

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
DECEMBER 12, 2007
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 Stuart 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 13, 2006 stating that the meeting of the Colts Neck Township Committee would be held on December 12, 2007 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 Stuart, Deputy Mayor Hennessy, Committeemembers Forester, Florek and Schatzle

Also Present: Robert Bowden, Beth Kara and John O. Bennett, III, Esq. (arriving late)

Absent: None

1. **ANNOUNCEMENT:** Mayor Stuart announced the December 27th Township Committee meeting is cancelled. The next Township Committee meeting will be the 2008 Reorganization, January 6, 2008, 4:00 p.m., Court House, and all are welcome to attend.
2. **MAYOR’S YEAR-END REMARKS:** Mayor Stuart provided year-end comments on the accomplishments of the Township Committee during 2007, a copy of which is appended. Mayor Stuart then read in full the comments he sent to the Asbury Park Press Editor in response to the editorial published December 10, 2007 entitled “Fight Fair at Earle”, a copy of which is appended.
3. **APPROVAL OF MINUTES OF NOVEMBER 28, 2007:** Mr. Schatzle made a correction to Page 6, inserting the word “reverse” to the fourth paragraph, last sentence; Mr. Florek made a correction to Page 4. Mr. Forester made a motion to approve, as amended, seconded by Mr. Hennessy and unanimously carried.

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

Mayor Stuart then introduced Mr. Edward Thompson, Public Works Director. Mr. Thompson thanked Mayor Stuart, Deputy Mayor Hennessy, the Township Committee and Administrator Bowden for their continued support. Mr. Thompson then gave a brief background on the four individuals proposed for promotion in Resolutions 2007-172 through 2007-176. Mayor Stuart read the titles of each resolution, which are as follows:

4. **RESOLUTION 2007-172:** CONFIRMING PROMOTION TO HEAVY EQUIPMENT OPERATOR – MR. RAYMOND DRAGER.
5. **RESOLUTION 2007-173:** CONFIRMING PROMOTION TO LIGHT EQUIPMENT OPERATOR I – MR. STEVEN WILBERT.

6. **RESOLUTION 2007-174:** CONFIRMING PROMOTION TO LIGHT EQUIPMENT OPERATOR I – MR. MICHAEL ARMELLINO.
7. **RESOLUTION 2007-175:** CONFIRMING PROMOTION TO LABORER I – MR. GREGORY SABO.

Mr. Schatzle made a motion to approve all four resolutions at once, seconded by Mr. Forester and unanimously carried. Messrs. Drager, Wilbert and Armellino received congratulations from the Township Committee and a round of applause. Mr. Thompson advised Mr. Sabo was attending a class in the Fire Academy this evening and was unable to attend.

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

8. **RESOLUTION 2007-176:** AUTHORIZING AWARD OF BID – ROLL-OFF CONTAINER TRUCK, \$224,950.00 was read by title by Mayor Stuart. Mr. Bowden advised this purchase was approved two years ago using the Monmouth County Improvement Authority lease-to-purchase financing. This equipment will be paid off in three installments. Under Capital Budget Ordinance 2007-11, \$210,000 was funded and an additional \$15,000 from the 2007 current budget will cover the increased cost of Federal emissions equipment and stainless steel components. Mr. Thompson advised the truck would be used on a daily basis for brush, leaves, clean-up days, and eventually to haul recyclables, and is projected to last for 20 years. Mr. Florek made a motion to approve, seconded by Mr. Forester and unanimously carried.

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

9. **RESOLUTION 2007-177:** AUTHORIZING AWARD OF CONTRACT FOR PUBLIC WORKS SEPTIC SYSTEM, A&K EXCAVATING, LLC, \$18,000.00 was read by title by Mayor Stuart. Mr. Schatzle commented this project was re-bid and is now in a better price range. Mr. Thompson advised the DPW staff will do some of the work, which will result in a savings of approximately \$20,000. Mr. Forester made a motion to approve, seconded by Mr. Hennessy and unanimously carried.

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

10. **RESOLUTION 2007-178:** AUTHORIZING AWARD OF CONTRACT FOR ASBESTOS MANAGEMENT SERVICES, PMK GROUP, \$4,000.00, was read by title by Mayor Stuart. Mr. Bowden advised that due to the age of the Police Department and attached Court House building, an asbestos study must be performed. The \$4,000 is the cost of the study. Mr. Florek made a motion to approve, seconded by Mr. Hennessy and unanimously carried.

