

**TOWNSHIP OF COLTS NECK  
COMMITTEE MEETING  
APRIL 27, 2016, 7:30 P.M.  
TOWN HALL**

The meeting of the Colts Neck Township Committee was called to order at 7:30 p.m. by Mayor Orgo followed by a salute to the flag led by Mr. John Jacoby. The following statement was read by Municipal Clerk, Ms. Kara: "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 17, 2015 stating that the regular meeting of the Colts Neck Township Committee would be held April 27, 2016 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 website and a copy is on file in the Office of the Township Clerk."

Roll call by Ms. Kara indicated the following:

Present: Mayor Thomas Orgo, Deputy Mayor Michael Fitzgerald, Committeemen Russell Macnow and J.P. Bartolomeo. (Committeeman Edward Eastman, Jr., arriving momentarily)

Also Present: Township Administrator Kathleen Capristo; Municipal Clerk Beth Kara; Township Counsel John O. Bennett, III, Esq.; John Antonides, Chief Financial Officer; and Robert Allison, Township Auditor

Absent: None

1. **APPROVAL OF MINUTES:** MEETING OF APRIL 13, 2016. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and unanimously carried.

<b>RECORD OF VOTE</b>					
Committeeman	M S	Yes	No	NV	Ab
Mayor Orgo		X			
Deputy Mayor Fitzgerald	M	X			
Macnow	S	X			
Bartolomeo		X			
Eastman					X
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

2. **MAYOR'S PROCLAMATION:** MUNICIPAL CLERK'S WEEK - MAY 1 THROUGH MAY 7, 2016 was read in full by Mayor Orgo. This proclamation recognizes the Office of the Municipal Clerk and its importance in municipal government. Mayor Orgo, on behalf of the Township Committee, recognized Ms. Kara, Municipal Clerk, and Ms. Capristo, Deputy Municipal Clerk, and all Municipal Clerks and Deputy Clerks for the vital services they perform and their exemplary dedication to the communities they represent. A round of applause ensued.
3. **ORDINANCE 2016-8:** AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14) was read by title at second reading by Mayor Orgo. [This ordinance would allow the Township to bank (for up to two years) the difference between final appropriations subject to the cap and 3.5%, and the Township would be able to exceed the normal CAP amount for extraordinary circumstances (excessive snow fall/removal, an increase in utility prices, legal bills).] Hearing no comments from the Governing Body, Mayor Orgo opened the public hearing. Hearing no comments from the public, Mayor Orgo closed the public hearing and called for a motion. Mr. Fitzgerald made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried.

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

4. **2016 MUNICIPAL BUDGET**

- **COMMENTS OF MAYOR ORGO:** Mayor Orgo's comments are appended. Mayor Orgo noted the total 2016 municipal budget is \$11,750,444, which is inclusive of the \$359,793 to be raised by the dedicated open space tax of 1.2 cents. The municipal purpose tax rate will increase by 1.2 cents in 2016. For a home assessed at \$800,000, this represents an increase of \$96 in property taxes for the year.
- **OPEN PUBLIC HEARING:** Upon concluding his remarks and hearing no further comments from the Governing Body, Mayor Orgo opened the public hearing.

Ms. Elaine Mann, resident, stated she is concerned about the Senior Citizens Club spending and questioned the payments of participants on Senior trips. Ms. Mann suggests requiring the Senior Club to do a full line item budget.

Mr. Jeffrey Sauter, resident, questioned the amount of surplus left over and was advised by Mr. Antonides that it is approximately \$500,000, and last year was \$523,000. Mr. Sauter questioned the number of staff not in a collective bargaining unit, and how many are part-time and full-time. Ms. Capristo advised approximately 20 (15 full time and 5 part-time). Mr. Sauter questioned the increase this year and last year for non-contractual staff and was advised that it was 0-2% last year and 2% this year.

Mr. Vince Domidion, resident, noted compared to other municipalities, Colts Neck has the fifth lowest tax rate in Monmouth County, which is a good measure.

Mr. Alan Ryan, resident, commented the Township did a good job on this year's budget, and questioned uncollected taxes. Mr. Allison responded you cannot anticipate receiving a greater amount than the prior year noting last year's collection rate was 99%, and this year it is estimated at 98%.

Committeeman Edward Eastman, Jr. arrived at 7:45 p.m.

Hearing no further comments, Mayor Orgo closed the public hearing.

5. **RESOLUTION 2016-58:** RESOLUTION AUTHORIZING ADOPTION OF 2016 MUNICIPAL BUDGET was read by title by Mayor Orgo. This resolution authorizes the adoption of the 2016 municipal budget totaling \$11,750,444.67 (General Appropriations: \$11,390,651.67; Dedicated Open Space: \$359,793.00). Mr. Bartolomeo made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried.

