

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
APRIL 13, 2011
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 Schatzle followed by a salute to the flag. The following statement was read by Township Clerk Bowden: "The notice requirements of the New Jersey Public Meetings Law has been satisfied by forwarding a News Release to the Asbury Park Press on December 9, 2010 stating the meeting of the Colts Neck Township Committee would be held on April 13, 2011 at 7:30 p.m., Colts Neck Town Hall, 124 Cedar Drive, Colts Neck, New Jersey. 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 James Schatzle; Deputy Mayor Jarrett Engel, Committeemen Edward Eastman, Jr., Michael Fitzgerald, and Russell Macnow.

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

Absent: None.

1. **ANNOUNCEMENT**: Mayor Schatzle announced the Township Committee meeting scheduled for April 27, 2011 will be held on Monday, April 25, 2011 due to the School Election.
2. **APPROVAL OF MINUTES OF MARCH 30, 2011**. Mayor Schatzle requested a revision to Page 6, seventh paragraph, last sentence to insert "from the Monmouth County Prosecutor" between the words "review" and "is". Mr. Fitzgerald made a motion to approve, as amended, seconded by Mr. Macnow and carried by Messrs. Schatzle, Eastman, Fitzgerald and Macnow; Mr. Engel abstained.

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

3. **RESOLUTION 2011-55A**: RESOLUTION AUTHORIZING SCHOOL TAX DEFERRAL TO SUPPORT THE 2011 MUNICIPAL BUDGET was read by title by Mayor Schatzle. Mr. Antonides stated the additional amount of \$150,000.00 of unpaid Regional School Tax to be deferred in this resolution is the cost of the Township's snow storm expenses from December 26-27, 2010. Mr. Antonides noted once we pay ourselves back, the resolution can be reversed or it can be left to flow into surplus. With the passage of this resolution, the total deferral is \$4,349,700.00. Mr. Engel made a motion to approve, seconded by Mr. Fitzgerald and carried by Messrs. Schatzle, Engel, Fitzgerald and Macnow; Mr. Eastman opposed.

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

4. **PUBLIC HEARING:** 2011 MUNICIPAL BUDGET. Mayor Schatzle stated the 2011 Municipal Budget is \$10,310,555.00, which includes reductions of \$863,381.00 from the 2010 general purposes budget and \$408,617.00 less generated from the 2010 open space tax. The budget is under both the 2% property tax levy CAP and the 2.5% appropriation CAP. Most departmental budgets were reduced by a minimum of 10%, and there are 10 less full-time employees than there were two years ago. Mayor Schatzle's comments are appended. Mayor Schatzle opened the meeting to public comment.

Mr. Vince Domidion, a resident, stated he sat through the process, noting it is very important to attend the budget workshop sessions. Mr. Domidion stated all budget items were extensively considered in the review process, and he commended all Governing Body members for their diligence. Mr. Domidion stated he admires and commends Mr. Eastman for opposing school tax deferrals, and stated he is proud of the fact there are differing opinions on the Governing Body.

Ms. Rose Ann Scotti, resident and former Mayor, stated she concurs with most of Mr. Domidion's comments, noting she has spoken with Mr. Bowden and several Committeemen about her concerns. Ms. Scotti then expressed her comments taking exception to a statement in the budget newsletter pertaining to the net tax increase, noting concern about the reduction of staff in the Public Works Department, and requested reducing funding to the Recreation Department. Ms. Scotti's comments are appended.

Ms. Elaine Mann, a resident, stated she agrees fully with Ms. Scotti's comments.

Mr. Fulton Wilcox, a resident, stated the process did not afford the public the opportunity to vote on budget decreases.

Mr. Vince Scotti, a resident, stated it was disingenuous saying the Open Space Tax was reduced, since the prior year's excessive tax rate was corrected. Mr. Scotti questioned the school budget decrease in tax rate, noting revenues were lower, which resulted in a small increase. Mr. Bowden stated at newsletter press time, the figures given were the best information available, which have since been changed. Mr. Scotti stated he hoped the Governing Body has not made decisions on the school budget in the event the budget is voted down. Mr. Scotti noted last year there was a \$300,000 increase in the school budget's health care costs and alternatives are not being considered this year. Mr. Scotti feels if the School Board is not aggressive in focusing on this area, they should be accountable for their non-actions.

