

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
DECEMBER 10, 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 December 10, 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, John O. Bennett, Esq., and Aime Sweeney

Absent: None

1. **ANNOUNCEMENT**: Mayor Hennessy read a letter commending Mr. Edward Thompson, Public Works Director, and his Department's outstanding snow removal efforts. Mr. Forester said this most recent storm cost \$99,500.00. Mr. Bowden said \$70,000.00 was received by FEMA and can be used to help offset these storm costs. Mrs. Burry noted the Colts Neck Shopping Center parking lot was deplorable condition; this is private property.
2. **ANNOUNCEMENT**: Mayor Hennessy announced that the final 2003 Township Committee meeting will be held *Tuesday*, December 30th, at Town Hall.
3. **ANNOUNCEMENT**: Mayor Hennessy announced the 2004 Township Committee Reorganization Meeting will be held Friday, January 2, 2004, 7:00 p.m., Courthouse.
4. **MAYOR'S YEAR END REMARKS** – Mayor Hennessy read a prepared statement.¹
5. **PRESENTATION**: COLTS NECK ALLIANCE TO PREVENT ALCOHOL AND DRUG ABUSE – Mayor Hennessy introduced Ms. Linda Kudler, Program Coordinator. Ms. Kudler said the main source of funding for the program is \$13,000.00 from DEDR funds. In addition to the DEDR funds, the Alliance does periodic fund raising. Ms. Kudler named all those who volunteer their time and serve on the Alliance. Ms. Kudler passed around handouts from the Department of Health and Senior Services of Monmouth County indicating statistics throughout the County. Ms. Kudler said it is important to note that Monmouth County statistics are significantly higher. 64% of those treated for drug and alcohol problems are white. In Colts Neck the biggest problem the Alliance is faced with is "denial". Ms. Kudler said every December there is a candlelight vigil at the Colts Neck High School.

Mrs. Burry said this group is truly the unsung heroes of Colts Neck. Mrs. Burry said Ms. Kudler does an excellent job. The Alliance is very active and supportive in the community. Mr. Forester asked how effective the Alliance is? Ms. Kudler said that is one of their goals for this coming year is to determine the success rate of the programs they offer. Mr. Forester asked Ms. Kudler if she is restrained from what she would like to see for the Alliance? Ms. Kudler said it is her opinion that there are many social aspects that come

¹ Mayor Hennessy's Year End Remarks attached.

into play. The Alliance tries to show kids how to make better decisions and to avoid peer pressure situations.

Mayor Hennessy thanked Ms. Kudler.

Ms. Laura Kolnowski added as a mother of a high school student that the Alliance is a wonderful program and the kids are very proactive and embrace it.

6. **APPROVAL OF MINUTES FROM OCTOBER 29, 2003 AND NOVEMBER 12, 2003** was read by Mayor Hennessy. With no comments made, Mrs. Burry made a motion to approve both sets of minutes, 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. **PUBLIC HEARING: MONMOUTH COUNTY OPEN SPACE PROGRAM GRANT REQUEST – REPLACEMENT BUILDING AT BUCKS MILL PARK-** Mr. Bowden explained the construction cost estimates for this project is \$299,000.00. The Township must be prepared to Bond the full amount of this project to insure funding is available. Financing of this project is to come from a 50% grant from the County (if approved) and 50% from Boy Scout Fund Raising. The Township further understands that any fund raising shortfalls would be covered by Township funds. The period in which to submit application to the County for this grant has been extended to January 20, 2004. Mayor Hennessy reiterated that any short fall in money the Township will be responsible for. Mayor Hennessy opened the public hearing. Mr. Thomas Clarke, Esq., clarified that the new structure is not just for scouts to use, but for all organizations. Mr. Clarke read a prepared statement of support for the new structure from Mr. Larry Duffy who was unable to be present. Ms. Margaret Franklin, Colts Neck Girl Scouts, said they are in dire need of meeting space for the various troops in Colts Neck. Mr. Vince Domidion said he too is in support of this new structure. Mr. John Grabowski, Lions Club, said he is very happy that this project is coming to fruition. With no further comments, Mayor Hennessy closed the public hearing.