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

Messrs. Antonides and Allison left the meeting at 7:47 p.m.

6. **CAPITAL ORDINANCE 2016-9:** CAPITAL ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE PURCHASE OF VARIOUS CAPITAL EQUIPMENT, AND APPROPRIATING \$406,550 THEREFOR, AUTHORIZED IN AND BY THE TOWNSHIP OF COLTS NECK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY was read by title at first reading by Mayor Orgo. Mr. Fitzgerald questioned the \$6,200 for the dual band portable radio and was advised by Counsel Bennett that the bottom line remains the same; however, the money allocated may be used for other purposes. Hearing no further comments, Mayor Orgo called for a motion. Mr. Fitzgerald made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried. Mayor Orgo set the public hearing May 11, 2016.

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

7. **ORDINANCE 2016-10:** AN ORDINANCE ENTITLED A 2016 SALARY ORDINANCE OF THE TOWNSHIP OF COLTS NECK was read by title at first reading by Mayor Orgo. [This ordinance pertains to staff not covered by collective bargaining agreements.] Mr. Fitzgerald made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried. Mayor Orgo set the public hearing May 11, 2016.

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

8. **RESOLUTION 2016-59:** RESOLUTION AUTHORIZING AWARD OF BID, ROLL-OFF CONTAINERS FOR CLEAN UP DAY (MAZZA & SONS, INC. (\$11,500.00) was read by title by Mayor Orgo. Two bids were received and upon review, Mazza & Sons, Inc. was deemed the lowest responsible bidder. In an effort to increase the number of bidders next year, it was suggested that an e-mail blast be sent to all previous bidders advising of the forthcoming bid for Clean Up Day. Mr. Bartolomeo made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried.

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

9. **RESOLUTION 2016-60:** RESOLUTION AUTHORIZING AWARD OF BID, 2017 ROLL OFF TRUCK (MID-ATLANTIC TRUCK CENTRE, \$169,833) was read by title by Mayor Orgo. Two bids were received and upon review, Mid-Atlantic Truck Centre was deemed the lowest responsible bidder for the roll off truck. The Governing Body did not elect to exercise the option to purchase the 25 cubic yard container included in the bid package; the resolution authorizes the purchase of the 2017 the roll off truck. Mr. Bartolomeo made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried.

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

10. **RESOLUTION 2016-61:** RESOLUTION AUTHORIZING AWARD OF CONTRACTS FOR PROFESSIONAL SERVICES PURSUANT TO N.J.S.A. 19:44A-20.5 WITH AN ESTIMATED VALUE LESS THAN \$17,500 was read by title by Mayor Orgo. This resolution approves the execution of contracts with 4ward Planning Inc., for fiscal and economic impact analysis services; and Nassau Capital Advisors, LLC, for real estate and financial advisory services, both of which are related to the Township's COAH litigation. Mr. Macnow made a motion to approve, seconded by Mr. Eastman and unanimously carried.

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

11. **MOTION TO ADOPT CONSENT AGENDA:**

**\*RESOLUTION 2016-62:** RESOLUTION AUTHORIZING RECREATION PROGRAM REFUND (\$60.00)

**\*RESOLUTION 2016-63:** RESOLUTION AUTHORIZING SUBMISSION OF TONNAGE GRANT APPLICATION

Mr. Bartolomeo made a motion to approve, seconded by Mr. Macnow and unanimously carried.

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

**12. ADMINISTRATIVE REPORT:**

Ms. Capristo reported late night voter registration in the Clerk's Office was held today and is scheduled for May 11, 2016, to facilitate registrations prior to the May 17, 2016 registration cut off for the Primary Election (June 7, 2016).

Ms. Capristo reported she attended a FEMA meeting with the OEM Coordinator and the County, and the Township is expected to receive a 75% reimbursement of expenditures related to storm Jonas.

Ms. Capristo reported the bid opening for the 2016 Capital Road Improvement Program, Phase I, will be held May 6, with an anticipated award date of May 11, pending DOT approval. The Roads included are a portion of Laird Road, Muhlenbrink Road, Big Beech Drive, Fireside Drive, Seedling Drive and Spruce Lane.

Ms. Capristo reported she met with Department Heads and the CNBA President to work out the details of the CNBA-sponsored fireworks planned for July 3, 2016.

Ms. Capristo advised Montrose Road is closed for approximately two weeks while the County makes required repairs. The Township website will provide updates.

