

**TOWNSHIP OF COLTS NECK  
TOWNSHIP COMMITTEE MEETING  
NOVEMBER 12, 2003**

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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 November 12, 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., and Aime Sweeney

Absent: None

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1. **PRESENTATION**: CLEAN COMMUNITY VOLUNTEER AWARDS- Mayor Hennessy introduced Mrs. Elaine Mann, Clean Community Coordinator. Mrs. Mann read a prepared statement quoting a local legislator supporting Clean Community efforts throughout the State. Mrs. Mann turned the floor over to Mrs. Doris Resh to present award certificates to students for their recycling art work. In closing, Mrs. Mann said a clean community is a priceless heritage. Everyone extended a round of applause and photographs were taken.

Mayor Hennessy called for a brief recess at 7:40 p.m.

Mayor Hennessy called the meeting back to order at 7:50 p.m.

2. **ANNOUNCEMENT**: Mayor Hennessy announced the cancellation of the November 25<sup>th</sup> Township Committee meeting. The next Township Committee meeting will be December 10, 2003.
3. **PROCLAMATION**: Mayor Hennessy proclaimed December, 2003 as National Drunk and Drugged Driving (3D) Prevention Month within the Township of Colts Neck.
4. **MAYOR'S APPOINTMENT**: Mayor Hennessy appointed Mrs. Jennifer Axelrod to the Shade Tree Commission, filling the unexpired term of Mr. Arnold Kleeberg, expiring on 12/31/03. Mr. Bowden swore in Mrs. Axelrod. Mrs. Axelrod thanked the Township Committee for this very important position. Mrs. Axelrod said it is very important to keep trees in Colts Neck in order to keep the environment clean and healthy. With no further comments, everyone extended a round of applause.
5. **APPROVAL OF MINUTES FOR OCTOBER 8, 2003 AND OCTOBER 29, 2003** was read by Mayor Hennessy. Mrs. Burry made a motion to approve the Minutes for October 8, 2003 and table the Minutes for October 29, 2003, 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 2003-173**: CONFIRMING SETTLEMENT AGREEMENT AND AUTHORIZING EXECUTION OF SAME – WESTMINSTER V. COLTS NECK was read in full by Mayor Hennessy. Mr. Florek suggested removing the words “will be permitted” in section “a” of the first paragraph as they are redundant. 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

7. **RESOLUTION 2003-175**: SUPPORTING REAUTHORIZATION OF THE NEW JERSEY TRANSPORTATION TRUST FUND AND INCREASED DEDICATION OF LOCAL AID was read by Mayor Hennessy in full. With no comments made, 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

8. **RESOLUTION 2003-176**: APPROVAL OF FORMAL TRANSFER OF FUNDS – 2003 BUDGET was read by Mayor Hennessy. Mr. Florek asked what the additional expenses are for. Mr. Bowden explained the additional expenses cover the costs for summer recreation counselors, playground supervisors and for the Fall Festival. With no further comments, Mr. Forester 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

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

Resolution 2003-177: Authorizing Release of Inspection Fees –ZB Application No. 614 (Simon)

Resolution 2003-178: Authorizing Refund of Tax Overpayment – 2003

Resolution 2003-178A: Acceptance of Special Performance Guarantees – Road Opening Permit – Block 16, Lot 12.08 – 3 Shawnee Court (Molfetta)

With no further comments, Mrs. Burry made a motion to approve the aforementioned consent Resolutions, 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

10. **DISCUSSION: GRANT OPPORTUNITIES – MONMOUTH COUNTY OPEN SPACE AND RECREATIONAL TRAILS PROGRAM** – Mr. Bowden explained the County of Monmouth has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant Funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes. Mr. Bowden said there are two areas which we can apply; either for a soccer grant or for funding for the new Boy Scout building at Bucks Mill Park. The requirements for the grant are that the building must be open to the public, funds must be furnished up front in which we could go out to bond. Building must be completed within two years. It is also required to advertise a public notice. Mrs. Burry asked how much the building will cost? Mr. Tom Clarke said with the septic and refinements it can cost in excess of \$200,000.00. Mr. Bowden said it will also need to be furnished and a parking area created. Mr. Bowden said he inquired about competition for said grant between the municipalities. The County indicated they are disappointed in the lack of interest. After brief discussion, the Township Committee unanimously agreed to proceed. A public hearing will be required.

Mr. Bowden explained the second part of the grant is for recreational trails. Mr. Florek said there are many Trial Riders who would like to see us get this grant. Mr. Florek said he feels we should proceed with this application for acquisition of an easement contingent upon the easement not being for motorized vehicles. After brief discussion, the Township Committee unanimously agreed to proceed.

