

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
NOVEMBER 8, 2006
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 Florek 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 22, 2005 stating that the meeting of the Colts Neck Township Committee would be held on November 8, 2006 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 Florek, Deputy Mayor Stuart, Committee Members Hennessy, Burry and Forester

Also Present: Robert Bowden; Thomas Bace, Esq., and Beth Kara

Absent: None

1. **RESOLUTION 2006-149A:** TOWNSHIP COMMITTEE'S APPOINTMENT OF MS. LINDA BREMER TO THE HISTORICAL PRESERVATION COMMITTEE WITH A TERM EXPIRING DECEMBER 31, 2007 was read by Mayor Florek. Mrs. Burry stated Ms. Bremer participated in the Historical Preservation's Annual House Tour and Spring gathering, and her home is the site of the original Laird's Apple Jack distillery. Mrs. Burry stated Ms. Bremer is most enthusiastic about joining this committee. Mayor Florek stated he has visited Ms. Bremer's home and described it as an incredible home that is a step back in time. With no further comments, Mrs. Burry made a motion to approve, seconded by Mr. Stuart and unanimously carried.

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

2. **APPROVAL OF MINUTES OF OCTOBER 25, 2006:** Mrs. Burry and Mayor Florek noted several revisions. With no further comment, Mr. Hennessy made a motion to approve, as amended, seconded by Mr. Forester and unanimously carried.

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

3. **PRESENTATION:** BLOCK 9, LOT 6.06 – 7 FULLING MILL LANE (EASEMENT EXCHANGE). Mr. Martin McGann, Esq., addressed the Governing Body on behalf of his client, Mr. Thomas Bender. The Governing Body was provided with a copy of the property survey, and they were advised no monuments were placed on the curved portion of the easement. The Governing Body was advised that during construction, the developer installed rust-colored linear monuments at various points, denoting the conservation easement within the property. Mr. Bender began landscaping immediately after closing on this property, and received the survey four to six weeks after the closing date. Mr. Bender is proposing 1,634 square feet of property currently within the easement be released to him in exchange for converting 2,886 square feet of property to the conservation easement. If this were approved, it would straighten the easement line along the property. The Governing Body was advised Mr. Anfuso has no problem with the proposal, and if the Township Committee approved the exchange, it would then be brought to the Zoning Board for approval. Mr. Hennessy suggested having the Code Enforcement Officer visit the six homes in this development and see what monuments are on site to avoid this problem in the future. Mrs. Burry wants the survey for as built to minimize this from occurring in the future within the Township. Mr. Forester suggested tying it in to the issuance of the certificate of occupancy. After much discussion, the proposal was conceptually approved by the Township Committee; however, the pool filter and equipment and a portion of the fence must be moved from their current locations. Mayor Florek requested the survey be added to the official minutes of this meeting.

4. **ORDINANCE 2006-21:** AN ORDINANCE AMENDING CHAPTER 177, ENTITLED “RECREATION AREAS, PARKS AND NATURE PRESERVES”, OF THE TOWNSHIP CODE OF THE TOWNSHIP OF COLTS NECK, PARTICULARLY PROHIBITED ACTIONS ON SCHOOL GROUNDS was read by title on second reading by Mayor Florek. At the suggestion of Judge Thompson, Police Chief Sauter requested amending the current ordinance to include the Freehold Regional Board of Education/Colts Neck High School. With no comment from the Township Committee, Mayor Florek opened the meeting to public comment. Hearing none, the meeting was closed. Mr. Forester made a motion to approve, seconded by Mrs. Burry and unanimously carried.

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

5. **ORDINANCE 2006-23:** AN ORDINANCE AUTHORIZING AN EXCHANGE OF PROPERTIES FOR GREENWAY PURPOSES (BLOCK 10, LOTS 9.01 AND 9.06) was read by title on first reading by Mayor Florek. The exchange of these properties would convey approximately 2,290.78 sq. feet of Block 10, Lot 9.01, which would be annexed to Lot 9.06 and is appraised at approximately \$26,600.00, to the Clemente’s, and 2,324.46 square feet of Block 10, Lot 9.06, would be annexed to Lot 9.01 and maintained as part of the existing Township greenway, with an appraised value of \$30,000.00. Mr. Hennessy stated he does not think this exchange is in the best interest of the Township. With no further comments, Mayor Florek called for a motion. Mrs. Burry made a motion to approve, seconded by Mr. Stuart, Mr. Hennessy opposed, and Messrs. Forester and Florek approved. Mayor Florek set the date for public hearing November 29, 2006.