**13. MOTION TO APPROVE VOUCHERS:** Mr. Fitzgerald noted he reviewed the vouchers, and recommends approval as follows:

Capital Fund	\$1,440.05
COAH	\$75.00
Construction Trust	\$4,134.80
Current Fund	\$866,546.16
Grant Fund	\$2,900.44
Tax Collectors Trust	\$48,570.27
Trust Fund	<u>\$7,390.41</u>
<b>TOTAL</b>	<b><u>\$931,057.13</u></b>

Mr. Macnow made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried, with the exception of Mr. Macnow abstaining from payment to Sakoutis Brothers.\*

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

**14. TOWNSHIP COMMITTEE REPORTS**

Mr. Macnow reported approximately 300 persons attended the April 19<sup>th</sup> special meeting to discuss the Township's COAH obligation. Mr. Macnow noted there were new faces present, and residents are taking the situation seriously. Mr. Macnow urged those with questions to either come to a Township Committee meeting or to speak with the Township Committee off-line. Mr. Macnow had no COAH updates this evening but noted the attorneys were in court last week and will be in court tomorrow.

Mr. Macnow reported the Friends of the Library, resident Ms. Janine Yodakis has started a community garden project at the core site behind the Library. There are 15 plots and 7 have already been assigned, with one assigned to a CNHS teacher for wellness education. Ms. Yodakis received a grant from Rutgers for pollinating plantings, and the response from the community is positive. The grand opening will be held May 21 at 3:00 p.m. and will include master gardeners on-site.

Mr. Macnow reported the Library will be presenting a program on April 28 at 7:00 p.m. regarding retirement; May 7 at 2:00 p.m. regarding women's Civil War heroes and on June 3, the annual 4<sup>th</sup> Grade spelling bee will be held starting at 6:00 p.m.

Mr. Macnow noted the Friends of the Library recently paid for all chairs and carpeting in the meeting rooms and the kitchen to be professionally cleaned.

Mr. Eastman reported the annual Clean Up Day at the DPW yard is June 4, 2016. Mr. Eastman noted this will be the last year the event will be held at the DPW yard. In 2017, the Township will bid and partner with a vendor for direct drop off at the vendor site.

Mr. Eastman reported the Colts Neck Community Band featuring vocalist Jim Nicoletti will present its Spring Concert on May 12, 7:30 p.m. at the CNHS auditorium and again on June 2, 7:30 p.m. at Thompson Park, Lincroft.

Mr. Bartolomeo reported this weekend the Montrose Road School House will be included as one of the 47 places included in Monmouth County Historical Commission's "A Weekend in Old Monmouth" Program, commencing April 30, from 10:00 a.m. to 5:00 p.m., and May 1, from 12:00 noon to 5:00 p.m. Mr. Eastman directed all to the Monmouth County website, [www.visitmonmouth.com](http://www.visitmonmouth.com), for additional information about the event.

Mr. Fitzgerald reported the Architectural Review Committee is requesting a "before" photograph be provided. This may require a change to the current ordinance, and Ms. Capristo was asked to look into this issue.

Mr. Fitzgerald noted by State statute, the Shade Tree Commission cannot expand its membership beyond its current five members and two alternates.

Mr. Fitzgerald reported he attended a hearing at the Monmouth County Agriculture Board (MCAB) in April, which received negative feedback from Colts Neck residents. Route 537 is the most heavily traveled road in Monmouth County already. The applicant has gone to the MCAB directly for the planned education and visitor center, usurping Colts Neck regulations. Mr. Fitzgerald noted the plans include an 8,000 sq. ft. new building. The applicant has used an adjacent property's farmed acreage as part of their farm without lease or agreement. Mr. Fitzgerald stated the Township is not anti-farm, it is against avoiding local procedures. Mr. Eastman questioned if the MCAB takes traffic into account, to which Mr. Fitzgerald responded no, there is no traffic plan submitted. Counsel Bennett advised applicant is seeking a use permit from the MCAB. The applicant must go to the local Planning Board; however if the local Planning Board inhibits, the applicant would return to the MCAB. Mr. Eastman questioned if the movie studio is included in the plan, to which Mr. Fitzgerald advised the applicant has removed the production studio from the plan. Mr. Eastman expressed concern about animal rescue sites being locations for night drop offs of unwanted animals, which impacts the community. Mr. Fitzgerald urged interested parties to attend the next MCAB meeting scheduled for May 3, noting he plans to do so.

Mr. Bartolomeo noted residents are asking to whom they should write to oppose COAH in the Township. Mr. Macnow recommended writing to Legislators and to clean up this issue State-wide. Mr. Fitzgerald noted the Judiciary has taken over Legislative intent.

