

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
MARCH 10, 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 March 10, 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; Committeeman Eastman (arrived late)

Also Present: Administrator/Municipal Clerk, Robert Bowden; Deputy Municipal Clerk, Beth Kara; and Township Counsel, Chris Ackerman, Esq.

Absent: None

Mr. Bowden advised Mr. Eastman was expected in a few moments.

- APPROVAL OF MINUTES OF FEBRUARY 24, 2010.** 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					

- PRESENTATION:** BLOCK 12, LOT 4.5 – BELLINI RESIDENCE, 9 CANBY DRIVE, EASEMENT RELOCATION. Mayor Florek requested this agenda item be heard later in the meeting upon Mr. Eastman's arrival.
- RESOLUTIONS 2010-38:** RESOLUTION AUTHORIZING EXECUTION OF A SUB-LEASE AGREEMENT FOR A WIRELESS ANTENNAE LOCATED ON BLOCK 48.01, LOT 2, OF THE TOWNSHIP OF COLTS NECK (CROWN SITE BU NO. 878844), was read by title by Mayor Florek. The agreement would permit Crown Castle, the lessee, to sub-lease antennae space on the cell tower at the Public Works property to the Catholic Radio Association. The character or use of the site would not be altered. Mr. Bowden stated the Township will receive 50 percent of the gross revenue received by the lessee (approximately \$1,000 per month), which is approximately \$6,000 per year. 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					

4. **RESOLUTION 2010-39:** RESOLUTION AUTHORIZING AGREEMENT WITH MONMOUTH COUNTY MOSQUITO EXTERMINATION COMMISSION FOR AERIAL APPLICATION OF MOSQUITO CONTROL PESTICIDES was read by title by Mayor Florek. Mayor Florek noted aerial treatment will commence on or about April 1, 2010 and continue through November 30, 2010. Prior to application, our Police Department will be notified. Cost for this program is borne by the County. 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					

5. **RESOLUTION 2010-40:** RESOLUTION SUPPORTING NEW JERSEY DEPARTMENT OF TRANSPORTATION REVISION TO CENTERLINE MARKINGS ALONG A PORTION OF ROUTE 34 (ASBURY AVENUE TO ROUTE 18) TO A NO PASSING ZONE was read by title by Mayor Florek. Discussion ensued. Mayor Florek requested Mr. Bowden advise the Township Committee of the exact location proposed during the next meeting. The resolution was tabled.
6. **RESOLUTION 2010-41:** AUTHORIZING FORMAL TRANSFER OF FUNDS – 2009 BUDGET was read by title by Mayor Florek. This resolution transfers a total of \$13,000 from Recycling, Other Expenses (\$8,000) and Electricity (\$5,000), to cover additional expenses in Buildings and Grounds, Other Expenses (\$1,000) and Snow Removal, Other Expenses (\$12,000). 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					

7. **MOTION TO ADOPT A CONSENT AGENDA:**
8. ***RESOLUTION 2010-42:** RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES, P.B. APPLICATION NO. 672 (TRUMP NATIONAL GOLF CLUB COLTS NECK, LLC).
9. ***RESOLUTION 2010-43:** RESOLUTION AUTHORIZING RELEASE OF MAINTENANCE GUARANTEE, P.B. APPLICATION NO. 563 (GALLOPING HILLS).
10. ***RESOLUTION 2010-44:** RESOLUTION AUTHORIZING RECREATION PROGRAM REFUNDS.

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					

Mr. Eastman arrived at 7:53 p.m.

11. **PRESENTATION:** BLOCK 12, LOT 4.5 – BELLINI RESIDENCE, 9 CANBY DRIVE, EASEMENT RELOCATION. Mr. A.J. Garito spoke on behalf of his client, who is seeking approval to abandon a 50-foot wide drainage and conservation easement, which prohibits development on the lot or additions to the existing dwelling or accessory structures such as pools, tennis courts, etc. On each side of this lot is Township greenway property. Mr. Garito is proposing installation of 313 feet of 24” perforated pipes and inlets to convey the upstream runoff to the existing discharge point. The runoff would enter the system via the proposed inlets and travels downstream to a bubble basin inlet. Runoff would then bubble out of the inlet and flow overland to the wetlands. Mr. Gerken, Township Engineer, reviewed the proposed plan. Mr. Gerken advised a new 20 foot wide drainage easement will have to be dedicated to the Township of Colts Neck. Mr. Gerken stated the Metes and Bounds description of this easement will be needed, and a Deed of Easement will have to be prepared for dedication. Mr. Gerken recommends performance guarantees be required to ensure the property installation of this system since it accepts drainage off the Township greenway and discharges it back onto the greenway at a different location. Mr. Gerken also recommends having the property owner post Inspection Fees for the Township Engineer’s field inspections to certify it is installed in accordance with the approved plans. Mr. Gerken advises the existing easement should not be vacated until the new pipe and inlets have been installed and found acceptable. Discussion ensued. A question arose regarding the recent revaluation of this property, and Mayor Florek asked Mr. Bowden to speak with the Assessor to determine if there would be a change in property value were this to be approved. Mr. Fitzgerald stated there should be a deed restriction holding the homeowner responsible for the maintenance of the piping and the conservation easement. The Township Committee also agreed all expenses directly resulting from this change would be borne by the applicant. Mr. Engel made a motion for the applicant to proceed, seconded by Mr. Fitzgerald and unanimously carried by voice vote.