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

6. **RESOLUTION 2006-150:** RESOLUTION CONFIRMING APPOINTMENT OF MUNICIPAL EMERGENCY MANAGEMENT COORDINATOR (MR. KEVIN SAUTER) was read by title by Mayor Florek. Mayor Florek stated Mr. Sauter has been successfully performing this job for the past 12 years. Mr. Forester made a motion to approve, seconded by Mrs. Burry and unanimously carried.

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

7. **RESOLUTION 2006-152:** RESOLUTION URGING ACTION BY THE STATE LEGISLATURE ON ETHICS REFORM was read by title by Mayor Florek. Mr. Stuart commented on the inaction of the Ethics Committee, with “pending” investigations year after year and stated this is a call to get moving and clean house. Mayor Florek stated it was good to see this issue gain support from other municipalities. With no further comments, Mrs. Burry made a motion to approve, seconded by Mr. Stuart and unanimously carried.

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

8. **RESOLUTION 2006-153:** RESOLUTION OPPOSING SENATE JOINT RESOLUTION 47 AND ASSEMBLY JOINT RESOLUTION 69 (MANDATORY CONSOLIDATION) was read by title by Mayor Florek. Mrs. Burry commented this legislative resolution shows the arrogance of the State legislature instructing the municipalities to consolidate. Home rule is dead. The State legislature determining “absolute authority” is ludicrous and just wrong. Mrs. Burry then stated the attempt to reduce the high level of local spending should be redirected, and the State should start by reducing State spending. Mayor Florek commented and agreed with Mrs. Burry. Mr. Forester stated he can’t believe State legislators don’t know how to reduce the overall tax burden. Mayor Florek commented the State refuses to address the issue of school funding. Mr. Hennessy noted the resolution was sponsored by Assemblywoman Beck and questioned whether anyone presented the Governing Body’s position to her. Mrs. Burry stated she has done so. Mayor Florek stated he wants to follow-up with

Assemblywoman Beck on this issue. In addition, the Governing Body agreed to expand the distribution of the Township’s resolution to Senator Kyrillos, Assemblyman O’Toole and the Asbury Park Press. With no further comment, Mrs. Burry made a motion to approve, seconded by Mr. Stuart and unanimously carried.

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

RESOLUTION 2006-154: RESOLUTION AUTHORIZING AWARD OF BID – CURBSIDE RECYCLING COLLECTION was read by title by Mayor Florek. Mayor Florek stated six bids were received; and Central Jersey Waste Recycling was awarded the two-year contract. Since this is a vendor new to Colts Neck, Mr. Bowden checked references in surrounding municipalities and found their service to be satisfactory. The pick-up dates stay the same and the bid price is lower than last year’s. The bid price was \$231,600 for two years. With no further comments, Mrs. Burry made a motion to approve, seconded by Mr. Hennessy and unanimously carried.

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

9. **RESOLUTION 2006-155:** RESOLUTION AUTHORIZING AWARD OF BID – DROP-OFF POINT RECYCLING PICK UP – TWO YEAR AWARD was read by title Mayor Florek. The winning bidder was Marpal. The bid price was \$22,360.00 for two years. Mr. Forester made a motion to approve, seconded by Mr. Hennessy and unanimously carried.

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

10. **RESOLUTION 2006-156:** RESOLUTION AUTHORIZING FORMAL TRANSFER OF FUNDS – 2006 BUDGET was read by title Mayor Florek. Mayor Florek stated funds from Legal Services and Recreation Services and Programs were transferred to cover additional expenses for park maintenance and gasoline. Mr. Hennessy made a motion to approve, seconded by Mr. Stuart and unanimously carried.

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

11. **MOTION TO ADOPT A CONSENT AGENDA:** Mayor Florek read the following consent agenda resolutions, by title:

***RESOLUTION 2006-158:** APPROVING INSERTION OF SPECIAL ITEM OF REVENUE – SOLID WASTE ADMINISTRATION-RECYCLING GRANT (\$9,651.73).