8. **RESOLUTION 2003-180: AUTHORIZING SUBMISSION OF MONMOUTH COUNTY OPEN SPACE GRANT** was read by Mayor Hennessy. With no further comments, Mr. Stuart 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

9. **ORDINANCE 2003-17: AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 102, DEVELOPMENT REGULATIONS, OF THE ORDINANCES OF THE TOWNSHIP OF COLTS NECK, MONMOUTH COUNTY, STATE OF NEW JERSEY, TO AMEND THE TOWNSHIP ZONING MAP, ADD A DEFINITION, AND ESTABLISH A RESIDENTIAL ZONING DISTRICT (A-6)** was read by Mayor Hennessy by title on first reading. With no comments made, Mrs. Burry made a motion to introduce this Resolution, seconded by Mr. Forester and unanimously carried. Mayor Hennessy set the public hearing for December 30, 2003.

Roll call indicated the following:

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

Oppose: None

10. **ORDINANCE 2003-18**: AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE 2003 SALARY ORDINANCE AND TO ESTABLISH 2004 SALARIES FOR TOWNSHIP OF COLTS NECK was read by Mayor Hennessy by title on first reading. Mr. Bowden explained the police settlement was slightly higher then the statewide average, however, they are one of the lowest paid in the County. We were able to negotiate medical benefit changes which will have an estimated savings to the Town of 5% or \$30,000.00. For the White Collar Contract, we were able to negotiate the same health benefit changes as the police with salary increases less then the police. This Ordinance reflects new salaries now through 2006. With no further comments, Mr. Stuart made a motion to introduce this Ordinance, seconded by Mrs. Burry and unanimously carried. Mayor Hennessy set the public hearing for December 30, 2003.

Roll call indicated the following:

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

Oppose: None

11. **RESOLUTION 2003-181**: AUTHORIZING FORMAL TRANSFER OF FUNDS – 2003 MUNICIPAL BUDGET was read by Mayor Hennessy. With no comments made, Mr. Forester made a motion to approve this Resolution, 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

12. **RESOLUTION 2003-182**: AUTHORIZING AWARD OF BID – TOWN HALL STEPS – RECONSTRUCTION was read by Mayor Hennessy. Mayor Hennessy advised Powertech Services of Hamilton, NJ was the apparent low bidder at \$52,054.00. Mr. Bowden said weather permitting they will begin during the winter, but more probably; in the Spring. With no further comments, Mr. Florek 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

13. **RESOLUTION 2003-183**: CONFIRMING PROFESSIONAL APPRAISAL OF BLOCK 9, LOT 5 (BUCHALSKI, REYNOLDS, & BRODOWSKI)

RESOLUTION 2003-184: CONFIRMING PROFESSIONAL APPRAISAL OF BLOCK 9, LOT 5 (MID-ATLANTIC APPRAISAL)

RESOLUTION 2003-185: CONFIRMING PROFESSIONAL APPRAISAL OF BLOCK 1.01, LOT 38 (BUCHALSKI, REYNOLDS, & BRODOWSKI)

RESOLUTION 2003-186: CONFIRMING PROFESSIONAL APPRAISAL OF BLOCK 1.01, LOT 38 (MID-ATLANTIC APPRAISAL)

Mr. Bowden explained one of the requirements for the Planning Incentive Grant program is to obtain two independent appraisals for each parcel. These resolutions reflect the appraisals for both parcels. Mrs. Burry described the locations of the farmland preservation applicants. Mrs. Burry said she feels it's a good beginning for the Planning Incentive Grant (PIG). With no further comments, Mrs. Burry made a motion to approve the aforementioned Resolutions, 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

14. **RESOLUTION 2003-187**: APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE COUNTY OF MONMOUTH FOR AN INTERSECITON CONTROL BEACON AT THE INTERSECTION OF COUNTY ROADS PHALANX ROAD AND MUHLENBRINK ROAD was read by Mayor Hennessy. Mr. Bowden explained and indicated the electric charges are an estimated \$15-20 per month. Mayor Hennessy asked who changes the bulbs? Mr. Bowden said he believes the County is required to maintain them. With no further comments, Mr. Forester made a motion to approve this Resolution, 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

15. **RESOLUTION 2003-188**: APPROVING CHANGE ORDER NO. 1 – FIRE TANKER (PLUS \$2,202.00) was read by Mayor Hennessy. Mr. Florek said with this Resolution it is important to note that we did come in under what was budgeted and with this addition, we are still under the budgeted amount.