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					

12. **ADMINISTRATIVE REPORT:** Mr. Bowden had nothing further to add to his report.
13. **MOTION TO APPROVE VOUCHERS:** Mr. Schatzle reported he reviewed the vouchers. Mr. Schatzle stated he and Mr. Bowden are reviewing several vouchers, and he expects resolution shortly. Mr. Schatzle noted the vouchers are as follows:

Animal Control	\$82.77
Capital Fund	\$12,992.25
Construction Trust	\$10,930.51
Current Fund	\$2,541,707.25
Grant Fund	\$1,073.77
Trust Fund	<u>\$8,477.42</u>
TOTAL APPROVED:	\$2,575,263.97

Mr. Schatzle made a motion to approve, seconded by Mr. Engel, and unanimously carried, with Mr. Eastman noting he approves but *abstains from approving vouchers involving Police matters.

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

14. TOWNSHIP COMMITTEE REPORTS

Mr. Eastman noted he attended a Long Range Planning meeting with Mayor Florek, and defers to Mayor Florek in providing the report this evening.

Mr. Schatzle reported the Colts Neck H1N1 Flu Clinic is scheduled for tomorrow, March 11, from 4:00 p.m. to 6:00 p.m. at the Colts Neck Fire Company No. 2.

Mr. Schatzle reported he has received positive feedback from municipalities using the Nixle emergency alerting system. Mr. Schatzle requested this item be placed on a future meeting agenda for further discussion.

Mr. Schatzle has met with The Grande Association on the possibility of a Town-wide curfew ordinance. Mr. Schatzle requested this item be placed on a future meeting agenda, at which time Police experience with Town-wide curfews will be discussed.

Mr. Engel advised the First Aid Squad was having an open house April 20-24 from 10:00 a.m. to 4:00 p.m. Programs will include a Boy Scouts/Girl Scouts babysitting course resulting in a Scout badge, a demonstration on the jaws of life, a living with diabetes seminar, a free of charge CPR course, and a Community Blood Drive.

Mr. Fitzgerald reported the Environmental Commission has no applications to review and cancelled their monthly meeting.

Mr. Fitzgerald reported the Recreation Committee has plans underway for the 5K/10K race.

Mr. Fitzgerald reported the Friends of the Library are planning their spring events, which will include a spelling bee and other programs for the community.

Mayor Florek reported students from the Colts Neck High School Striving for Safe Driving service learning group are planning a 5K event on April 25th to benefit Students Against Destructive Decisions National Chapter, Mark T. Zarantonello Humanitarian Scholarship, Child Advocacy Center and towards sending CNHS students to the Rude Awakening Program for driver safety.

Mayor Florek reported New Jersey Magazine rated Colts Neck 18th in the State and first in Monmouth County, and Mayor Florek noted Colts Neck is a wonderful place to live.

15. COMMENTS FROM THE PUBLIC:

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

Mr. Vince Domidion, a resident, stated with regard to Resolution 2010-40, an old map is being used as a reference point for the no passing zone noting an old section "Asbury Avenue". Mr. Domidion stated he is attending County and School Board budget workshops noting the increase in insurance costs and decrease in revenue will make this year's budgets worse than expected.

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

- 16. RESOLUTION 2010-45: EXECUTIVE SESSION was made read by title by Mayor Florek at 8:28 p.m. Mr. Engel made a motion to approve, seconded by Mr. Schatzle and unanimously carried by voice vote. Mr. Bowden stated the Township Committee may reconvene in public session to take formal action after Executive Session this evening.**

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					

Motion by Mr. Fitzgerald, seconded by Mr. Engel, and unanimously carried to adjourn Closed Session and reconvene in Public Session at 8:50 p.m.

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					

- 17. RESOLUTION 2010-46: CONFIRMING APPOINTMENT OF PROFESSIONAL CONSULTANT FOR THE APPRAISAL OF BLOCK 46, LOT 17.4 (GAGLIANO & COMPANY) was read by title by Mayor Florek. Mayor Florek advised this resolution appoints Gagliano & Company of Shrewsbury to provide professional appraisal services, not to exceed \$2,500.00, pertaining to a tax appeal filed by BAL Colts Neck, LLC. Mr. Eastman 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	M	X			
Fitzgerald		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

18. **MOTION TO ADJOURN:** Motion by Mr. Fitzgerald, seconded by Mr. Engel, and unanimously carried to adjourn meeting.

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						

Meeting adjourned at 8:55 p.m.

Robert Bowden
Township Administrator/Municipal Clerk