

**TOWNSHIP OF COLTS NECK  
TOWNSHIP COMMITTEE MEETING  
JANUARY 27, 2010  
7:30 P.M. AT TOWN HALL**

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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 27, 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, and Fitzgerald

Also Present: Administrator/Municipal Clerk Robert Bowden; and Deputy Municipal Clerk Beth Kara

Absent: Committeeman Eastman, Township Counsel

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Mr. Bowden stated Committeeman Eastman is absent this evening, as is Township Counsel Bennett, who was in Florida this evening.

- 1. APPROVAL OF MINUTES OF JANUARY 13, 2010.** Mayor Florek commented Page 6, first paragraph, line 3 should be changed from "Realty Appraisal have made" to "Realty Appraisal will make". Mr. Fitzgerald made a motion to approve, as amended, seconded by Mr. Engel and unanimously carried.

| <b>RECORD OF VOTE</b>   |     |     |    |    |    |
|---|-----|-----|----|----|----|
| 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 |     |     |    |    |    |

- 2. MAYOR'S PROCLAMATION: PROCLAIMING FEBRUARY 5, 2010 AS "NATIONAL WEAR RED DAY FOR WOMEN" WITHIN THE TOWNSHIP OF COLTS NECK.** Mayor Florek read the Proclamation in full, which recognizes the importance of the ongoing fight against heart disease and stroke. Mayor Florek noted by increasing awareness of the risk factors and taking actions to reduce them, thousands of lives can be saved each year.
- 3. PRESENTATION: COLTS NECK SPORTS FOUNDATION.** Representatives from the Sports Foundation were not in attendance this evening; no presentation occurred.
- 4. ORDINANCE 2010-1: AN ORDINANCE ENTITLED THE 2010 SALARY ORDINANCE FOR THE TOWNSHIP OF COLTS NECK (UNION CONTRACTS)** was read by title at second reading by Mayor Florek. Mr. Bowden stated the salaries listed are bargaining unit employees covered by three contracts. The stipends also included in this ordinance are not expected to increase, and the words "up to" have been included for the salary of each stated

position, as requested previously by Mayor Florek. With no comments from the Governing Body, Mayor Florek opened the meeting to public comment.

Ms. Virginia Amend, editor of the Colts Neck Calendar and resident, commented the County has frozen wages during the past two years. Ms. Amend stated since the Township is expending money on legal fees, there should be no salary increases. Mayor Florek stated the ordinance reflects 2010 contract obligations, which expire December 31, 2010 for the White Collar contract, and December 31, 2011 for the Blue Collar and Police contracts.

Mr. Ray Carbone, a resident, commented on the re-opening of contracts and suggested outsourcing Police protection. Mayor Florek responded noting “up to” has been inserted for each position listed, which provides future flexibility without ordinance amendment. Mr. Fitzgerald stated Police dispatching services are provided as a shared service by the County. Mr. Schatzle commented the Police staffing levels are continuously reviewed, and he discussed the patrol strength for each work shift.

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

5. **ORDINANCE 2010-2:** AN ORDINANCE AMENDING CHAPTER 195, SOLID WASTE, RECYCLING IN THE TOWNSHIP OF COLTS NECK was read by title at second reading by Mayor Florek. Mayor Florek noted this ordinance was required by the Monmouth County Solid Waste Plan adopted in March 2009. With no comments from the Governing Body, Mayor Florek opened the meeting to public comment.

Ms. Virginia Amend questioned the meaning of this ordinance. Mayor Florek replied with a brief summary including recyclables need to be separated and with the exception of button batteries, Monmouth County no longer recycles household batteries.

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

6. **RESOLUTION 2010-24A:** RESOLUTION SUPPORTING SENATE NO. 1, ABOLISHING COUNCIL ON AFFORDABLE HOUSING AND ALLOWING MUNICIPALITIES TO ADMINISTER AFFORDABLE HOUSING OBLIGATIONS was read by title by Mayor Florek. Mayor Florek discussed the steps the Township has taken toward meeting its affordable housing obligations and noted the passage of this legislation would allow municipalities

to work with the State Planning Commission in meeting the affordable housing obligations. Mr. Fitzgerald concurred in the abolishing of COAH. Mr. Fitzgerald requested the correction of the spelling of a legislator's name in the distribution list. Mr. Schatzle made a motion to approve, as amended, seconded by Mr. Engel and unanimously carried.