Mayor Orgo spoke of brush collection regulations noting you cannot do land clearing or pull bushes out of the ground with a root ball attached and place them curbside for brush collection. Mr. Orgo referred to the diameter of limbs and length of brush placed curbside for collection, all of which is noted on the Township's website and in the Clean Up Day newsletter mailed to each residence (and also on the website).

Mayor Orgo reported Route 537 would be closed at Cremory Road (corner of Maryann's Inn) in either August (preferred) or November for road repair by the County. Traffic will be diverted to Laird and Phalanx Roads. Updates will be provided on the Township's website, as the County has not determined the start date.

Mayor Orgo reported the Wildlife Committee met Monday and will be presenting their proposals at the May 25<sup>th</sup> Township Committee meeting.

Mayor Orgo reported there will be a disciplinary hearing at 10:00 a.m. tomorrow at the Court House. At the individual's request, the hearing will be open to the public.

15. **PUBLIC COMMENTS:** Hearing no further comments from the Township Committee, Mayor Orgo opened the meeting to public comments.

Mr. Jeffrey Sauter, a resident, questioned if the hearing is a public hearing or a meeting. Counsel Bennett responded this is a judicial proceeding and only those involved may comment. Mr. Jeffrey Sauter questioned if the Township Committee would do a resolution opposing the processes regarding the MCAB hearing. Mr. Fitzgerald responded since the Township Committee appoints local Planning Board members, if a resolution against the application were sent from the Governing Body, the Township would be conflicted out and the issue decided in another municipality. Mr. Macnow spoke of the historic weight a resolution carries and advised when one Committee member speaks at a meeting, he speaks for the entire Committee. Mr. Sauter spoke of his thoughts on what could or should be done to represent the residents in this issue. Mr. Sauter questioned when Robert Bowden retired, did he relinquish any duties as Town Administrator or Municipal Clerk prior to his retirement? Mayor Orgo responded no.

Ms. Judith Laufer, a resident, questioned if animals like ground hogs were taken into account when designing the community garden space. Mr. Macnow responded the area has been fenced.

Ms. Elaine Mann, a resident, questioned where the community garden was located. Mr. Macnow responded it is a distance from the blind garden and may increase in size to the blind garden.

Mr. Alan Ryan, a resident, stated Russ Macnow and Ed Eastman did a good job at the COAH meeting. Mr. Ryan questioned how the figure of 500+ units was developed. Mr. Macnow responded the report for the 500+ units and the 277 units was not received yet. Mr. Ryan suggested if the Route 537 closure is set for November, it be scheduled during the same week as the teachers' convention.

Hearing no further comments, Mayor Orgo closed the meeting to public comments.

16. **RESOLUTION 2016-64:** EXECUTIVE SESSION was read by title by Mayor Orgo. Mr. Bartolomeo made a motion to approve, seconded by Mr. Fitzgerald, and unanimously carried by voice vote. Mayor Orgo stated the Township Committee would not be returning to a regular session this evening.

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

The meeting adjourned at 8:58 p.m.

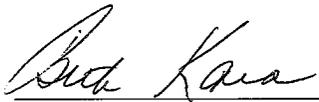
Motion by Mr. Macnow, seconded by Mr. Fitzgerald and unanimously carried to adjourn Closed Session.

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

Motion by Mr. Macnow seconded by Mr. Fitzgerald and unanimously carried to reconvene in public session and adjourn meeting.

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

The meeting adjourned at 9:25 p.m.



Beth Kara, RMC, CMC  
Municipal Clerk

Attachment

# 2016 MUNICIPAL BUDGET ADOPTION

## APRIL 27, 2016

MAYOR THOMAS ORGO

- The total 2016 municipal budget is \$11,750,444.  
  
This amount is inclusive of the \$359,793 that will be raised by the dedicated open space tax of 1.2 cents.
- The municipal purpose tax rate will increase by 1.2 cents this year.
- For a home assessed at \$800,000, this represents an increase of \$96.00 in property taxes for the year.
- The budget is under the tax levy CAP and the appropriation CAP.
- No school tax deferral has been used to offset the tax rate.
- State Aid remains the same as last year and totals \$1,980,938.
- \$7,208,073 will be raised in property taxes to support the budget compared to \$6,784,534 last year.
- Most operating budgets remained roughly the same as last year.
- Major expenses within the budget include the following:
  - The Legal Services appropriation has increased primarily due to the anticipated legal fees in connection with COAH.
  - Pension costs have increased slightly.
  - Recycling grants are down and therefore the cost to the Township will increase this year.

The budget includes an aggressive “pay as you go” capital program in the amount of \$406,550. Included in the capital budget are

- ✓ Police and DPW vehicles
- ✓ Fire Department equipment
- ✓ Public building repairs including the replacement of the First Aid Building’s sidewalk, and
- ✓ road improvements