

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
MARCH 12, 2008
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 Hennessy 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, 2007 stating that the meeting of the Colts Neck Township Committee would be held on March 12, 2008 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 Hennessy, Deputy Mayor Forester, Committeemembers Florek, Schatzle and Stuart

Also Present: Robert Bowden; Kerri Fornino, Esq.; and Beth Kara

Absent: None

1. **ANNOUNCEMENT:** Mayor Hennessy announced the 2008 Budget Session No. 3 will be held Saturday, March 15, 8:30 a.m., Town Hall meeting room.
2. **APPROVAL OF MINUTES OF FEBRUARY 13, 2008 AND FEBRUARY 27, 2008.** Mr. Florek noted the preamble to both sets of meeting minutes should be changed to reflect Mayor Hennessy calling the meetings to order. Mr. Florek had a revision to Page 6, fifth paragraph, to clarify the affordable housing unit obligation pertaining to COAH. Mr. Florek made a motion to approve both meeting minutes, as amended, seconded by Mr. Schatzle, and unanimously carried.

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

3. **BOND ORDINANCE 2008-3:** BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF DEVELOPMENT RIGHTS FOR THE HAMMOND FARM, IDENTIFIED AS BLOCK 17, LOTS 19 AND 20, AND AMDUR FARM, IDENTIFIED AS BLOCK 9, LOTS 11 AND 12, AND APPROPRIATING \$800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$760,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF COLTS NECK, IN THE COUNTY OF MONMOUTH, NEW JERSEY was read by title at second reading by Mayor Hennessy. Mr. Stuart advised that costs for the Hammond parcel would be shared as follows: State, 53.57%; County, 22.85%; Township, 23.58%. Costs for the Amdur property would be shared as follows: State, 56.76%; County, 22.70%; Township, 20.54%. With no further comments from the Governing Body, Mayor Hennessy opened the meeting to public comment.

Ms. Virginia Amend, Editor of the Colts Neck Calendar and a resident, asked to have the contribution percentages for each parcel repeated. Mr. Stuart repeated the information.

Ms. Diana Piotrowski, a resident, asked if the State would still fund these parcels given recent cutbacks. Mr. Stuart responded in the affirmative, stating the funds for these parcels were set aside two years ago and are unaffected by the recent State cutbacks. Mr. Stuart foresees less open space program funding for Monmouth County in the future.

Ms. Elaine Mann, a resident, questioned the status of the Smith Farm sale. Discussion ensued with Messrs. Florek and Forester.

Mr. Vince Domidion, a resident, commented that the Hammond Farm was real agriculture and a homegrown farm.

With no further comments from the public, Mayor Hennessy closed the public portion of the meeting. Mr. Forester made a motion to approve, seconded by Mr. Stuart and unanimously carried.

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

4. **ORDINANCE 2008-4:** AN ORDINANCE AUTHORIZING THE TOWNSHIP OF COLTS NECK TO ACQUIRE, AND SUBSEQUENTLY ASSIGN TO THE STATE AGRICULTURE DEVELOPMENT COMMITTEE, THE DEVELOPMENT RIGHTS FOR CERTAIN REAL PROPERTY KNOWN AS THE "HAMMOND FARM", ALSO KNOWN AND DESIGNATED AS BLOCK 17, LOTS 19 AND 20 ON THE COLTS NECK TOWNSHIP TAX MAP was read by title at second reading by Mayor Hennessy. With no comments from the Governing Body, Mayor Hennessy opened the meeting to public comment. Hearing none, Mayor Hennessy closed the meeting to public comment. Mr. Stuart made a motion to approve, seconded by Mr. Schatzle and unanimously carried.

