

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
JANUARY 13, 2010
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 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 10, 2009 stating that the meeting of the Colts Neck Township Committee would be held on January 13, 2010 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 Schatzle, Committeemen Engel, Eastman and Fitzgerald

Also Present: Administrator/Municipal Clerk Robert Bowden; Deputy Municipal Clerk Beth Kara, and Township Attorney Sen. John O. Bennett, III, Esq.

Absent: None

- 1. APPROVAL OF MINUTES OF DECEMBER 30, 2009.** Hearing no comments, Mr. Schatzle made a motion to approve, seconded by Mr. Eastman, and carried by Mayor Florek, Messrs. Schatzle and Eastman; Messrs. Engel and Fitzgerald abstained.

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

APPROVAL OF MINUTES OF JANUARY 3, 2010. Mayor Florek commented two Liaison assignments required revision to reflect the final assignments. Mr. Engel made a motion to approve, as amended, seconded by Mr. Schatzle and unanimously carried.

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

- 2. PRESENTATION: COLTS NECK BUSINESS ASSOCIATION.** Mr. Raymond Shebell, Esq., President of the Business Association addressed the Governing Body. Mr. Schebell spoke of Colts Neck Township Night at the Blue Claws on May 22, 2010, (game starts at 4:05 p.m.), as a day for the Colts Neck community to join together. Colts Neck businesses are buying tickets in blocks and gifting them to the community. The Blue Claws will advertise the event and local businesses will be manning tables with giveaways. Mr.

Schebell asked the Governing Body to pass a resolution in support of the event. Mr. Shebell noted additional information regarding the Business Association events can be found on their website, coltsneckbusiness.org. Mayor Florek noted a night at the Blue Claws is a great event, and all Township Committee members agreed to adopt a resolution. Mr. Bowden will prepare a resolution, which will be placed on the next meeting agenda.

3. PRESENTATION: NIXLE COMMUNITY INFORMATION SYSTEM.

Mr. Schatzle introduced Mr. Matt Metcalf, Director of Community and School Relations at Nixle, and spoke of the system’s support from the Colts Neck Local Emergency Planning Committee. Mr. Metcalf provided an overview of the web-based, ad-free system, which seeks to improve communication between a municipality and its citizens through e-mails and cell phone text messages at no cost to the community. Mr. Metcalf spoke of the levels of alerts within the Nixle System: Mr. Bowden questioned if the Nixle System was redundant to the Swiftreach 911 System already operational within the community. Mr. Metcalf noted the Swiftreach System is a voice system, whereas the Nixle System is a text system. Mr. Metcalf advised citizens can choose to set text message levels and can establish quiet hours. Discussion ensued and Mr. Schatzle will speak with other municipalities utilizing the Nixle System, in particular, West Long Branch, and advise the Governing Body of his findings. Mayor Florek thanked Mr. Metcalf for his presentation this evening.

4. ORDINANCE 2010-1: AN ORDINANCE ENTITLED THE 2010 SALARY ORDINANCE FOR THE TOWNSHIP OF COLTS NECK (UNION CONTRACTS)

was read by title at first reading by Mayor Florek. Mr. Bowden stated the salaries included in this ordinance cover employees within the three unions, which are covered under existing contracts. The stipends also included in this ordinance are not expected to increase. Mr. Eastman expressed concern that if this were adopted and there were budget shortages, the only alternative would be to have a reduction-in-force. Counsel Bennett concurred with Mr. Eastman’s assumption, and noted stipends within Section 1, Items 22-28 are not contractual. Mayor Florek requested all salaries and stipends noted include the words “up to”. Mr. Fitzgerald made a motion to approve, as amended, seconded by Mr. Schatzle and unanimously carried; Mr. Eastman abstained from all Police salaries. Mayor Florek set the public hearing January 27, 2010.

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

5. ORDINANCE 2010-2: AN ORDINANCE AMENDING CHAPTER 195, SOLID WASTE, RECYCLING IN THE TOWNSHIP OF COLTS NECK

was read by title at first reading by Mayor Florek. Mayor Florek noted this ordinance was required by the Monmouth County Solid Waste Plan adopted in March 2009. Mr. Bowden noted by January 2012, the Township must have a certified Recycling Coordinator in place. Mr. Engel made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried. Mayor Florek set the public hearing January 27, 2010.