***RESOLUTION 2006-159:** AUTHORIZING REFUND OF TAX OVERPAYMENTS FOR 2006.

***RESOLUTION 2006-160:** AUTHORIZING RECREATION PROGRAM REFUNDS.

Mrs. Burry made a motion to approve, seconded by Mr. Hennessy and unanimously carried.

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

12. **ADMINISTRATIVE REPORT:** Mr. Bowden had no additional comments to his report.

13. **MOTION TO APPROVE VOUCHERS.** Mr. Forester reviewed and signed the vouchers and commented all were in order. Mr. Forester made a motion to approve all vouchers totaling \$6,911,487.22 plus an additional \$320.00, seconded by Mrs. Burry and unanimously carried.

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

14. **TOWNSHIP COMMITTEE REPORTS:**

Mrs. Burry congratulated Mr. Forester on his reelection and Mr. Schatzle on his winning votes for Township Committee Member.

Mrs. Burry reported Captain Maynard is the new Commanding Officer at Earle Naval Station. In honor of his appointment, the Monmouth County Board of Chosen Freeholders is declaring Thursday, November 9, 2006, as Captain Maynard Day throughout Monmouth County.

Mrs. Burry stated the Historical Preservation Committee was sponsoring the Williamsburg Christmas in the Court House on December 10th. While this event normally coincides with the tree lighting, this was the only day the choir was available.

Mrs. Burry reported restoration at the Montrose Road School House was continuing. The fence was power washed and stain painted. On Saturday, November 11, a Historic Architect is being interviewed regarding a developing a renovation plan for the School House. Mr. Bowden reported the front door jams were ordered.

Mrs. Burry stated Freeholder Theodore J. Narozanick will be honored for his many contributions to Colts Neck at the next Township Committee Meeting on November 29.

Mrs. Burry reported the COAH meetings she attends with Mayor Florek, Mr. Anfusio and Tom Thomas are going well. The next meeting is planned for November 30th. Mayor Florek stated progress is being made at each meeting, and they have come a long way in meeting the Township's third round obligations. The committee will prepare a presentation for the Governing Body for a future meeting.

Mrs. Burry stated the Farmland Preservation Program is awaiting the amount certified for two parcels before reaching agreement with the farm owner. One parcel involves a revision to reflect an exception. The State has run out of money for this program, and State funding is anticipated in September 2007.

Mr. Forester reported he attended a Senior Citizens meeting during which a defensive driving program for those age 65 and older was presented.

Mr. Forester will be attending a drug and alcohol meeting on November 16th to address the host liability issue on teenage drinking, which includes a teenager recounting his DWI experience.

Mr. Stuart stated on November 11 at 11:00 a.m., Town Hall, a Veteran's Day Service will be held to commemorate Armistice Day.

Mr. Stuart reported on the Superior Court decision regarding Ag housing. Ag labor housing doesn't fall under the protection of the right to farm regulations.

Mr. Hennessy reported the Environmental Commission has agreed on the style of birdhouse to be purchased for the purple martins. This will be a basic house, not pods, which has more eye appeal and is more consistent with Colts Neck architecture. A story about this will be published in the Asbury Park Press tomorrow.

Mr. Hennessy stated the Colts Neck Fair Committee met, and they are considering using name bands, which will offer a variety of entertainment and attract a following for next year's Fair.

Mayor Florek stated he received a letter from the DEP, Fish and Game, which addressed eagles nest construction on Township property. Mayor Florek requested signs be posted advising the public, including builders, they are not to disturb the nests. Mr. Bowden will provide a copy of this letter to Mr. Anfusio for compliance.

Mayor Florek reported the Fire Department is working on the 2007 Budget, which must first be reviewed and approved by the Fire Council prior to submission to the Governing Body.

15. **COMMENTS FROM THE PUBLIC:**

Mayor Florek opened the meeting to public comment. Hearing none, Mayor Florek closed the public portion of the meeting.

16. **RESOLUTION 2006-128:** EXECUTIVE SESSION was read by title by Mayor Florek. Mrs. Burry made a motion to approve, seconded by Mr. Stuart and unanimously carried by voice vote by all at 8:43 p.m.

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

Robert Bowden, Township Administrator

Attachment

RB:bk