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

5. **RESOLUTION 2008-44:** AUTHORIZING EXECUTION OF A GRANT AGREEMENT BETWEEN THE TOWNSHIP OF COLTS NECK AND STATE AGRICULTURE DEVELOPMENT COMMITTEE PERTAINING TO THE ACQUISITION OF A DEVELOPMENT EASEMENT FOR BLOCK 17, LOTS 19 AND 20 "HAMMOND FARM" was read by title by Mayor Hennessy. Mr. Bowden advised this resolution authorizes the Mayor and Clerk to execute an agreement between the Township and the SADC for the acquisition of a development easement for the Hammond Farm. Mr. Forester made a motion to approve, seconded by Mr. Stuart and unanimously carried.

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

6. **ORDINANCE 2008-5:** AN ORDINANCE AUTHORIZING THE TOWNSHIP OF COLTS NECK TO ACQUIRE AND SUBSEQUENTLY ASSIGN TO THE STATE AGRICULTURE DEVELOPMENT COMMITTEE, THE DEVELOPMENT RIGHTS FOR CERTAIN REAL PROPERTY KNOWN AS THE “AMDUR FARM”, ALSO KNOWN AND DESIGNATED AS BLOCK 9, LOTS 11 AND 12 ON THE COLTS NECK TOWNSHIP TAX MAP was read by title at second reading by Mayor Hennessy. With no comments from the Governing Body, Mayor Hennessy opened the meeting to public comment. Hearing none, Mayor Hennessy closed the meeting to public comment. 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 Hennessy		X			
Forester	S	X			
Florek	M	X			
Schatzle		X			
Stuart		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

7. **RESOLUTION 2008-45:** AUTHORIZING EXECUTION OF A GRANT AGREEMENT BETWEEN THE TOWNSHIP OF COLTS NECK AND STATE AGRICULTURE DEVELOPMENT COMMITTEE PERTAINING TO THE ACQUISITION OF A DEVELOPMENT EASEMENT FOR BLOCK 9, LOTS 11 AND 12 “AMDUR FARM” was read by title by Mayor Hennessy. Mr. Bowden advised this resolution authorizes the Mayor and Clerk to execute an agreement between the Township and SADC for the acquisition of a development easement for the Amdur Farm. Mr. Schatzle made a motion to approve, seconded by Mr. Stuart and unanimously carried.

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

8. **RESOLUTION 2008-46:** CONFIRMING AND CERTIFYING LENGTH OF SERVICE AWARD PROGRAM (LOSAP) CREDITS FOR 2007 FOR COLTS NECK FIRST AID SQUAD was read by title by Mayor Hennessy. 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 Hennessy		X			
Forester	S	X			
Florek	M	X			
Schatzle		X			
Stuart		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

9. **RESOLUTION 2008-47:** CONFIRMING AND CERTIFYING LENGTH OF SERVICE AWARD PROGRAM (LOSAP) CREDITS FOR 2007 FOR COLTS NECK FIRE COMPANY NO. 1 AND NO. 2 was read by title by Mayor Hennessy. 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 Hennessy		X			
Forester	S	X			
Florek	M	X			
Schatzle		X			
Stuart		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

10. **RESOLUTION 2008-48:** APPROVING FORMAL TRANSFER OF FUNDS, 2007 MUNICIPAL BUDGET was read by title by Mayor Hennessy. Mr. Bowden stated this resolution authorizes the transfer of \$24,600 from Revenue Administration (Tax Collection), Salary and Wages (\$5,000); Planning Board, Other Expenses (\$4,600); and Streets and Road Maintenance, Other Expenses (\$15,000) to Police Department, Other Expenses (\$4,000); and Gasoline (\$20,600). Mr. Schatzle made a motion to approve, seconded by Mr. Florek and unanimously carried.