Ms. Mann questioned Mayor Schatzle's comment made at the local School Board meeting last evening pertaining to the 2011 budget. Mayor Schatzle stated he made that comment as a father of a Kindergarten student; however, sitting at this table, he is neutral regarding the proposed school budget.

Hearing no further comments, Mayor Schatzle closed the meeting. Mayor Schatzle thanked Mr. Antonides, Mr. Allison, and Mr. Bowden for their work on the 2011 Budget presented this evening.

5. **RESOLUTION 2011-56:** CONFIRMING ADOPTION OF 2011 MUNICIPAL BUDGET was read by title by Mayor Schatzle. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and carried by Messrs. Schatzle, Engel, Fitzgerald and Macnow; Mr. Eastman opposed.

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

Mr. Antonides and Mr. Allison left the meeting at 7:50 p.m.

6. **CAPITAL ORDINANCE 2011-4:** CAPITAL ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE PURCHASE OF VARIOUS CAPITAL EQUIPMENT AND APPROPRIATING \$158,000.00 THEREFOR, AUTHORIZED IN AND BY THE TOWNSHIP OF COLTS NECK, IN THE COUNTY OF MONMOUTH, NEW JERSEY was read by title at first reading by Mayor Schatzle. The improvements are as follows:

Road Improvements	\$10,000.00
DPW Tire Chains and Septic System	\$17,500.00
Marked 4wd Police Vehicle	\$32,000.00
Fire Department Equipment, Turn Out Gear	\$10,000.00
Police Vehicle Computers and License Plate Reader	\$41,000.00
Recreation Improvements (Park Improvements)	\$17,500.00
Computers and Related Items	\$5,000.00
Town Hall Improvements, Including Handicapped Ramp	\$25,000.00

Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and unanimously carried. Mayor Schatzle set the public hearing May 11, 2011.

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

7. **ORDINANCE 2011-5:** AN ORDINANCE CREATING CHAPTER 256 ESTABLISHING STANDARDS AND FEES FOR THE OPERATION, CONSTRUCTION AND MAINTENANCE OF PUBLIC RECREATIONAL BATHING FACILITIES IN THE TOWNSHIP OF COLTS NECK was read by title at first reading by Mayor Schatzle. Mayor Schatzle stated there are three public bathing facilities within the Township—Trump National Golf Club, The Grande, and the Village Motel (closed). This ordinance would provide the ability to charge inspection fees to offset the time spent by the Health Officer performing inspections, and fees are consistent with surrounding municipalities. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and unanimously carried. Mayor Schatzle set the public hearing May 11, 2011.

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

8. **RESOLUTION 2011-57:** RESOLUTION AUTHORIZING THE SETTLEMENT OF MON-L-E272-10 – VERIZON WIRELESS V. TOWNSHIP OF COLTS NECK AND COLTS NECK BOARD OF ADJUSTMENT was read by title by Mayor Schatzle. Mr. Bowden provided a chronology of this issue, starting with FRHSD signing an agreement with Verizon Wireless to construct a 130' cellular antennae at Colts Neck High School October 8, 2007 through the end of 2011 (copy appended). Mr. Bowden stated the Township Committee has been discussing settlement and the cost of litigation to taxpayers, and if settlement is opposed, the position of opposing cell towers throughout the Township. Currently, cell towers may only be placed on Township property, and a possible alternate location to the High School may be Farmland preserved property adjacent to the High School. Mayor Schatzle opened the meeting to public comment.

Mr. Dominic Sozio, a resident, stated he is in possession of a petition with 125 signatures opposing placement of the cell tower at either location noted above. Mr. Sozio stated he plans to send the petition to the State and will be meeting with the President of the FRHSD to review the Verizon contract. Mr. Sozio noted Verizon has indicated they can opt out of the contract and contends if Verizon can, the Township can also.

Mr. Macnow stated he lives near the cell tower at Town Hall, and although he was not pleased with its placement, it is there. He questioned what will happen if the Township loses the litigation, noting if that happens, the cell tower will be placed somewhere within the Township.

Mr. Fitzgerald stated if the litigation is lost, the cell tower will be placed at the High School. If the Judge rules against the Township's cell tower ordinance, cell towers will be able to be placed anywhere in the Township.