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

7. **RESOLUTIONS 2010-25:** RESOLUTION CONFIRMING APPOINTMENT TO COLTS NECK FARMLAND AND OPEN SPACE COMMITTEE, MS. VIRGINIA MUMFORD, was read by title by Mayor Florek. Mr. Engel 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  |     | X   |    |    |    |
| Engel   | M   | X   |    |    |    |
| Eastman   |     |     |    |    | X  |
| Fitzgerald  | S   | X   |    |    |    |
| X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded |     |     |    |    |    |

8. **RESOLUTION 2010-26:** SUPPORTING COLTS NECK BUSINESS ASSOCIATION EVENT, LAKEWOOD BLUE CLAWS, MAY 22, 2010 was read by title by Mayor Florek. Mr. Schatzle commented this will be an exciting day at the Blue Claws stadium for Colts Neck residents, and he hopes all can be there. 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 Florek  |     | X   |    |    |    |
| Schatzle  | M   | X   |    |    |    |
| Engel   | S   | X   |    |    |    |
| Eastman   |     |     |    |    | X  |
| Fitzgerald  |     | X   |    |    |    |
| X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded |     |     |    |    |    |

9. **RESOLUTION 2010-27:** AUTHORIZING FORMAL TRANSFER OF FUNDS – 2009 BUDGET was read by title by Mayor Florek. This resolution transfers a total of \$84,200 from Tax Assessment Administration, Salaries and Wages (\$6,000); Zoning Board of Adjustment, Other Expenses (\$2,000); Insurance, Employee Group Health (\$5,000); Streets and Road Maintenance, Salaries and Wages (\$30,000); Recycling, Other Expenses (\$12,200); Recreation Services and Programs, Other Expenses (\$10,000); Maintenance of Parks, Other Expenses (\$15,000); and Telephone (\$4,000) to cover additional expenses for Legal Services, Other Expenses (\$73,300); Engineering Services, Other Expenses (\$200); Planning Board, Other Expenses (\$200); Streets and Roads Maintenance, Other Expenses (\$10,000); and Street Lighting (\$500). 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 |     |     |    |    |    |

**10. MOTION TO ADOPT A CONSENT AGENDA:**

**11. \*RESOLUTION 2010-28:** RESOLUTION CONFIRMING USE OF MONMOUTH COUNTY COOPERATIVE FOR PURCHASE OF SODIUM CHLORIDE (ROCK SALT).

**12. \*RESOLUTION 2010-29:** RESOLUTION AUTHORIZING RECREATION PROGRAM REFUNDS.

Mr. Bowden noted with regard to Resolution 2010-28, last year's cost per ton was \$68, while this year's cost per ton is \$54. There is a two-year lock in at this price, which is a substantial reduction from the prior year. Mr. Engel 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   | M   | X   |    |    |    |
| Eastman   |     |     |    |    | X  |
| Fitzgerald  |     | X   |    |    |    |
| X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded |     |     |    |    |    |

**13. DISCUSSION:** ESTABLISH 2010 BUDGET REVIEW SESSIONS. Mr. Bowden stated it is important that all five members of the Governing Body attend these sessions. Mayor Florek indicated the Township has never been late with its budget. Discussion ensued and the budget meeting dates and times were tentatively set as February 20, 8:30 a.m.; February 25, 7:00 p.m.; February 27, 8:30 a.m.; and March 6, 8:30 a.m., to be confirmed with Mr. Eastman.

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

Mr. Bowden commented the Local School Board has changed hours for the School Board Election in April to 2:00 p.m. to 9:00 p.m.

Mr. Bowden stated the Colts Neck Lions Club is planning a wine tasting event in the Community Center at Bucks Mill Park on May 1. The Lions Club will provide a certificate of insurance naming the Township as additional insured. The Governing Body is requested to approve the serving of wine in the park. Mr. Fitzgerald 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 Florek  |     | X   |    |    |    |
| Schatzle  |     | X   |    |    |    |
| Engel   | S   | X   |    |    |    |
| Eastman   |     |     |    |    | X  |
| Fitzgerald  | M   | X   |    |    |    |
| X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded |     |     |    |    |    |

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

|                             |                       |
|-----------------------------|-----------------------|
| Animal Control              | \$384.94              |
| Capital Fund                | \$433.00              |
| COAH                        | \$1,586.25            |
| Construction Trust          | \$15,407.83           |
| Current Fund                | \$5,070,802.22        |
| Escrow                      | \$16,268.66           |
| Farmland Preservation Trust | \$850.50              |
| Grant Fund                  | \$4,207.98            |
| Trust Fund                  | <u>\$6,525.61</u>     |
| <b>TOTAL APPROVED:</b>      | <b>\$5,116,466.99</b> |

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 |   |   |     |    |    |    |

**16. TOWNSHIP COMMITTEE REPORTS**

Mr. Fitzgerald had no report this evening.