**RESOLUTION 2003-178B**: AUTHORIZING SUBMISSION OF COUNTY OF MONMOUTH OPEN SPACE GRANT was read by Mayor Hennessy in full. With no further comments, Mrs. Burry 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

11. **UNFINISHED BUSINESS: FARM ANIMAL SANCTUARY** – Mrs. Burry said she understands that Green Acres confirmed this project is consistent with their program but with a five year lease subject to renewal. Mrs. Burry asked who the lease holder is? Mr. Bowden said it may be both the Township and Green Acres. Mr. Tom Bace Esq. said it sounds like the Township is the actual holder of the lease but is subject to Green Acres approval. Mrs. Burry said the source of financing for this project is also questionable. Mrs. Shatzman said if the Township Committee can defer this issue until the New Year, she can provide financial specifications. Mr. Forester said he is concerned with various other aspects not yet addressed like future Township Committee’s approving the lease every five years, recreational demands, and the strength of the program. Mr. Stuart said he is not completely sold on this project. Mr. Stuart said he is very concerned with precedent setting and other recreational demands. Mr. Stuart said he is sure it is a wonderful concept, but feels it belongs on private lands rather than public lands. After brief discussion the Township Committee agreed to defer this to the New Year and Mayor Hennessy suggested Mrs. Shatzman at that time advise why she feels her organization can provide what others can’t.
12. **UNFINISHED BUSINESS: TOWN HALL EXTENSION** – Mayor Hennessy said he would like the Township Committee to review the figures for a potential extension to Town Hall for consideration in the upcoming Budget.

13. **ADMINISTRATIVE REPORT** – Mr. Bowden reported that a resident has requested permission to install a timber tie curb located within the Right of Way but outside the paved portion of Heyers Mill Road. After brief discussion, the Township Committee denied the request for a timber tie curb.

14. **MOTION TO APPROVE VOUCHERS** was made by Mr. Forester for all vouchers totaling \$4,697,252.22, 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

15. **TOWNSHIP COMMITTEE REPORTS:**

Mr. Florek reported the Colts Neck Sports Foundation has committed to installing dug-outs and irrigation at Colts Neck fields at their expense and no cost to the Township. They would like to begin as soon as possible with the consent of the Township Committee. Mr. Forester asked if they have a contractor? Mr. Florek said he believes they have a contractor who volunteered to do the work. With no further comments Mr. Florek made a motion to allow the Sports Foundation proceed, 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

Mr. Florek further reported the Friends of the Library will be having their annual Art show on the weekend of December 5<sup>th</sup>. All are encouraged to attend.

Mr. Florek reported that the Executive Fire Counsel is asking about the status of the standpipes? Mr. Bowden said he is expecting answers from the Township Engineer, Glenn Gerken.

Mr. Florek also reported that the Trail Riders have advised there are limbs on the trails by Cedar Drive School which need to be trimmed. Mr. Bowden said he will let the Public Works Director know.

Mr. Florek concluded his report by advising the LOSAP referendum question was approved by a two to one in favor vote.

Mr. Stuart reported that Mr. Chris Lupia has been recovering from a serious double knee operation. The surgery was a success with some complications. He is in fine spirits.

Mrs. Burry reported that the Drug and Alcohol Alliance will have its annual vigil on December 4<sup>th</sup> at the Colts Neck High School, at 7:00 p.m. All are invited to attend. It is a very moving experience.

Mrs. Burry further reported that the Farmland Preservation Committee had some very positive news. Two applications submitted are at the State level and have been accepted based on their criteria. The next step is to get two appraisals for each parcel.

Mrs. Burry continued to report that the application for the Montrose Road School grant is completed. Mrs. Burry read Dr. Greg Hauser's recommendations for said grant in full.

Mrs. Burry reminded everyone the Williamsburg Christmas will be on Sunday, December 7<sup>th</sup>, at the Courthouse.

Mr. Forester reported that the Courts are proceeding with Mr. Sac's complaints.

Mr. Forester concluded by reporting that he attended the Cedar Drive School for the Veteran's Day celebration.

Mayor Hennessy read a news release in full regarding Colts Neck's recreation excellence.

Mayor Hennessy reported the Fall Festival was a huge success. Mayor Hennessy thanked the Lenza Family. In excess of 900 were in attendance for the Fall Festival which is an exceptional accomplishment for a first year event.

Mayor Hennessy concluded his report by congratulating Mrs. Burry and Mr. Forester on their recent election victory.

16. **COMMENTS FROM THE PUBLIC** –

Mr. Daniel Kryzanekas, 126 Montrose Road, read a prepared statement complaining about the way he has been treated regarding the construction of his entrance walls. Mrs. Kryzanekas said to imagine how it would feel when three police officers show up on a Saturday in the presence of your children and neighbors to stop work on your entranceway.

Mr. Luppino, 12 Bretwood Drive North, said his pillars are over four feet high and the work was done by Spatial Design. Permits were obtained for this. Will we have to take them down now?

Mayor Hennessy said the Township has been working diligently in regards to this topic. We are not in position at this point to address this. Amending the ordinance is a potential possibility.

17. **RESOLUTION 2003-179: EXECUTIVE SESSION** was read by Mayor Hennessy. With no further comments, Mrs. Burry made a motion to adjourn at 9:10 p.m., 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

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Robert Bowden,  
Township Administrator

RB/as