

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
DECEMBER 9, 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 Mayor Forester 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 December 10, 2008 stating the meeting of the Colts Neck Township Committee would be held on December 9, 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: Mayor Forester, Deputy Mayor Florek Committeemen Schatzle, Eastman and Engel

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

Absent: None

1. **ANNOUNCEMENT:** Mayor Forester announced the 2010 Township Committee reorganization meeting will be held on Sunday, January 3, 2010, 4:00 p.m. in the Court House.

2. **MAYOR'S YEAR END REMARKS:** Mayor Forester stated the Township Committee meeting scheduled for December 30, 2009 may be cancelled. For that reason, Mayor Forester provided his year end remarks, noting the many accomplishments of 2009, a copy of which is appended.

3. **APPROVAL OF MINUTES OF NOVEMBER 12, 2009:** Mr. Schatzle made a motion to approve, seconded by Mr. Florek, and unanimously carried.

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

4. **PRESENTATION:** 2009 AWARDS FOR ARCHITECTURAL EXCELLENCE. Freeholder Lillian Burry, Committee Chair, introduced Committeemembers Rob Hesslein, an interior designer; Brenda Johnson, an original member; and Liaison Jarrett Engel. Mr. A.J. Garito received an award for his commercial structure on Route 34. Mr. Garito and his daughter, Sophie, were present to accept the award. Mrs. Burry then presented the Feiler's with an award for their residence on Montrose Road. Mr. and Mrs. Feiler and their daughter, Morgan, were present to accept the award. Ms. Jill Birdsall and Mr. Ed O'Neill, architect, received an award for the commercial building on Route 34 for "A Woman's Place". Ms. Birdsall was commended for being the driving force behind this building, and Mr. Hesslein thanked them for not tearing down the trees during construction. Ms. Birdsall, and her son, Peter, as well as Mr. O'Neill accepted the award. Photographs were taken and all recipients received a round of applause.

5. **PRESENTATION:** COLTS NECK SPORTS FOUNDATION. Messrs. Hempstead and Condon of the Sports Foundation were not present this evening.
6. **ORDINANCE 2009-21:** AN ORDINANCE AMENDING CHAPTER 127, FLOOD DAMAGE PREVENTION IN THE TOWNSHIP OF COLTS NECK was read by title at second reading by Mayor Forester. Mr. Bowden stated the flood plain maps were changed, and the bolded sections within the ordinance are required by the State DEP. Mr. Florek commented this was a State requirement. Hearing no further comments, Mayor Forester opened the meeting to public comment. Hearing none, Mayor Forester closed the meeting. Mr. Florek 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			
Deputy Mayor Florek	M	X			
Schatzle		X			
Eastman		X			
Engel	S	X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

7. **RESOLUTION 2009-153:** RESOLUTION SUPPORTING SENATE NO 3017 AND ASSEMBLY NO. 4159 PERTAINING TO EARLE NAVAL BASE was read in full by Mayor Forester. This legislation would require the State Treasurer to prepare a comprehensive report relative to various impacts of the proposal of the U.S. Navy to privatize some 300 housing units within Earle Naval Base and further places a moratorium on the issuance of any State permits or plan approvals until such report has been prepared. Mr. Florek 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			
Deputy Mayor Florek	M	X			
Schatzle	S	X			
Eastman		X			
Engel		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

8. **RESOLUTION 2009-154:** RESOLUTION CONFIRMING 2010 TOWNSHIP COMMITTEE MEETING SCHEDULE was read by title by Mayor Forester. Mayor Forester stated that meetings were scheduled for the second and fourth Wednesdays, with the exceptions of July, August and November, when only one meeting is scheduled; and September, when the first meeting would be held on the second Thursday to avoid conflict with Rosh Hashanah. Mr. Schatzle made a motion to approve, seconded by Mr. Florek, and was unanimously carried.

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

9. **RESOLUTION 2009-155:** RESOLUTION AUTHORIZING FORMAL TRANSFER OF FUNDS – 2009 BUDGET, was read by title by Mayor Forester. Mayor Forester stated this resolution transfers \$1,000 from Elections, Other Expenses, to Engineering Services, Other Expenses, to cover additional expenses. Mr. Engel made a motion to approve, seconded by Mr. Florek and was unanimously carried.