Mr. Macnow stated Long Range Planning has looked at other possible sites. If it isn't placed at the High School and the Five Point Road preserved property, it could be placed across the street on the ball fields at Five Point Park or an adjacent property sitting in the back of The Grande. Mr. Macnow stated if anyone has another alternative to please advise. Mr. Macnow stated the Township has no money set aside for this litigation, and it could be faced with the same situation with the next tower location.

Mr. Kevin Skudera, a resident, stated the ordinance now reads cell towers must be placed on municipal land. Mr. Skudera stated it must be revised to address the properties of 50+ acres for alternate sites as well as flag poles for cell tower locations. Mr. Skudera stated if the cell tower placement is delayed one or two years, cube technology will be replacing cell towers. Mr. Skudera stated the area in question is the largest voting zone in the Township, and he urged the Township Committee to protect its residents. Mr. Skudera noted the recent approval of a flag pole in East Brunswick, and urged the approval of a monopole within the Township.

Ms. Claire Dowrie, a resident, stated rights are being eroded if a commercial entity can contract directly with the School District to make money while lowering property values in the surrounding community. Ms. Dowrie stated this is not morally right.

Mr. Macnow stated that battle has been fought and lost with the Supreme Court determination that cell phone towers are an inherently beneficial use since everyone uses them.

Ms. Elaine Mann questioned if Verizon could be approached regarding flag poles. Mayor Schatzle stated the issue is to fight the litigation or not; this is not a negotiation.

An unidentified male questioned the Supreme Court ruling. Mr. Macnow responded that cell towers were deemed inherently beneficial.

Mr. Skudera stated it is the Governing Body's duty to protect residential zones, and they have control over aesthetically appealing homes. Mr. Skudera stated homes within one quarter mile radius of a cell tower are reduced in value \$100,000, noting every day the tower stands, revenue is reduced. Mr. Skudera urged that money be spent to defend the Township against a cell tower and have monopolies installed as an alternative.

Mr. Macnow thanked the public for coming out tonight, noting there are new faces here this evening. Mr. Macnow wants to see this issue settled since the outcome of litigation may be far worse than what we deal with today. If the vote is not to settle, all taxpayers are affected.

Mr. Fitzgerald stated two different challenges are being made. If Verizon is successful in challenging the ordinance, anyone can place a cell tower anywhere. The least offensive decision may be to place the tower on the Five Point Road preserved land adjacent to the High School, receive annual revenue of \$40,000 to \$50,000, and save the ordinance. If the Township loses and the ordinance is upheld, the tower will be placed on school property. Verizon has shown the need for a cell tower and a temporary tower was erected on Five Point Road at the Route 18 overpass, which no one was in favor of at the time.

Mr. Eastman stated the Governing Body has discussed this issue based on fact and law and although those attending tonight were not privy to the meetings, he stated you can be proud. Mr. Eastman stated the Courts have decided and we must accept their decision. Mr. Eastman stated cell towers don't fit in a rural community such as ours, and he does not think Verizon proved their case to the Zoning Board. Mr. Eastman stated he thinks the Zoning Board came to the right conclusion, and he thinks the Township should continue with litigation despite the risks. Mr. Eastman feels the Township has a defensible position and should fight this.

Mr. Engel stated if the cell tower wasn't good enough for placement at the High School, it isn't good enough hundreds of feet away at the alternate site on Five Point Road. Mr. Engel stated the Township is seeking every possible way to generate revenue; however, it might as well stay in its original location. Mr. Engel stated he attended meetings two years ago and tonight's vote is to continue with the litigation. Mr. Engel stated he thinks the Township has a defensible position.

Mayor Schatzle stated he wants to see the Township continue to look as it was. Mayor Schatzle questioned how can the Township fight Verizon? He stated Colts Neck fought NWS Earle and won. Mayor Schatzle stated he is against cell towers, big box stores, and all things that would change the look of Colts Neck.

Mr. Fitzgerald stated he appreciates all who attended this evening's meeting. Mr. Fitzgerald stated the Committee agreed they weren't operating in the dark, and although no notices were required, notices to affected residents were mailed.

At the conclusion of the comment period, Mayor Schatzle read **RESOLUTION 2011-57: RESOLUTION AUTHORIZING THE SETTLEMENT OF MON-L-E272-10 – VERIZON WIRELESS V. TOWNSHIP OF COLTS NECK AND COLTS NECK BOARD OF ADJUSTMENT** by title. Mr. Fitzgerald made a motion to approve, seconded by Mr. Engel, carried by Messrs. Fitzgerald and Macnow and opposed by Messrs. Schatzle, Engel and Eastman.