Mr. Engel reported he will be meeting with the Senior Citizens and providing them a state of Colts Neck report.

Mr. Schatzle reported on January 22<sup>nd</sup>, an overturned tanker on Routes 34 and 18 released an estimated 5,000 gallons of fuel into the wetlands near the Route 18 ramp. Approximately 25 persons from Federal, State and local agencies responded, and the end of the spill was located in wetlands .5 miles from the occurrence. While the spill was not in Hockhockson to the Navesink, it went west to reservoir feeder streams. Remediation efforts will continue. Mr. Schatzle stated the driver's insurance company will be paying the cost of damages. Mr. Schatzle stated the Health Officer was visiting the site daily to monitor status. Mr. Schatzle commended the Department of Public Works employees for securing the site before emergency assistance arrived.

Mr. Schatzle reported future H1N1 Flu Clinics will be posted on the website.

Mr. Schatzle reported he attended the Colts Neck Business Association luncheon on January 19<sup>th</sup> at the Colts Neck Inn. Approximately 113 persons attended, and the speaker proved to be interesting.

Mr. Schatzle reported the First Aid Squad is looking for new members.

Mayor Florek reported the Township is keeping up with its COAH obligations. A memorandum will be sent shortly addressing the latest requests from COAH.

**17. COMMENTS FROM THE PUBLIC:**

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

Mr. Vince Domidion stated he and Township department staff met with Mr. Eric Anderson, Monmouth County GIS Coordinator, at Town Hall this morning to discuss the mapping capabilities the County can provide the Township at no cost. Mayor Florek noted he was very impressed with the County’s mapping offerings. Mr. Domidion stated he read the COAH legislation and noted Page 6 references the New Jersey Supreme Court determined every municipality in a growth area . . . Mr. Domidion contends Colts Neck is a non-growth area, and he is seeking a list of growth areas and non-growth areas. Mr. Domidion suggested re-examining the master plan, to which Mayor Florek stated the master plan is being reviewed now.

Ms. Virginia Amend questioned the budget meeting dates. Mayor Florek stated the dates were not confirmed yet, but he read the four dates proposed noting they are subject to change. Ms. Amend asked the amount expended in legal fees, to which Mayor Florek replied the amount is north of \$200,000. Ms. Amend questioned the H1N1 Flu Clinics. Mr. Schatzle responded the first round of shots were given in the Colts Neck Schools. The second round are scheduled for February 4<sup>th</sup> in the Primary School. Regional clinic dates will be established and posted on the website. Mr. Schatzle stated it is anticipated we have enough vaccine. Ms. Amend questioned the revaluation status. Mayor Florek stated the letters to property owners would be sent out in a few days.

With regard to the fuel spill on Routes 34 and 18, Mr. Fitzgerald questioned if we have an opportunity to subrogate response costs. Mr. Bowden responded stating the costs are being calculated.

Mr. Ray Carbone questioned if the DPW staff was trained to respond to a fuel spill emergency. Mr. Schatzle responded stating the DPW staff is trained at various levels, and they are prepared to respond.

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

- 18. RESOLUTION 2010-30: EXECUTIVE SESSION was made read by title by Mayor Florek at 8:21 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. Engel, seconded by Mr. Fitzgerald, and unanimously carried to adjourn Closed Session and reconvene in Public Session.

| <b>RECORD OF VOTE</b>   |     |     |    |    |    |
|---|-----|-----|----|----|----|
| 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 |     |     |    |    |    |

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

| <b>RECORD OF VOTE</b>   |     |     |    |    |    |
|---|-----|-----|----|----|----|
| 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 |     |     |    |    |    |

Meeting adjourned at 9:40 p.m.

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Robert Bowden  
Township Administrator/Municipal Clerk