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

10. **MOTION TO ADOPT CONSENT AGENDA:**
11. ***RESOLUTION 2009-156:** RESOLUTION APPROVING INSERTION OF SPECIAL ITEM OF REVENUE – RECYCLING TONNAGE GRANT, \$35,449.02.
12. ***RESOLUTION 2009-157:** RESOLUTION APPROVING INSERTION OF SPECIAL ITEM OF REVENUE – CLEAN COMMUNITIES GRANT, \$6,081.51.
13. ***RESOLUTION 2009-158:** RESOLUTION APPROVING INSERTION OF SPECIAL ITEM OF REVENUE – LOCAL PUBLIC HEALTH EMERGENCY RESPONSE TO H1N1 GRANT, \$53,798.00.
14. ***RESOLUTION 2009-159:** RESOLUTION AUTHORIZING TAX OVERPAYMENT REFUND.
15. ***RESOLUTION 2009-160:** RESOLUTION AUTHORIZING SENIOR CITIZEN AND VETERANS’ DEDUCTIONS.
16. ***RESOLUTION 2009-161:** RESOLUTION AUTHORIZING CANCELLATION OF MISCELLANEOUS CHARGES AND OUTSTANDING CHECKS.
17. ***RESOLUTION 2009-162:** RESOLUTION AUTHORIZING CANCELLATION OF 2009 TAX DEBIT AND CREDIT BALANCES LESS THAN \$10.00.
18. ***RESOLUTION 2009-163:** RESOLUTION AUTHORIZING RELEASE OF SPECIAL PERFORMANCE GUARANTEE, BLOCK 22.08, LOT 7 (268 ROUTE 537 WEST).
19. ***RESOLUTION 2009-164:** RESOLUTION AUTHORIZING PARTIAL REFUND OF INSPECTION FEES, P.B. APPLICATION NO. 532 (LELAND ROAD).
20. ***RESOLUTION 2009-165:** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTANCE OF MAINTENANCE GUARANTEE, P.B. APPLICATION NO. 345 (HOMINY HILL ROAD).
21. ***RESOLUTION 2009-166:** RESOLUTION AUTHORIZING RECREATION PROGRAM REFUND.

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			
Deputy Mayor Florek		X			
Schatzle	M	X			
Eastman		X			
Engel	S	X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S – Seconded					

22. **ADMINISTRATIVE REPORT:** Mr. Bowden had nothing further to add to his report this evening. Mr. Bowden reported the Governor signed into law the “Citizen Service Act”, which requires compliance by municipalities. Mr. Bowden assured the Governing Body that the Township was already meeting the requirements of this new law and had been for many years.

Mr. Bowden advised the Monmouth County Solid Waste Plan requires updating the mandatory recycling ordinance. Mr. Bowden stated the Township Attorney will amend the existing recycling ordinance and have it ready for introduction at the first regular meeting of the Governing Body in January, with adoption projected for the end of January 2010.

Mr. Bowden reported the Monmouth County Park System (MCPS) has planned the 34th Annual E. Murray Todd Half Marathon for Sunday, March 7, 2010. The MCPS is seeking approval from the Governing Body to stage the event through a section of Colts Neck Township. Mr. Bowden advised this event is closely coordinated with the Police and First Aid, and any costs incurred are pledged to be reimbursed. Mr. Florek made a motion to approve, seconded by Mr. Engel, and unanimously carried by voice vote.

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

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

Animal Control	\$186.08
Capital Fund	\$17,155.48
COAH	\$1,977.50
Construction Trust	\$22,295.58
Current Fund	\$5,153,653.99
Escrow	\$28,140.81
Farmland Preservation Trust	\$23,111.25
Grant Fund	\$3,000.00
Trust Fund	\$16,162.38
TOTAL APPROVED:	\$5,265,683.07

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

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

24. TOWNSHIP COMMITTEE REPORTS

Mr. Engel reported he participated in the 2009 Architectural Review Committee Awards, which were presented this evening.

Mr. Engel reported the Alliance Candlelight Vigil is scheduled for December 15, 2009, 6:00 p.m., in the gymnasium at Colts Neck High School. Mr. Engel will be reading Mayor Forester’s Proclamation at the Vigil.

Mr. Engel reported the Friends of the Library Art Show would be held this weekend at the Library and invited all to attend to view local artists’ works.

Mr. Engel reported the Website Committee has completed its analysis and is proceeding in developing the site with a refreshed look, which should also result in more rapid file uploads. Mr. Engel gave kudos to Ms. Kara and Messrs. Ceres and Vig for their work on this project. Mr. Engel hopes to share the test site with the Governing Body early next year.

Mr. Schatzle reported Mr. Frank, Health Officer, did an excellent job securing enough H1N1 vaccine for the closed flu clinic scheduled for the Colts Neck students shortly. Mr. Schatzle noted while this clinic would be a closed clinic, sites for open H1N1 flu clinics are listed on the internet.

Mr. Schatzle reported representatives from Nixle are scheduled to brief the Governing Body on their software at the January 13, 2010 meeting.

Mr. Schatzle reported a table top exercise is scheduled simulating a major storm resulting in no power for 72 hours.