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

Mayor Schatzle convened a five-minute recess at 8:38 p.m.

Mayor Schatzle reconvened the meeting at 8:48 p.m.

9. **MOTION TO ADOPT A CONSENT AGENDA**

10. ***RESOLUTION 2011-58:** RESOLUTION AUTHORIZING RELEASE AND RETURN OF ESCROW FEES, ZONING BOARD APPLICATION NO. 569 (AT&T WIRELESS).

11. ***RESOLUTION 2011-59:** RESOLUTION AUTHORIZING RELEASE AND RETURN OF ESCROW FEES, ZONING BOARD APPLICATION NO. 568 (AT&T WIRELESS).

12. ***RESOLUTION 2011-60:** RESOLUTION AUTHORIZING RELEASE AND RETURN OF ESCROW FEES, PLANNING BOARD APPLICATION NO. 583 (AT&T WIRELESS).

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 Schatzle			X			
Deputy Mayor Engel		S	X			
Eastman			X			
Fitzgerald		M	X			
Macnow			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.

14. **MOTION TO APPROVE VOUCHERS:** Mayor Schatzle reviewed the vouchers and stated he recommends approval as follows:

Animal Control	\$145.77
Capital Fund	\$2,962.08
Construction Trust	\$10,301.92
Current Fund	\$246,728.67
Escrow	\$45,497.83
Grant Fund	\$790.80
Tax Collectors Trust	\$24,721.96
Trust Fund	\$6,284.61
TOTAL APPROVED:	\$337,433.64

Mr. Fitzgerald made a motion to approve seconded Mr. Engel, and unanimously carried. Mr. Macnow abstained from approving any T&M Associates bills.

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

15. TOWNSHIP COMMITTEE REPORTS

Mr. Fitzgerald stated he missed last month's Senior Citizens meeting.

Mr. Fitzgerald stated he is reviewing the Township's insurance coverages, noting costs of nearly \$600,000 per year on health insurance. Mr. Fitzgerald stated he is reviewing the prescription plans and thinks a 5% or 6% savings can be realized. Mr. Fitzgerald stated he will review the health insurance coverage later.

Mr. Engel commended Mr. Fitzgerald for taking on the task of reviewing Township insurance plans and costs.

Mr. Eastman stated he will be hosting the Historic Preservation Committee Spring tea at his home on May 1, 2011. Mr. Eastman noted Thomas Jefferson will be attending.

Mr. Macnow stated the Colts Neck Business Association is requesting the State DOT change the exit signs on Route 18 to denote the Colts Neck business district. Mr. Macnow stated the Business Association is looking for a catch phrase for the Township businesses, and any marketing input will be greatly appreciated.

Mr. Macnow reported the Ashley Lauren Foundation will be holding their Bachelor auction Friday evening at the Grand Marquis.

Mr. Fitzgerald noted the Colts Neck Business Association plans to pay for the Route 18 sign changes.

Mr. Engel stated he is involved with the Memorial Day Parade, Colts Neck Fair, and opening day for baseball, which occurred this past weekend. Mr. Engel noted the Sports Foundation did a phenomenal job for opening day, and gave kudos to DPW for getting the fields ready despite the rain and the spring clean up.

Mayor Schatzle stated the Colts Neck Polo season will be starting May 29th.

Mayor Schatzle stated the Township will be receiving a piece of the World Trade Center steel to be added to the existing memorial location. Mayor Schatzle will be working with a September 11th Memorial Committee to develop a memorial program for the 10 year commemoration.

Mayor Schatzle thanked Public Works staff and the Sports Foundation for the phenomenal job they did for baseball's opening day. Mayor Schatzle noted it was a great time for all.

16. **COMMENTS FROM THE PUBLIC**

Mayor Schatzle opened the meeting to public comment.

Ms. Virginia Amend, a resident and Editor of the Colts Neck Calendar, stated she was very concerned about the Department of Public Works staff ability to handle the workload, noting each pile of brush left curbside is a problem.

