

**TOWNSHIP OF COLTS NECK
COMMITTEE MEETING
OCTOBER 13, 2004
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 Burry, 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 17, 2003 stating that a meeting of the Colts Neck Township Committee would be held on October 13, 2004 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 Forester, Committeemembers, Hennessy, Stuart, and Mayor Burry

Also Present: Robert Bowden, Thomas Bace, Esq. and Aime Sweeney

Absent: Committeeman Florek

1. **ANNOUNCEMENT**: Mayor Burry read a memo from the New Jersey Department of Health and Senior Services stating that there is a national shortage of the flu vaccine. Flu vaccinations are only to be given to those classified as high risk. The State has provided a hotline number for those with questions in this regard; 1-866-234-0964. Mr. Forester reiterated that this is a serious matter; however, he understands that there are some clinics in our area who will administer the flu vaccine to high risk individuals. A list of these clinics can be found at www.findaflushot.com.
2. **APPROVAL OF MINUTES FOR SEPTEMBER 15, 2004 AND SEPTEMBER 29, 2004** was read by Mayor Burry. Mr. Stuart approved the minutes for September 15, 2004 as amended, seconded by Mr. Forester and unanimously carried. The Township Committee by voice vote unanimously requested to table the minutes of September 29, 2004 to the next meeting.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR BURRY	DEPUTY MAYOR FORESTER	FLOREK	HENNESSY	STUART
<i>Motion To Approve</i>					X
<i>Motion Seconded</i>		X			
<i>Approve</i>	X	X		X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>			X		

3. **RESOLUTION 2004-179**: SUPPORTING THE STATE HOUSE COMMISSION APPLICATION TO THE NJDEP GREEN ACRES PROGRAM FOR PROPERTY DIVERSION OF BLOCK 53, LOT 8 (OBRE ROAD) was read in full by Mayor Burry. Mayor Burry gave a brief history advising that the Township has reached a tentative agreement with Stavola Realty Company for the acquisition by the Township of Block 53, Lots 12 and 12.01 in exchange for a two acre conforming lot from Block 53, Lot 8. The Township believes this exchange to be beneficial to both parties. Mr. Bowden showed where the parcels are on the displayed map. Mr. Bowden advised that Stavola would receive a two acre buildable lot, while the Township would add some 11.55 acres for a net gain of 9.55 acres of open space or recreational property which would be a real win/win for the Township. Formal action is required by Resolution this evening. Mr.

Bowden advised the fair market value is estimated at approximately \$600,000.00, but will find out the definite amount by tomorrow and suggested the Township Committee approve this Resolution this evening and fill in the blank when we have the definite number. Mayor Burry said that both she and Mr. Stuart feel this is a reasonable fair market value estimate. Mr. Hennessy said that its ironic how over the past eleven years this parcel has developed into such a nice piece of property which intersects with Pine Brook. With no further comments, Mr. Forester made a motion to approve this Resolution, seconded by Mr. Stuart and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR BURRY	DEPUTY MAYOR FORESTER	FLOREK	HENNESSY	STUART
<i>Motion To Approve</i>		X			
<i>Motion Seconded</i>					X
<i>Approve</i>	X	X		X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>			X		

4. **DISCUSSION:** LANDSCAPE EASEMENT VS. GREENWAY DEDICATION/CLUSTER DEVELOPMENTS IN THE A-1 ZONE: Mayor Burry advised the Township Committee of the concerns raised by the Township Planner, Mr. Tim Anfuso in his memo dated September 28, 2004. Then in a memo dated October 8, 2004 the Shade Tree Commission addressed Mr. Anfuso's concerns and made alterations based upon Mr. Anfuso's concerns. Both Mr. George Fessler, Shade Tree Commission member, and Mr. Michael Alagna, Shade Tree Commission Chairman, further briefed the Township Committee on their proposal of maintaining 75 foot greenways which adjoin public streets at entries into a development. Mayor Burry asked how this will be controlled and inquired how the public will be educated? Mr. Alagna said he agrees the public will need to be educated but this evening is seeking the Township Committee's approval to proceed with this project. Mr. Fessler stated that the Shade Tree Commission created an agreement to be signed by the Mayor, Municipal Clerk, and Shade Tree Commission Chairperson. Mayor Burry said she agrees an agreement is a good idea and would have the Township Attorney review it. Mr. Stuart suggested that something be placed on the title or deed as a triggering mechanism to educate new home owners. Mr. Hennessy said he is curious about the September 28th memo and highly disapproves of the "maintained look". Mr. Hennessy said he has spent some 32 years fighting for a natural look for our community. Mr. Hennessy said if we are to change to a maintained philosophy then he guarantees our whole environment will change. Mr. Hennessy said we are looking at something here this evening that goes against everything he has fought to protect for 32 years. Mr. Hennessy concluded by saying he believes this change to be the beginning of the end of our natural environment philosophy and the beginning of the leak in the dam. Mr. Stuart said that he understands Mr. Hennessy's philosophy, but feels these are relatively small buffer areas to maintain and will not have any drastic impact on our philosophy. Mayor Burry said it is important to make it clear that we do not want a formal landscaped look, just a controlled groomed appearance. Mr. Vince Domidion said he doesn't feel the proposed solution is the best solution. Mr. Domidion said a plan is indeed necessary for these types of easements and suggested there be a requirement of installing a fence to better define where the greenway is. Mr. Domidion said the proposed solution this evening points to real problems. Mr. Domidion concluded by saying that what Mr. Hennessy said this evening should be respected and taken into consideration. Mayor Burry suggested a draft Ordinance be prepared and placed on the next meeting agenda.