Mr. Florek reported COAH is moving ahead. Comments were received from COAH on the Township plan, in which the Meridian Academy was acceptable and there were questions regarding Colts Neck Inn Hotel.

Mr. Florek reported the Planning Board is in the process of reviewing and updating the Master Plan.

Mr. Florek stated he was pleased to see the Monmouth County Board of Chosen Freeholders intervened as the Plaintiff in the lawsuit pertaining to NWS Earle.

Mr. Eastman commented the Historic Preservation Committee is seeking to remove the underground storage tank at the Montrose Road School House. Cost to remove the tank is estimated at \$1,200, and the cost to purchase crushed stone for the trench circling the School House is estimated at \$300. Mr. Eastman asked for Governing Body approval this evening to use \$1,500 from the Open Space Account for this purpose. Mayor Forester commented the soil must be tested for leaks once the tank is removed, and the cost may increase if the tank leaked. Mr. Eastman made a motion to expend \$1,500 from the Open Space Account for the tank removal and crushed stone at the Montrose Road School House, seconded by Mr. Florek and unanimously carried by voice vote.

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

Mayor Forester reported he went to Trenton with Mr. Bowden to speak in front of the Assembly's Sub-Committee pertaining to NWS Earle.

25. COMMENTS FROM THE PUBLIC:

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

Mr. Ray Carbone, a resident, spoke of a recent incident involving two lost dogs. Mr. Carbone questioned the telephone number to dial for such a situation, and Mr. Schatzle advised the Monmouth County Dispatcher at 911 is the correct number to receive timely assistance. Mr. Carbone was impressed with professionalism of the Patrolman that arrived. Mayor Forester thanked Mr. Carbone and stated he would advise the Patrolman of Mr. Carbone's positive comments.

Mr. Vince Domidion, a resident, congratulated the Governing Body on a very successful year, and then led a round of applause for all attending this evening's meeting.

Mayor Forester commented progress is being made with NWS Earle, stating they have the attention of a number of people on this issue.

Mr. Bowden commented every member of the Assembly's Sub-Committee knew Ms. Elaine Mann.

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

- 26. RESOLUTION 2009-167: EXECUTIVE SESSION.** At 8:28 p.m., Mr. Engel made a motion to approve, seconded by Mr. Schatzle and unanimously carried by voice vote to go into Executive Session. Mr. Bowden stated the Governing Body may return into Public Session to make a professional appointment.

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

Mr. Eastman left the meeting at 8:29 p.m.

Motion by Mr. Florek, seconded by Mr. Schatzle, and unanimously carried by those present to adjourn Closed Session and reconvene in Public Session; Mr. Eastman was absent.

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

27. **RESOLUTION 2009-168:** RESOLUTION AUTHORIZING THE TOWNSHIP OF COLTS NECK TO AWARD A CONTRACT FOR WIRELESS COMMUNICATIONS CONSULTING TO FSD ENTERPRISES, LLC was read by title by Mayor Forester. Mr. Bowden informed that three quotations were solicited for a wireless consultant and two were returned. The Township Committee has reviewed the proposals and has determined that FSD Enterprises, LLC is the most qualified and responsible bidder. The estimated value of work in this regard is less than \$10,000. Motion by Mr. Florek to approve, seconded by Mr. Schatzle, and unanimously carried by those present; Mr. Eastman was absent.

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

Motion by Mr. Engel, seconded by Mr. Florek and unanimously carried by all present to adjourn meeting; Mr. Eastman was absent.

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

Attachment

MAYOR BENJAMIN T. FORESTER
2009 YEAR-END REMARKS

- Township Committee adopted 21 Ordinances and over 150 Resolutions.
- Welcomed newly-elected Committeemen Edward Eastman and Jarrett Engel.
- Recognized 40th Anniversary of Colts Neck First Aid Squad.
- Recognized Colts Neck Lions Club 40th Anniversary.
- Endorsed round-about for intersection of Heulitt, Crine and Dutch Lane Roads.
- Received \$100,000 County Open Space Grant for acquisition of Block 2, Lot 1 (5.2 acre parcel from Clover Hill Lane to just before Route 34).
- Received \$175,000 State Grant to improve Heyers Mill Road from Route 537 to Flock Road.
- Adopted \$11 million municipal budget with less than 1¢ tax increase.
- Authorized \$20,000 of improvements to historic Montrose Road Schoolhouse.
- Reduced defeated local school board budget by \$350,000.
- Authorized participation in regional Solid Waste Study.
- Authorized litigation against U.S. Navy and Laurelwood Homes relative to the privatization of 300 homes within Earle Naval Base.
- Recognized retirement of Police Officer Dana Joline.
- Promoted Sgt. Frank Leccese to Lieutenant.
- Supported and recognized work of Neighbors Opposed to Privatization at Earle (NOPE).