Roll call indicated the following:

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

Oppose: None

16. **RESOLUTION 2003-189**: APPROVING CHANGE ORDER NO. 1 – 2003 ROAD IMPROVEMENT PROGRAM (MINUS \$7,920.06) was read by Mayor Hennessy. Mr. Bowden explained the contract was reduced by \$7,920.06. With no further comments, Mr. Florek 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

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

Resolution 2003-190: Authorizing Refund of Inspection Fees – ZB
Application No. 540 (Ulashevich)

Resolution 2003-191: Authorizing Release of Maintenance Guarantee – PB
Application No. 495 (Eagle Nest)

Resolution 2003-192: Authorizing Tax Overpayment – 2003

Resolution 2003-193: Authorizing Refund of Tax Overpayments for 2003
Due To Senior Citizens and Veterans Allowance

Resolution 2003-194: Authorizing Cancellation of 2003 Taxes Per the Tax
Assessor

With no comments made, Mrs. Burry made a motion to approve all
aforementioned Resolutions, 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

18. **DISCUSSION**: CONFIRMATION OF 2004 TOWNSHIP COMMITTEE
MEETING SCHEDULE was read by Mayor Hennessy. Mr. Bowden
explained traditionally the Township Committee meetings are held the second
and last Wednesday of each month. With no further comments made, Mrs.
Burry made a motion to approve the Township Meeting schedule for 2004,
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

19. **UNFINISHED BUSINESS**: REVERSE 9-1-1 COMMUNITY
NOTIFICATION SYSTEM- Mayor Hennessy advised that he received a
letter from Holmdel backing the Reverse 9-1-1 system that they have in place.
Mr. Forester said he feels this system is not necessary in Colts Neck. Mr.
Stuart said he encourages this system and feels it will only become more
expensive in years to come. The Township has already budgeted \$15,000.00
for this system. Mr. Stuart said he feels this will make Colts Neck more secure
and reach out to live alone seniors. Mr. Florek said he feels communication is
a good thing and feels this system is beneficial to Colts Neck. Mrs. Burry said
she does not feel favorable toward Holmdel's letter. Mayor Hennessy said he
does feel this community is in need of communication but would like to seek
out other resources which may benefit from this system such as our local
schools. Mayor Hennessy suggested to postpone this issue and explore other
options. After brief discussion, the Township Committee agreed to postpone
this issue.

20. **UNFINISHED BUSINESS**: BUILDING HEIGHT ORDINANCE – Mr. Bowden advised the Township Committee that there is a slightly revised draft Ordinance on the table this evening as a result of last evenings Planning Board meeting. Mayor Hennessy reviewed the purpose of this Ordinance. Mr. Florek asked why it was changed from 3’ to 5’? Mr. Stuart explained the history. After brief discussion, the Township Committee unanimously agreed with the revisions the Planning Board made at last evenings meeting.

ORDINANCE 2003-19: AN ORDINANCE OF THE TOWNSHIP OF COLTS NECK IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 102 OF THE CODE OF THE TOWNSHIP OF COLTS NECK ENTITLED “DEVELOPMENT REGULATIONS” AND MORE PARTICULARLY SECTION 4 ENTITLED “DEFINITIONS” was read by Mayor Hennessy by title on first reading. With no further comments, Mayor Hennessy set the public hearing for December 30, 2003. Mrs. Burry made a motion to introduce this Ordinance 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

21. **ADMINISTRATIVE REPORT**: Mr. Bowden reported receiving a letter from the Census Bureau notifying the Township of a correction in the population from our most recent Census from 12,331 to 11,179.

Mr. Bowden further reported receiving a request requiring a motion from the Township Committee from the New Jersey Army National Guard allowing them to land an Army Helicopter at the Colts Neck High School for purposes of harmony with the students, community and as a recruiting tool. After brief discussion, Mr. Florek made a motion to approve said request, 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

Mr. Bowden continued his report advising that the Grande Association is requesting on behalf of a homeowner the installation of a street light at the Stonehill Road entrance of The Grande community. After brief discussion, the Governing Body unanimously denied said request.