5. **DISCUSSION**: GREEN ACRES PROPERTY DIVERSION – LIBRARY AND POLICE ANTENNAE (POSSIBLE RESOLUTION) was read by Mayor Burry. Mr. Bowden advised that he attended a meeting with Green Acres to state the Township’s position as it relates to the proposed property diversion with a one to one request, despite Green Acre’s two to one preference for such requests. At the conclusion of said meeting with Green Acre’s they did not approve our request and still wish for a two to one swap. With that said, Mr. Bowden suggested a new recommendation of diverting the Library only to make it legitimate then perhaps looking into other township sites for the antennae such as in back of the First Aid building. Mr. Stuart agreed with Mr. Bowden’s suggestion. Mr. Hennessy said he would like to see a bike path/multi-use path put in. Mr. Bowden confirmed the general consensus of the Township Committee is to divert just the library and find another location on Township property for the antenna location. A Resolution will be on the next meeting agenda to formalize this.

6. **ADMINISTRATIVE REPORT**: Mr. Bowden said that the Governing Body has to decide if they wish to submit a grant to the Monmouth County Municipal Open Space Grant Program this year? Mr. Bowden reminded the Township Committee that at the last meeting they were leaning toward submitting a grant for a new irrigation system at the new Five Points Park as suggested by Dr. Nolan. Mayor Burry said when she recently met with County representatives they basically came right out and said we won’t get the grant and that preference for the grant is given to land acquisition requests. Mr. Hennessy suggested exploring the option of pocket-parks with Dr. Nolan and seeing if there are any small parcels available. Mayor Burry said she feels we still need more time to consider this and would hate to submit something we know is doomed from the start. Mr. Bowden strongly advised that time is of the essence and will place this on the next agenda.

7. **MOTION TO APPROVE VOUCHERS** was made by Mr. Forester for all vouchers totaling \$4,295,239.98, seconded by Mr. Stuart and unanimously carried.

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR BURRY	DEPUTY MAYOR FORESTER	FLOREK	HENNESSY	STUART
<i>Motion To Approve</i>		X			
<i>Motion Seconded</i>					X
<i>Approve</i>	X	X		X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>			X		

8. **TOWNSHIP COMMITTEE REPORTS**:

Mr. Hennessy stated he has no report for this evening.

Mr. Stuart reported that at a Shade Tree Commission meeting they proposed a memorial tree program be implemented on the core site. Mr. Stuart advised that checks from citizens can not be accepted unless we have a dedication by rider Resolution in place adopted by the Township Committee. Mr. Michael Alagna, Shade Tree Commission Chairman, further briefed the Township Committee on what is being proposed and also stating that Julie McGowan would be in charge of the memorial program. Mr. Hennessy said he feels a master plan for the entire core site should be developed. Mayor Burry requested that the Shade Tree Commission prepare a formal report of how the project will be handled.

Mr. Forester reported that the Board of Health discussed in depth the lack of flu shots for this season.

Mr. Forester further reported that he Senior Citizen Club has been very active with their various trips. Their participation level is excellent.

Mayor Burry reported that preliminary plans for the 48 Westminster town homes were received by the Planning Board at their meeting last evening.

Mayor Burry also reported that the Historic Preservation Committee held their fifth annual historic house tour which was very well received and successful.

Mayor Burry further reported that this Saturday is County Archives Day at the County Library from 10:00 a.m. to 4:00 p.m. Joshua Huddy is the main topic of the event. All are encouraged to come.

Mayor Burry concluded her report by asked the status of Mr. Bellon's appraisal. Mr. Stuart announced that it was received this very afternoon.

9. COMMENTS FROM THE PUBLIC:

Mayor Burry opened the meeting to comments from the public.

Mr. Vince Domidion said he applauds the Township Committee's for their actions this evening on the Obre Road diversion.

Mrs. Laura Kolonoski suggested the Governing Body advise the press of what the rules and regulations will be for the new Five Points Park i.e. dog walking, etc.

With no further comments, Mayor Burry closed the public comments.

- 10. RESOLUTION 2004-180: EXECUTIVE SESSION was read by Mayor Burry. Mr. Stuart made a motion to adjourn at 8:50 p.m., seconded by Mr. Forester and unanimously carried.**

COLTS NECK TOWNSHIP COMMITTEE					
RECORD OF VOTE	MAYOR BURRY	DEPUTY MAYOR FORESTER	FLOREK	HENNESSY	STUART
<i>Motion To Approve</i>					X
<i>Motion Seconded</i>		X			
<i>Approve</i>	X	X		X	X
<i>Opposed</i>					
<i>Not Voting/Recuse</i>					
<i>Absent/Excused</i>			X		

NOTE: Though the Township Committee adopted the Closed Session Resolution, no Closed Session was held to allow time for the public and Township Committee to watch the Presidential Debate.

Robert Bowden,
Township Administrator

RB/as