Mr. Vince Domidion, a resident, stated there was two days worth of discussion during the Planning Board hearing for the cell tower at the High School. Mr. Domidion stated when the tower was proposed, notices were sent to property owners within a 400 foot radius, yet few attended the hearings. Mr. Domidion stated an inherently beneficial use is why we have an assisted living facility within the Township. Mr. Domidion noted the Mount Laurel decision resulted in the placement of where The Grande is now on the border of Freehold. Mr. Domidion stated Colts Neck was consistent in its design over many years. Mr. Domidion suggested speaking to the School Board about the future of three schools since the capacity is 2100, yet attendance is now below 1200. Mr. Domidion stated he tried to get the Board to close one school; however, there is opposition there. Mr. Domidion stated if the building is below 50% capacity, it is not operating at a thorough and efficient level. Mr. Domidion stated those with children in schools don't realize they are 20%-25% of the population. The school building issue should be part of a community discussion on how we deal with this issue outside the school community.

Mr. Kevin Skudera stated he lives close to Five Point Road and in the early morning, he witnessed four tractor trailers passing on Five Point Road. In addition, food trucks, landscapers towing bulldozers, etc., all of which exceed the roadway's four ton limit are traveling this road. Mr. Skudera suggested the Police Department ticket the offending motorists and increase Township revenue. Mr. Skudera stated the Township has to find other areas for cell towers other than municipal land. Mr. Skudera suggested adding private property owners with 75 to 100 acres or more.

Hearing no further comment from the public, Mayor Schatzle closed the meeting.

17. **RESOLUTION 2011-61:** EXECUTIVE SESSION was read by title by Mayor Schatzle. Motion to approve was made by Mr. Fitzgerald, seconded by Mr. Macnow and unanimously carried by voice vote. Mr. Bowden stated the Governing Body is not expected to take further action this evening.

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

Meeting adjourned at 9:12 p.m.

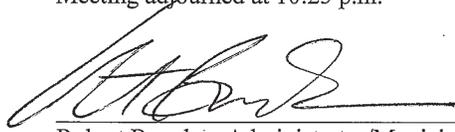
Motion to adjourn Closed Session was made by Mr. Eastman, seconded by Mr. Engel and unanimously carried.

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

Motion to adjourn reconvene in Public Session and adjourn meeting was made by Mr. Fitzgerald, seconded by Mr. Eastman and unanimously approved.

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

Meeting adjourned at 10:25 p.m.



Robert Bowden, Administrator/Municipal Clerk

Attachments 3

2011 MUNICIPAL BUDGET
PUBLIC HEARING
APRIL 13, 2011

MAYOR JAMES C. SCHATZLE

Prior to opening the public hearing on the 2011 Municipal Budget, I would just like to make a few comments.

The total 2011 Municipal Budget is \$10,310,555.00, inclusive of the \$369,611.00 that will be generated by the dedicated open space tax.

The general purposes budget has been reduced by \$863,381.00 from the 2010 Budget, while the dedicated open space tax will generate \$408,617.00 less than last year. Taken together, those reductions total \$1,271,998.00.

The municipal purposes tax will increase 1.8 cents this year, while the dedicated open space tax will decrease by 1.3 cents. This represents a net tax increase of .5 (one-half) cent.

For a home assessed at \$800,000.00, this represents a net tax increase of \$40.00 for the year.

The budget is under both the 2% property tax levy CAP and the 2.5% appropriation CAP.

\$5,785,693.00 will be raised by taxation to support the budget.

\$1,010,000.00 of surplus funds have been utilized to support the budget, including a \$400,000.00 school tax deferral against the Regional School System. The Township has used all but \$200,000.00 of surplus funds to offset the tax rate.

Most every departmental budget has been reduced by a minimum of 10%, and there are 10 less full-time employees than there were just two years ago. Police Officers agreed to a salary freeze this year, while management and non-union employees are in their second year of a wage freeze.

Despite substantial reductions to the budget and personnel, there was still a minimal increase in property taxes. The cumulative effect of the 2% property tax levy CAP, loss of almost \$500,000.00 in State Aid, tax appeals, declining available surplus funds, and the erosion of other revenues such as investment income all combined to require the property tax increase.

Major increases to the budget include an increase of \$18,000.00 for gasoline and an increase of \$113,589.00 for statutory expenses such as pensions. Also, \$150,000.00 had to be budgeted to repay the emergency appropriation due to the storm of December 26-27, 2010.