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

11. **RESOLUTION 2007-179:** AUTHORIZING AWARD OF CONTRACT FOR CDL DRUG AND ALCOHOL TESTING – COMMERCE RISK CONTROL \$64.41 PER TEST was read by title by Mayor Stuart. Mr. Thompson advised this is the contract for on-site random drug testing of those employees possessing a CDL License for the performance of their job functions. Mr. Hennessy made a motion to approve, seconded by Mr. Florek and unanimously carried.

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

12. **RESOLUTION 2007-180:** AUTHORIZING FORMAL TRANSFER OF FUNDS - 2007 BUDGET was read by title by Mayor Stuart. This resolution authorizes the transfer of \$30,000 from Employee Group Health to Legal Services (\$15,000), Police Department (\$12,000), Buildings and Grounds (\$2,500) and Environmental Commission (\$500) to cover additional expenses. Mr. Hennessy made a motion to approve, seconded by Mr. Schatzle and unanimously carried.

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

13. **MOTION TO ADOPT A CONSENT AGENDA:** Mayor Stuart read by title the following resolutions:
14. ***RESOLUTION 2007-181:** AUTHORIZING VETERANS ALLOWANCE.
15. ***RESOLUTION 2007-182:** AUTHORIZING CANCELLATION OF 2007 TAX DEBIT AND CREDIT BALANCES OF LESS THAN \$10.00.
16. **RESOLUTION 2007-183:** AUTHORIZING REFUND OF TAX OVERPAYMENTS FOR 2007.

17. **RESOLUTION 2007-184:** AUTHORIZING CANCELLATION OF MISCELLANEOUS CHARGES AND OUTSTANDING CHECKS.
18. **RESOLUTION 2007-185:** APPROVING RAFFLE APPLICATION NO. RA-07-37, 50/50 OFF-PREMISES RAFFLE, OAK HILL ACADEMY.

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

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

19. **DISCUSSION:** ESTABLISH AND CONFIRM 2008 TOWNSHIP COMMITTEE MEETING SCHEDULE – REORGANIZATION MEETING TO BE HELD JANUARY 6, 2008, 4:00 P.M., COURT HOUSE. Mr. Bowden advised the schedule reflects meetings the second and last Wednesdays with the following exceptions: no second meeting during the months of July and August; October 15th is the third Wednesday (the second Wednesday is Yom Kippur); no second meeting in November, as that Wednesday is the day before Thanksgiving (a meeting would be advertised, if needed); and the second December meeting is a Tuesday, as the last Wednesday is New Year’s Eve. All Township Committee members were in agreement with the proposed schedule.

20. **ADMINISTRATIVE REPORT.** Mr. Bowden had nothing further to add to his report.

21. **MOTION TO APPROVE VOUCHERS.** Mr. Forester reported he reviewed and signed the vouchers, commenting this was a large list, noting all were in order, and are as follows:

Animal Control	307.00
Capital Fund	1,329.98
COAH	328.75
Construction Trust	\$9,780.37
Current Fund	\$484,312.04
Escrow	\$31,585.10
Farmland Preservation Trust	\$1,587.69
Grant Fund	\$5,552.71
Trust Fund	<u>\$15,932.26</u>
TOTAL APPROVED:	\$550,715.90

Mr. Forester made a motion to approve all vouchers, seconded by Mr. Florek and unanimously carried.

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

22. TOWNSHIP COMMITTEE REPORTS:

Mr. Schatzle reported he attended this evening's candlelight vigil at Colts Neck High School. It was an emotional event and was very well done. Mr. Schatzle noted that along with the Mayor's Proclamation wherein December 2007 is National Drunk and Drugged Driving (3D) Prevention Month within the Township of Colts Neck, the Colts Neck Inn and Huddy's is providing non-alcoholic drinks at no charge to designated drivers during the period December 15, 2007 through January 1, 2008.

Mr. Schatzle reported the Historic Preservation Committee's sponsored Williamsburg Christmas was a very successful event this year. Mr. Schatzle stated it was so successful it may have to move to a larger location to accommodate those attending.

Mr. Schatzle reported the Local Emergency Preparedness Committee is planning a simulated emergency table top exercise in February 2008, and the Township Committee is invited to attend.

Mr. Florek reported the Colts Neck Sports Foundation is doing nicely with the fences at Laird Road ball fields.

Mr. Florek reported he has received five or six positive responses from municipalities with regard to the COAH letter he sent recently.

Mr. Florek reported the single stream recycling proposal is on hold. The current contractor is not offering enough of a discount for the change. Additionally, not many competitors can offer this service, which would greatly restrict bidding this year for the two-year contract. When more vendors provide the service, the Township will revisit this issue.