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

6. **RESOLUTION 2010-20:** RESOLUTION AUTHORIZING FORMAL TRANSFER OF FUNDS – 2009 MUNICIPAL BUDGET was read by title by Mayor Florek. Mayor Florek noted this resolution transfers \$31,400 from Insurance, Employee Group Health; to Legal Services, Other Expenses (\$30,000); and Buildings and Grounds, Other Expenses (\$1,400) to cover additional expenses. Mr. Fitzgerald made a motion to approve, seconded by Mr. Schatzle and unanimously carried.

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

7. **RESOLUTIONS 2010-21:** RESOLUTION CONFIRMING AWARD OF CONTRACT, ALCOHOL AND DRUG TESTING SERVICES, CDL DRIVERS, (VALLEY HEALTH MEDICAL GROUP) was read by title by Mayor Florek. Mr. Bowden stated this contract covers the 2010 year for random drug testing of Township employees possessing a CDL License within the Department of Public Works. The estimated cost of \$1,000 was based on the 2010 contract price schedule and past experience. Mr. Fitzgerald made a motion to approve, seconded by Mr. Engel and unanimously carried.

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

8. **MOTION TO ADOPT A CONSENT AGENDA:**
9. ***RESOLUTION 2010-22:** RESOLUTION AUTHORIZING SENIOR CITIZENS ALLOWANCE.
10. ***RESOLUTION 2010-23:** RESOLUTION AUTHORIZING RECREATION PROGRAM REFUND.

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

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

11. **DISCUSSION:** SITE SPECIFIC AGRICULTURAL MANAGEMENT PRACTICE REVIEW APPLICATION, MR. JOSEPH LA CAVA. Mr. Bowden stated Mr. LaCava has a five-acre parcel between Route 34 and South Street. He has filed a Site Specific Agricultural Management Practice Review application with the Monmouth County Agriculture Development Board to permit the installation of four signs to remain all year, use of a gazebo for nursery stock, and selling and demonstration of custom potting sheds. Mr. Anfuso, Township Planner indicated the Code Enforcement Officer has had issues with the property owner regarding the outdoor display and selling of sheds. In a memorandum to Mr. Bowden, Mr. Anfuso notes the current farm stand ordinance allows one 64 sq. ft. sign for a nine-month period; Mr. LaCava is seeking four year-round signs. Discussion ensued, and the Governing Body is in support of the Township Planner formally objecting to the request before the Monmouth County Agriculture Development Board, as approval of the application would supersede the Township’s ability to enforce the current Zoning ordinance.

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

Mr. Bowden discussed the ordinance passed by the Borough of Montvale, which limits the reimbursement for eligible damage to mailboxes caused by direct plow contact during snow removal of up to \$75. Mr. Bowden stated he negotiates each claim individually and the average cost to the Township is approximately \$100. Mr. Bowden questioned if the Governing Body wanted to establish an ordinance limiting the liability for replacement to \$100, or continue current practice of individual negotiation. Discussion ensued. Mr. Eastman was not in favor of an ordinance or of reimbursement, as he views this as part of living in a rural area. Mr. Fitzgerald stated he is comfortable with the present practice, but questioned the Township’s liability when the private contractor causes damage. Mr. Bowden responded the private contractor liability is written into the bid specification package; Counsel Bennett suggested inserting it in the contract document. Mr. Schatzle stated he concurs having the process remain the same with the public contractor responsible for the areas he plows. The Governing Body consensus was to remain status quo.

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

Animal Control	\$169.87
Capital Fund	\$758.50
Construction Trust	\$20,754.49
Current Fund	\$201,630.59
Escrow	\$25,382.11
Grant Fund	\$1,459.83
Trust Fund	\$58,882.29
TOTAL APPROVED:	\$309,037.68

Mr. Schatzle made a motion to approve, seconded by Mr. Fitzgerald, and unanimously carried; however, Mr. Eastman stated he abstains from approving payments on any matter that deals with the Police.