Capital expenditures are an exception to the 2% property tax CAP, and funds have been appropriated for the following on a "pay as you go" basis:

- \$10,000.00 for turn-out gear for the Fire Department;
- \$25,000.00 for a Police mobile license plate reader;
- \$16,000.00 for Police vehicle computers;
- \$32,000.00 for a marked 4wd Police vehicle;
- \$17,500.00 for improvements to Laird Road Park and Bucks Mill Park;
- \$25,000.00 for improvements to Town Hall, including a handicapped ramp; and
- \$7,500.00 for special "on-spot" snow chains for Public Works vehicles.

Please note that of the 2011 total projected tax rate, the Municipal portion is only 12.8%, including the dedicated open space tax. The local schools utilize 42.91%; regional schools, 24.96%; and County government, 19.33%.

The Township Committee would like to thank all those residents that attended and participated in the budget preparation process.

I would also like to introduce the Township's Auditor, Mr. Robert Allison, and Finance Officer, Mr. John Antonides, both of whom are here to night to answer questions, if needed.

Unless there are any additional comments by members of the Township Committee, I would like to open the public hearing on the budget.

Comments for Colts Neck Township Budget Hearing
April 13, 2011
Rose Ann Scotti, Former Mayor

1. Referring to the budget newsletter: I take exception to the statement "While the municipal purpose tax will increase 1.8 cents, the dedicated open space tax will decrease 1.3 cents, *for a net tax increase of .5 (one-half) cent.*" This gives the public the erroneous impression that you have reduced our taxes by cutting the open space tax rate in response to the recent referendum. This is simply not true.

A much more honest assessment is that we are getting a *net tax increase of 1.8* cents for municipal purposes, and the dollar amount an individual homeowner contributes toward farmland and open space preservation may actually increase slightly, or stay the same as the *pre-reevaluation levels*. Our community overwhelmingly voted to reduce the tax rate for open space, because *not* to do so would have resulted in individual homeowners *paying over two times as much* for this purpose due to the increased individual assessments and the fact that the tax was a constant. I thank the Committee for putting forth the question.

2. Another item I take great exception to is the fact that our Road Department budget has been reduced by \$137,588, *with decreases in salary and wages mainly by the elimination of four public works positions*, while the budget for Recreation is reduced by only \$61,751, with an *increase* in the salary category, and *no cutbacks in personnel*.

Taking into account the relative importance of these two services, this is both inappropriate, and unacceptable, and amounts to a very poor choice in hard economic times. I believe I speak for many members of this community, who are concerned that we are down a total of 4 public works employees. We feel that by your decision, you have profoundly impacted an essential service and yet continue to employ a full time Director of Recreation, with a full-time staff.

Furthermore, the justification for this, which has been repeated many times, that the Recreation Director brings in revenue that is self-supporting, *is ridiculous reasoning*. This is a non-essential service, funding for which could easily be greatly reduced with minimal impact to our community. In fact, a more rational approach would be to reduce the Recreation Director's position to half time, with across the board cuts in pension, health benefits, and statutory expenditures and to cut ancillary support staff and benefits and other general expenditures, and re-hire our much-needed road crews. And, in the future, before any further cuts are considered for vital services, I respectfully request that you cut the Recreation Department funding further by either reorganizing the function so that volunteers are doing most of the work, or eliminating it completely, if necessary, to retain essential services.

CHRONOLOGY

VERIZON WIRELESS V. COLTS NECK BOARD OF ADJUSTMENT/ TOWNSHIP OF COLTS NECK

- **October 8, 2007**

Freehold Regional High School District signs agreement with Verizon Wireless for construction of a 130' cellular antennae at Colts Neck High School.

- **December 7, 2009**

Verizon files an application for a variance for said antennae with the Colts Neck Zoning Board of Adjustment.

- **May 20, 2010**

Colts Neck Board of Adjustment denies application after public hearings on March 8, 2010 and April 20, 2010.

- **June 30, 2010**

Verizon files complaint with Monmouth County Superior Court (Judge Patricia Cleary) challenging the Board of Adjustment denial and the Township's ordinance. Litigation in progress. Challenge to Township Ordinance to be heard first, followed by Board of Adjustment denial, if necessary.

- **September 2011**

Likely trial date regarding challenge to Township Ordinance if no settlement.

- **November-December 2011**

Likely trial date regarding Board of Adjustment denial if needed and if no settlement.

Appeal by either party would go to Appellate Court.