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

11. **RESOLUTION 2008-49: RESOLUTION APPROVING THE RECOMMENDED MEMORANDUM OF AGREEMENT OF THE INTEREST ARBITRATION WITH PBA 333** was read by title by Mayor Hennessy. Mr. Bowden stated the Township has been without a PBA contract since 2007. After three meetings, the State-approved arbitrator developed and recommended approval of a settlement whereby all police officer employees would contribute 1% of base wages toward health care coverage. In addition, an additional step for all new hires would be added, which will result in a savings of \$52,000 for every new officer hired as he/she progresses through the salary guide. Longevity would be frozen at the 2006 rate for the entire term of this contract, and the potential for abuse of the educational incentive would be curtailed. Mr. Bowden stated he recommends approval, noting that if the Governing Body does not approve, it can be a forced settlement, as this arbitration is binding. Mayor Hennessy questioned the Township's pay rate as compared to other Police Departments, and Mr. Bowden advised the Township's rate is lower than the average rate of other police forces. Discussion ensued among the Governing Body. Mr. Forester commented the contract is far too expensive and urged others to vote against adoption. Mr. Florek commented the contribution of all officers towards health care is significant, especially when senior officers were not contributing prior to this. Mr. Stuart made a motion to approve, seconded by Mr. Florek, and carried by Messrs. Hennessy, Florek, Stuart and Schatzle, with Mr. Forester opposed.

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

12. **RESOLUTION 2008-50: OPPOSING REDUCTIONS IN MUNICIPAL PROPERTY TAX RELIEF FUNDS IN STATE BUDGET** was read in full by Mayor Hennessy, in which it was stated the proposed 2009 State budget would reduce State Aid to the Township by \$163,614. Mr. Stuart commented this is another move by the State to establish municipal mandates and implementation costs, yet limiting municipalities' spending increases to a 4% maximum. Mr. Florek commented it is disturbing the State does not live by its own guidelines. Mr. Forester stated municipalities end up paying for the State's irresponsibility, noting the Township is losing \$163,000 in State Aid, while paying \$162,000 for the pension bill. 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 Hennessy		X			
Forester	S	X			
Florek	M	X			
Schatzle		X			
Stuart		X			
X - indicates vote NV - Not Voting Ab - Absent M - Moved S - Seconded					

13. **ADMINISTRATIVE REPORT.** Mr. Bowden had nothing further to add to his report. Mr. Bowden stated the local School Board has offered a 54 passenger school bus to the Township and offered to re-paint the bus. Mr. Bowden spoke with Dr. Nolan, who thinks acquiring the bus if it is in good condition is positive and it could be used for short trips and senior trips. The Governing Body unanimously agreed to proceed with the acquisition. Mr. Bowden commented that when Dr. Wasser addressed the Governing Body several weeks ago, he alluded to a flat tax rate, yet it appears a 1.9 cent tax rate has been proposed.

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

Animal Control	\$436.44
Capital Fund	\$1,181.18
COAH	\$256.00
Construction Trust	\$12,525.05
Current Fund	\$441,440.59
Farmland Preservation Trust	\$3,131.63
Trust Fund	\$11,574.12
TOTAL APPROVED:	\$470,215.01

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

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

15. **TOWNSHIP COMMITTEE REPORTS:**

Mr. Florek stated he is working on comments refuting the COAH numbers allocated to Colts Neck. The numbers the State used to arrive at 167 affordable units were based on incorrect assumptions. The Township is in environmentally

sensitive, Areas 4 and 5, and cannot sustain the type of growth projected to support the COAH figures. Mr. Florek did send out a second letter to 39 similar municipalities regarding the formation of a coalition to address the COAH requirements. Mr. Florek recently spoke with the Administrator of Pittsgrove, who advised his Mayor is speaking to everyone in favor of a COAH coalition. Mr. Florek spoke with an attorney regarding representation.

Mr. Forester commended Mr. Florek for the time and effort expended regarding the COAH initiative. Mr. Forester stated there is a good chance the outreach efforts have raised interest in other municipalities.

Mr. Forester stated he attended a meeting of the group NOPE, which was formed to stop the privatization of Earle housing. A presentation on the history of Earle since 1943 was given. The NOPE group is asking citizens to write to their legislators opposing this move. The next scheduled meeting is March 18th in the Library. They are seeking additional community participation at these meetings.

Mr. Stuart spoke of the Monmouth County Freeholders and Ag Board's support opposing Governor Corzine's plan to eliminate the State Department of Agriculture. Mr. Stuart suggested a resolution from Colts Neck opposing the Corzine plan; the Governing Body concurred. Mr. Domidion provided a copy of Millstone Township's resolution opposing the Corzine plan.

