO ADOPT A CONSENT AGENDA** was read by Mayor Hennessy for the following Resolutions:

Resolution 2003-155: Accepting Special Performance Guarantee – PB Application No. 602 (Mumford Demolition)

Resolution 2003-156: Authorizing Release of Inspection Fees – Application No. 557 (Boggio)

Resolution 2003-157: Authorizing Recreation Program Refunds

Resolution 2003-158: Authorizing Raffle Application No. 03-37 – Colts Neck Fire Department (Raffle for Hummer/Thomas Clark Esq.) - Mr. Bowden advised this Resolution is to be amended to reflect the “Colts Neck Lions Club” instead of the Colts Neck Fire Department.

With no further comments, Mr. Florek made a motion to approve the aforementioned Resolutions as amended, seconded by Mrs. Burry and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart and Mayor Hennessy

Oppose: None

11. **DISCUSSION:** AMENDMENT TO CHAPTER 102 (DEVELOPMENT REGULATIONS) PERTAINING TO BUILDING HEIGHT REQUIREMENTS (POSSIBLE INTRODUCTION) – Mr. Florek said he feels three feet more than the existing grade makes more sense. Mr. Stuart said he has been a big proponent of this for some time now. Mr. Stuart asked if this will affect existing buildings because it could severely impact current approvals. Are those already approved grandfathered? Mrs. Burry expressed concerns. Mr. Florek reiterated that he strongly feels three feet more than the existing grade is best suited for the Township. Mr. Bowden urged the Township Committee to call Tim Anfuso directly with these concerns in effort to place this Ordinance on the next agenda.
12. **UNFINISHED BUSINESS:** REPLACEMENT STRUCTURE AT BUCKS MILL PARK – Mayor Hennessy introduced Thomas Clarke and Dennis Kelly. Mr. Clark gave background on replacing the structure at Bucks Mill Park. Mr. Kelly described the preliminary plans. Mr. Bowden asked why a meeting room for 150 is needed. Mr. Clarke said it is necessary for scout troops. Mayor Hennessy said the over hang provides for pleasing esthetics. Mayor Hennessy suggested the over hang encompass three sides of the structure. Mr. Clarke said it does already. Mr. Florek said he prefers a smaller structure than a larger one. Mr. Florek expressed concern for usage and the opening of park after dusk. Mrs. Burry said the biggest factor is controlling the usage of this building. Mrs. Burry suggested the picnic gazebo area be expanded. Mr. Kelly said due to cost factors maybe someday it could be expanded. After brief discussion, the Township Committee’s general consensus is to proceed with this project. Mr. Bowden advised Mr. Clarke to proceed with his raffle and suggested he attend the next meeting to further discuss the concept.
13. **UNFINISHED BUSINESS:** REVERSE 9-1-1 COMMUNITY NOTIFICATION SYSTEM – Mr. Forester said he sees no need for this system and views it as an intrusion. Mrs. Burry concurred with Mr. Forester and said she feels it could open up the Township to liability problems. Mr. Stuart said he feels this system has been a proven asset in the towns that have it. Mr. Stuart said he feels the school board would benefit from it also. Mr. Stuart said he doesn’t understand why people would view this as an intrusion. This system was researched based upon seniors requesting a means of keeping in touch with shut-in seniors. Mr. Stuart said he feels it is \$30,000.00 well spent and we should move ahead. Mr. Florek said it makes sense but feels the school board should also participate. Mr. Florek said he would hate to see the system over used for what it is not intended for. Mr. Florek said he is mildly in favor of this system. Mayor Hennessy suggested a representative from Holmdel attend our next Township Committee meeting. The Township Committee agreed to table further discussion to the next Township Committee meeting.
14. **ADMINISTRATIVE REPORT:** Mr. Bowden reported the road program is in full swing. There will be logistical problems, school bus delays, etc., but all is temporary. Work on Clover Hill Road will begin April of 2004, which still falls in line with the two-year program.

15. **MOTION TO APPROVE VOUCHERS** was made by Mr. Forester for all vouchers totaling \$343,523.74, seconded by Mrs. Burry and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart and Mayor Hennessy

Oppose: None

16. **TOWNSHIP COMMITTEE REPORTS:**

Mr. Forester reported that 123 seniors received flu shots on October 1, 2003. The Senior Citizen Club is now up to 251 members. They will be having computer classes begin Tuesday at the Cedar Drive School.

Mr. Forester further reported the Board of Health met last night and they discussed looking into next year's goose problem. Mr. Forester said he received a letter from a resident recently stressing how pleased he is with how well the Township has been handling the goose over population.

Mr. Forester reported he attended the open public hearing regarding an antenna for Rt. 18. Many were present from the Department of Transportation, and only one resident attended. Everyone within 500 feet of the proposed site for the antenna were notified.