Mr. Bowden said that based on Tim Anfuso’s (Township Planner) memorandum regarding a request to the County Agriculture Board for a second SSAMP by Triple “C” Nurseries, Mr. Bowden said he recommends sending a letter opposing said request. Triple “C” Nurseries should not be allowed to use the County Agriculture Board to negate local zoning prerogatives to establish a commercial activity under the premise of farming and avoid the Board of Adjustment. After brief discussion, the Township Committee were all in favor by voice vote to send a letter to the County Agriculture Board opposing Triple “C” Nurseries request.

Roll call indicated the following:

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

Oppose: None

Abstain: Committeeman Stuart

22. **MOTION TO APPROVE VOUCHERS** was made by Mr. Forester for all vouchers totaling \$2,074,429.87, 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

23. **TOWNSHIP COMMITTEE REPORTS:**

Mr. Forester reported that he went to the NJ League of Municipalities Convention and attended a deer control seminar.

Mr. Forester further reported that the Shade Tree Commission is still working on an Ordinance that will withstand the test of time. This is not an easy project they are working on.

Mr. Forester also reported that he saw J. P. Walsh become an Eagle Scout.

Mr. Forester reported that he attended the tree lighting on Sunday at Town Hall. The attendance was a little low due to the recent snow storm.

Mr. Forester concluded his report by saying he went to the Public Works Department and learned the new school bus location on DPW property was acceptable to the Director, Edward Thompson.

Mrs. Burry reported that she is in receipt of a letter regarding our appeal with the activity at the Due Process helistop. They report that there is no extra activity occurring. Mr. Florek said he would like to see what their restrictions are and to send back a brief letter requesting same.

Mrs. Burry also reported that she received a letter from the DEP referring to the pair of bald eagles who have located themselves on our Green Acre property. Mr. Todd Edwards will be protecting the area with signage for a period between December 1st to August 1st. Bald eagles are still on the Federal and State endangered species list.

Mrs. Burry further reported the annual Williamsburg Christmas had an excellent turnout of about 120 citizens.

Mrs. Burry continued to report that the Historic Preservation Committee is putting up three bronze roadside signs marking Joshua Huddy's Home, the Phalanx Commune, and the Montrose Road School House.

Mr. Stuart said he has no report this evening.

Mr. Florek reported that the Executive Fire Counsel has indicted the cost for the mandatory physical exam is increasing from \$54.00 to \$215.00. The

Executive Fire Counsel is also seeking a Knox Box Ordinance. Mr. Bowden said he believes we have one in place already and will forward a copy to him.

Mr. Florek further reported that there are piles of debris on the Cicalese property. The Fire Department said it could take 2-3 days to burn if appropriate permits are obtained. Volunteers would also be needed to sit and supervise the fire.

Mr. Florek said the Colts Neck Trail Riders are seeking trail cleaning if there is any down time present in the Department of Public Works.

Mayor Hennessy introduced Josephine Orrico. Ms. Orrico introduced her friends Laura and Tammy. Ms. Orrico said that she and her friends have a U.S. Government in Politics class which requires them to participate politically. Ms. Orrico said for her project she choose to follow Mayor Hennessy around to get an idea of what is required of a Mayor. Ms. Orrico said she found the experience very interesting and a real eye opener. Ms. Orrico said she is thankful for this opportunity and on a small scale is happy to see that democracy is indeed happening here in Colts Neck.

Mayor Hennessy concluded his report by advising that Sunday was the arrival of Santa, and the Navasink Brass were also present. The recent snow storm made for a beautiful setting.

24. **COMMENTS FROM THE PUBLIC:**

Mayor Hennessy announced that due to the recent snow storm, our annual holiday dinner-dance was postponed to January 10, 2004.

Mrs. Judy Laufer said the Senior Citizen Club membership is now at 260 members. There was a good turn out on Veterans Day and recently new officers have been elected to their club. Mrs. Laufer stated that today the seniors went on a trip to Valley Forge, PA and they will be having their annual Christmas luncheon soon. All Township Committee members are invited to attend.

Mr. Vince Domidion congratulated the Township on a job well done with snow plowing after the recent snow storm.

25. **RESOLUTION 2003-195: EXECUTIVE SESSION** was read by Mayor Hennessy. With no further comments, Mrs. Burry made a motion to adjourn at 9:40 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

Robert Bowen,
Township Administrator

RB/as