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

14. TOWNSHIP COMMITTEE REPORTS

Mr. Fitzgerald reported he attended meetings of many of the committees to which he is Liaison, and previously provided a summary to his fellow Township Committee members on the first round of meetings. The Environmental Commission had a lengthy discussion pertaining to this year's focus, as it is thought to be a quiet year, and they don't anticipate responding to many Planning Board issues.

Mr. Fitzgerald reported his meeting with the Recreation Committee was a good one, and noted this group has many plans for the upcoming year.

Mr. Fitzgerald regrets he was unable to attend the Friends of the Library meeting due to a schedule conflict with the High School's open school night; however, he looks forward to attending next month's meeting.

Mr. Engel reported he attended the first round of meetings as Liaison and noted all were well attended and very productive. Mr. Engel looks forward to the 2010 year ahead.

Mr. Schatzle reported he attended the Board of Health meeting, noting the annual rabies clinic held this past weekend was successful. In addition, Mr. Schatzle reported H1N1 Flu Clinics continue to be scheduled and are being opened to the general public.

Mr. Schatzle reported he met with Mr. Thompson, DPW Director, who will be developing a maintenance list and schedule for all Township-owned buildings for consideration and planning purposes.

Mr. Schatzle reported the Colts Neck Business Association is holding a luncheon on January 19th at 12:00 noon at the Colts Neck Inn. On February 16th, 7:00 p.m., they will hold a card exchange at the Colts Neck Café. The Blue Claws game event is scheduled for May 22nd. In addition, plans are underway for a Town-wide sidewalk sale as well as the annual Old Town Colts Neck Day.

Mr. Schatzle reported the Local Emergency Planning Committee conducted its tabletop exercise on January 11th, during which various scenarios during a three foot snow storm were simulated and action plans developed.

Mr. Schatzle reported he is working on the occupancy requirements for The Grande Association's club house.

Mr. Eastman had no report this evening.

Mayor Florek applauded the efforts of our State Legislators to put forth the NWS Earle legislation. While it was not voted on in the Senate during the last legislative session, Mayor Florek has spoken with Senator Beck, and our legislators have vowed to resubmit and support the passage of this legislation in 2010. Mr. Eastman questioned whether or not a new resolution would be needed requesting this special legislation and properly advertised. Counsel Bennett will check.

Mayor Florek spoke of the revaluation, noting the preliminary assessment letters are scheduled to be mailed out during the last week in January. Mayor Florek noted the Tax Assessor and the members of the revaluation firm, Realty Appraisal, will make themselves available to discuss the revaluation results with the Governing Body and the Township residents.

Mayor Florek commented the Fire Department annual fund drive is \$15,000 below donations received last year at this time (\$80,000 last year versus \$65,000 currently). Mr. Florek spoke of the Fire Department’s contribution to the community and the need for donations.

15. COMMENTS FROM THE PUBLIC:

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

Mr. Vince Domidion spoke about Manalapan Township’s savings relating to their solid waste contract for both garbage and recycling. Mr. Domidion suggested the Township reach out to Manalapan to obtain their bid specifications and research this topic. If waste collection were part of the property tax bill, Mr. Domidion stated it would be tax deductible. Mr. Bowden commented the Township is part of the regional shared services study led by Marlboro on this very topic.

With no further comments, Mayor Florek closed the meeting to public comment.

16. RESOLUTION 2010-24: EXECUTIVE SESSION was made read by title by Mayor Florek at 8:58 p.m. Mr. Schatzle made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried by voice vote. Mr. Bowden stated the Township Committee does not anticipate reconvening in public session to take formal action after Executive Session.

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

Motion by Mr. Eastman, seconded by Mr. Engel, and unanimously carried to adjourn Closed Session and reconvene in Public Session.

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

Motion by Mr. Eastman, seconded by Mr. Fitzgerald, and unanimously carried to adjourn meeting.

Meeting adjourned at 10:25 p.m.