Mr. Forester also reported that the Shade Tree Commission feels the Town should inform new residents of greenways, set-backs, etc... and maybe do so with an enclosure in a tax bill or a newsletter. Mr. Bowden suggested a "new resident" handbook may be a good idea. It could be generic in nature. Mr. Forester also reported the Shade Tree Commission has suggested putting in a sprinkler system between Town Hall and the Library. Problems with cul-de-sacs and residents who don't want to care for them are still an issue.

Mrs. Burry reported that Eagle Scout, J.P. Walsh, has completed his project. He has done an incredible job and will be here October 29th for his presentation. J. P. has developed flyers with a map, which will be available at the library. He has put in a total of 200 hours. We should be extremely proud of what he has done. Mrs. Burry advised the lumber for the project was donated by Mr. Forester.

Mrs. Burry also reported the Farmland Preservation Committee sent out a recent bulletin to all farm assessed properties.

Mrs. Burry advised the 4th annual historic house tour was this past Saturday and we were blessed with good weather until the later part of the afternoon. The tour was well attended and received the variety of homes was particularly appealing.

Mrs. Burry reported the Williamsburg Christmas will be on December 7, 2003 which will be in conjunction with the Friends of the Library's Art Show and Recreation's arrival of Santa.

Mrs. Burry further reported that painting of Montrose Road Schoolhouse will begin in the next couple of weeks. Mr. David Englebretson will aid with a burglar system installation.

Mr. Stuart gave a brief history on the New Street project. Mr. Stuart reviewed the traffic study findings of New Street. Physical restrictions make it impossible to dead end it. There are a lot of children on this street. The bottom line solution is to increase police presence.

Mr. Florek reported that the Colts Neck Sports Foundation will be electing its Board Members this evening.

Mr. Florek further reported there are now 112 trail rider members. Their Fall Pace is scheduled for October 19th at Bucks Mill Park.

Mr. Florek continued to report that the Friends of the Library will be having their book sale on October 18th and 19th. Sponge Bob Square Pants will be present on the 18th from 10 a.m. to Noon.

Mr. Florek concluded by saying the Children's Garden is doing very well. The children took herbs they grew and made their own pizza at Orlando's.

Mayor Hennessy reported that bids are due in soon for the Five Point Park project.

Mayor Hennessy concluded his report by encouraging all to attend the October 19th Fall Festival and Parade. A good time is expected to be had by all.

17. **COMMENTS FROM THE PUBLIC:**

Mr. Chris Lupia said that he and Vito Predale asked for a means of contacting shut-in seniors. We don't need a fancy expensive phone system to do this. Mr. Lupia suggested going back to the basics.

Mr. Lupia asked how many Boy Scouts do we have in Colts Neck? Mr. Florek said between 75 to 100.

Mrs. Virginia Amend suggested putting the onus on the shut-in senior to call to check in with the police every day. Some towns do this.

Mrs. Amend said the Township did a fine, efficient job with the road improvements this year.

Mrs. Amend said she wishes the Shade Tree Commission would consider memorializing trees.

Mrs. Amend concluded by complimenting Mrs. Laufer with her fine email service to all seniors.

Mrs. Judy Laufer suggested placing speed bumps on New Street. Mr. Stuart said this would be too noisy for the residents on New Street. Mrs. Laufer asked if there has been any follow-up on Mr. Axelrod's complaints voiced at a previous meeting? Mr. Bowden said yes. Mr. Milazzo will be looking into this matter. Court action is to take place in the next couple of weeks. Mr. Bowden also advised that Mr. Axelrod's neighbor is indeed paying taxes and is not living tax free. Their taxes are in excess of \$16,000.00 for 2003/2004.

Mr. Vincent Domidion suggested to dead-end New Street and emergency vehicles could access New Street through the General Store parking lot.

Mr. Domidion said he noted recently the gates to Bucks Mill Park were left open after 10:00 p.m.

Mr. Domidion said the presentation regarding the animal sanctuary was nice, however, he doesn't feel it appropriate to give public land to organizations.

Mr. Domidion suggested the school board purchase the Reverse 9-1-1 system and allow the Township to benefit from it.

18. **RESOLUTION 2003-159**: EXECUTIVE SESSION was read by Mayor Hennessy. With no comments made, Mrs. Burry made a motion to adjourn at 10:18 p.m. and go into Executive Session, seconded by Mr. Forester and unanimously carried

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart and Mayor Hennessy

Oppose: None

Motion by Mr. Stuart, seconded by Mr. Florek to reconvene in public session at 11:05 p.m., and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart and Mayor Hennessy

Oppose: None

Motion by Mrs. Burry, seconded by Mr. Florek to adopt Resolution to appoint Dominick Manco, Esq., as Special Counsel in the Westminster v. Colts Neck litigation and unanimously carried.

Roll call indicated the following:

Approve: Deputy Mayor Burry, Committeemembers Florek, Forester, Stuart and Mayor Hennessy

Oppose: None

Meeting adjourned at 11:05 p.m.

Robert Bowden,
Township Administrator

RB/as