Mr. Stuart reported tomorrow at 2:00 p.m. at the Hall of Records, the Board of Chosen Freeholders would be commemorating the 325th birthday of Monmouth County. Mr. Stuart invited all to attend, suggesting representation from the Township.

Mr. Schatzle had no report this evening.

Mayor Hennessy reported the revaluation process could be started May 1, 2008.

Mayor Hennessy reported he attended a "Cool Cities" conference last Saturday.

Mayor Hennessy reported he attended an Eagle Scout ceremony during which he spoke with the Scout Master. Mayor Hennessy wants to have the Eagle Scouts attend a Township Committee meeting in the summer to thank them for all the projects completed within the Township.

Mayor Hennessy reported he attended the Colts Neck High School NROTC dinner dance, which was a truly spectacular event.

Mr. Florek commented Brick wants to delay their revaluation due to a drop in housing prices. Mr. Stuart stated the decline in prices is not considered a valid reason for delay. In speaking with Mr. Magnani, he was advised the maps will be finalized by the end of the month, and the Township may have the provisional approval to proceed with sending out notification letters to property owners.

16. COMMENTS FROM THE PUBLIC:

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

Ms. Virginia Amend congratulated Mr. Forester for his courage and stated the Governing Body must be fiscally prudent. Ms. Amend questioned the cost of the health insurance contract and was advised by Mr. Bowden the approximate costs for coverage are \$6,000, individual; \$11,000, husband/wife; and \$14,000 family. Ms. Amend commented about the arbitrator's recommendation. Ms. Amend commented the number of police should be reduced, with Mr. Forester noting the Township still has the responsibility to protect the community.

Mr. Domidion commented on the strength of the police force indicating it may not be appropriate to reduce the force, and not increasing it also sends a message.

Ms. Diana Piotrowski, a resident, congratulated Mr. Forester for speaking out. Ms. Piotrowski questioned the arbitrator's recommendation regarding education credits, and Mr. Bowden advised an officer must receive a C or better grade; however, many of the police officers have degrees already.

Ms. Elaine Mann, a resident, commented on the exterior condition of the Montrose Road School House. Discussion ensued. Ms. Mann suggested a business plan be developed to repair the exterior and interior portions of the building and to provide for parking.

Ms. Doris Resh, a resident, questioned if the practice of calling three Committee members to obtain approval for payment of some of the Montrose Road School House restoration work was routine or out of the ordinary. Mr. Bowden advised this process is followed on rare occasion to have a check released. Ms. Resh then questioned the source of funds used in the restoration. Mr. Bowden responded the second referendum approves the use of the dedicated open space account or historic preservation. Discussion ensued. Mayor Hennessy commented that we cannot neglect the school house and as was noted in the last meeting, the school house was received in poor shape.

Ms. Judy Laufer, President of Colts Neck Senior Citizens and a resident, commented the Senior Club sadly lost two members last week.

Mr. Chris Lupia, a resident, commented on a shotgun fired the evening of January 2, 2008 in the vicinity of the reservoir, arrows piercing but not killing, local deer, and the nearby greenway being used as a dumping ground for construction materials. Mayor Hennessy advised Code Enforcement will work on these issues immediately.

Ms. Mann, spoke of using umbrellas and coating geese eggs with corn oil to control the geese population.

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

17. **RESOLUTION 2008-51:** EXECUTIVE SESSION was read by Mayor Hennessy at 8:47 p.m. Mr. Florek made a motion to adjourn and go into Executive Session, seconded by Mr. Schatzle and unanimously carried.

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

Motion by Mr. Florek, seconded by Mr. Forester and unanimously carried to adjourn closed session.

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

Motion by Mr. Florek, seconded by Mr. Forester and unanimously carried to reconvene in public session and adjourn meeting.

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

Meeting adjourned at 10:50 p.m.

Robert Bowden
Township Administrator/Clerk

RB:bk