Mr. Florek reported he attended a meeting to discuss the Freehold Regional High School funding formula. Currently, Colts Neck sends five percent of the students and pays ten percent of total costs. Colts Neck stands to benefit if the current funding formula is changed to a per pupil formula.

Mr. Florek noted the Business Advisory Committee's September minutes indicate the Township Committee rejected the sign ordinance. Mr. Florek asked Mr. Forester to advise the Business Advisory Committee that their minutes are incorrect and should reflect the Township Committee agreed the sign ordinance was a good idea.

Mr. Hennessy reported December 2nd the Recreation Committee sponsored a well received holiday event, which included performances by local children, the tree lighting, refreshments and a visit from Santa.

Mr. Hennessy reported the Township website had a 50 percent increase in activity over last year. He commented this was fabulous.

Mr. Forester reported Long Range Planning is working on the tree ordinance and will continue to do so.

Mr. Forester reported approximately 120 Senior Citizens enjoyed a luncheon at Doolan's.

Mr. Forester noted the Colts Neck Midget Large Division Pop Warner Cheerleaders placed first in the Orlando national competition. Mr. Forester suggested inviting them to a Township Committee meeting. Mr. Hennessy reported he has been in contact, and they are scheduled to attend a meeting in January.

Mayor Stuart stated he has been in contact with the Tinton Falls Mayor and Administrator, and it is now time to join forces and start a dialogue to address the Earle issue.

Mayor Stuart thanked his wife, Pat, and his second favorite sister-in-law for their support this past year during his tenure as Mayor.

23. COMMENTS FROM THE PUBLIC:

With no further comments, Mayor Stuart opened the meeting for public comment.

Ms. Mary Beth Tomaro, a resident and PTSO Officer, stated it was disturbing there was nothing on the Township website regarding the Earle situation. Mr. Florek responded the Township Committee has been addressing this issue since 2003 with legal counsel. Ms. Tomaro stated this year is Colts Neck High School's tenth year, and to celebrate, she is proposing the art students develop a Township flag. Mayor Stuart stated approximately eight or nine years ago a Township flag was proposed, and at that time the Governing Body did not feel the need for a Township flag. Mayor Stuart stated a meeting should be scheduled to discuss this issue further after the reorganization.

Mr. Vince Domidion, a resident, stated his appreciation of Mayor Stuart's letter to the editor. Mr. Domidion commented the purple martin communities are the pesticide-free alternative to insect control.

Ms. Jackie Hoagland, a resident and PTSO member, questioned if the privatization of base housing was occurring in other locations nationwide. Mayor Stuart stated there is nothing like this occurring at any base in the entire Eastern Regional area, let alone a munitions base.

Ms. Gloria Lupia, a resident, asked about the old Atlantic School. Mayor Stuart responded this is up for sale now, and there are no plans for the Township to take action to acquire it at this time.

Mr. Chris Lupia, a resident, stated the Atlantic School property was sold for very little money. Mayor Stuart stated citizens have suggested placing COAH housing in that property; however, there is no official action planned at this time. Mr. Lupia commented it is a good time to purchase this property.

Mr. Schatzle commented the Township Committee is continuing to work on the signage and numbering used on Route 34 above and below Route 537 to eliminate duplication.

With no further comments from the public, Mayor Stuart thanked everyone for coming to this evening's meeting and closed the meeting to public comment.

24. RESOLUTION 2007-186: EXECUTIVE SESSION was read by Mayor Stuart at 8:35 p.m. Mr. Hennessy made a motion to adjourn and go into Executive Session, seconded by Mr. Forester and unanimously carried.

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

Motion by Mr. Florek, seconded by Mr. Schatzle and unanimously carried to reconvene in public session at 9:30 p.m.

Upon reconvening in public session Mr. Florek moved a resolution to be known as **Resolution 2007-187**, pertaining to the memorialization of a separation of employment agreement signed by former Police Officer Mark Scrivanic, seconded by Mr. Hennessy and unanimously carried.

15. **RESOLUTION 2007-187: CONFIRMING SEPARATION AGREEMENT**

Be it resolved by the Township Committee of the Township of Colts Neck that it hereby approves and confirms a settlement agreement between the Township of Colts Neck and former police officer Mark Scrivanic, dated December 13, 2006.

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

Motion by Mr. Forester, seconded by Mr. Schatzle to adjourn meeting. Motion unanimously carried.

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

Meeting adjourned at 9:30 p.m.

Robert Bowden
Township Administrator/Clerk

RB:bk