

**TOWNSHIP OF COLTS NECK
COMMITTEE MEETING
MARCH 9, 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 Ms. Nancy Alario. 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 March 9, 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 J.P. Bartolomeo and Edward Eastman, Jr.

Also Present: Township Administrator, Kathleen Capristo; Municipal Clerk, Beth Kara; and Township Counsel, John O. Bennett, III, Esq.

Absent: Committeeman Russell Macnow

1. **APPROVAL OF MINUTES:** MEETING OF FEBRUARY 24, 2016. 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					

2. **ORDINANCE 2016-6:** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 102 OF THE CODE OF THE TOWNSHIP OF COLTS NECK ENTITLED DEVELOPMENT REGULATIONS, ARTICLE VI, ZONING REQUIREMENTS COMMON TO ALL DISTRICTS, §41, ZONING MAP (NANTONE COURT) was read by title at second reading by Mayor Orgo. Mayor Orgo advised this ordinance would make Nantone Court consistent with three other parcels included in the A-5 re-zoning that was done that permitted developments with minimum lot area of five acres to re-subdivide into two acre lots without any street or drainage improvements. A Master Plan amendment is not required, and property owners and owners within 200' were noticed. Mr. Fitzgerald advised the Planning Board reviewed the ordinance and approved it at last evening's meeting. Hearing no comments from the Governing Body, Mayor Orgo opened the public hearing.

Ms. Nancy Alario, resident, questioned if the road will remain private, to which she received an affirmative answer. Mr. Fitzgerald advised the conditions where no curbs and sidewalks would be required would continue. Mayor Orgo noted all lots have road frontages.

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

3. **ORDINANCE 2016-7:** AN ORDINANCE VACTING A CONSERVATION, DRAINAGE AND UTILITY RIGHT-OF-WAY EASEMENT ON BLOCK 31, LOT 4 AND GRANTING A NEW CONSERVATION, OPEN SPACE, DRAINAGE AND UTILITY RIGHT-OF-WAY EASEMENT was read by title at first reading by Mayor Orgo. Mr. Fitzgerald commented this property is located on Route 34, and is occupied by a single-family house, a utility shed and garage. The homeowner and Legal Counsel were at previous Township Committee meetings discussing the issues, and the Environmental Commission presented its findings and recommendations. At the conclusion of these discussions, the Township Committee approved the vacation and granting of the new easements. The conditions for approval have been met, as per the Township's Legal Counsel, and the homeowner and his Legal Counsel are present. Mr. Fitzgerald noted the easements are being reconfigured and vacated so the long-standing structures are not within easements, and he noted no subdivision of this property is allowed. 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 March 23, 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					

4. **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 first reading by Mayor Orgo. Ms. Capristo advised this is a routine ordinance done prior to introduction of the annual budget. This ordinance allows 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 or legal bills). Counsel Bennett advised the amount banked, \$281,565.47, would be available for either of the next two succeeding years. 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 April 27, 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					

5. **RESOLUTION 2016-41:** RESOLUTION PROVIDING MUNICIPAL CONSENT FOR SUEZ WATER TOMS RIVER INC. (FORMERLY KNOWN AS UNITED WATER TOMS RIVER INC.), TO PROVIDE WATER AND SEWER SERVICE PREVIOUSLY PROVIDED BY S.B. SEWER COMPANY, INC. was read by title by Mayor Orgo. Mr. Fitzgerald noted Suez Water Toms River Inc. was buying S.B. Sewer Company and is seeking the Township's consent to provide water and sewer service to homes served by S.B. Sewer Company, Inc. Counsel Bennett stated the locations served are within The Grande, and no expansion of services is permitted without Township Committee approval. Mr. Fitzgerald made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried.

RECORD OF VOTE TO TABLE					
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					

6. **RESOLUTION 2016-45:** RESOLUTION AUTHORIZING SELF-EXAMINATION OF 2016 MUNICIPAL BUDGET was read by title by Mayor Orgo. Ms. Capristo advised this resolution would authorize the Township to self-examine the budget versus having a State review. This is offered to municipalities whose budget, tax collection, debt and surplus have remained in good financial standing, and can be done every two out of three years by the Chief Financial Officer and Township Auditor. Hearing no further comments, Mayor Orgo called for a motion. Mr. Bartolomeo made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried.

RECORD OF VOTE TO TABLE					
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					

7. **RESOLUTION 2016-46:** RESOLUTION APPROVING PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1309-33-006-002 (WIDGER JOSEPHINE ACERRA TO FIVE KIDS VENTURE LLC) was read by title by Mayor Orgo. Mr. Fitzgerald stated the previous owner operated this license as MaryAnn's and the license would remain sited at that location (121 County Road 537 East). All requirements have been met by the applicant (Five Kids Venture LLC) for approval. Hearing no further comments, Mayor Orgo called for a motion. Mr. Bartolomeo made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried.

RECORD OF VOTE TO TABLE					
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					

8. **RESOLUTION 2016-47:** RESOLUTION AUTHORIZING AWARD OF CONTRACTS FOR PROFESSIONAL SERVICES PURSUANT TO N.J.S.A. 19:44A-20.5 WITH AN ESTIMATED VALUE THAT MAY EXCEED \$17,500 was read by title by Mayor Orgo. Ms. Capristo advised this resolution would appoint Elizabeth McManus and the firm, Clarke Caton Hintz, as Planning Consultant; and the firm New Fields as Professional Engineer to assist the Township in addressing the COAH obligation. Hearing no further comments, Mayor Orgo called for a motion. Mr. Fitzgerald made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried.

RECORD OF VOTE TO TABLE					
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					

9. **RESOLUTION 2016-48:** RESOLUTION TO AUTHORIZE THE RENEWAL AGREEMENT FOR A WIRELESS TELECOMMUNICATIONS CONSULTANT BETWEEN THE TOWNSHIP OF COLTS NECK AND FSD ENTERPRISES, LLC was read by title by Mayor Orgo. Ms. Capristo noted this consulting firm worked well in the past with negotiating cell tower and carrier contracts for the Township. The consultant will be working with the Building Department and the carrier on the planned tower upgrade. Hearing no further comments, Mayor Orgo called for a motion. Mr. Bartolomeo made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried.

RECORD OF VOTE TO TABLE						
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 2016-49:** RESOLUTION AUTHORIZING RECREATION PROGRAM REFUND was read by title by Mayor Orgo. This resolution would refund \$219.75 due to enrollee's inability to participate. Hearing no further comments, Mayor Orgo called for a motion. Mr. Bartolomeo made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried.

RECORD OF VOTE TO TABLE						
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						

11. **ADMINISTRATIVE REPORT:**

Ms. Capristo reported the Colts Neck Lions Club has requested permission to permit wine tasting at the annual Kentucky Derby event scheduled at the Community Center. The Lions have completed the required Social Affairs Permit Application and provided the Township with the required certificate of insurance. Mayor Orgo called for voice vote and received unanimous approval.

12. **MOTION TO APPROVE VOUCHERS:** Mr. Fitzgerald noted he reviewed the vouchers, much of which are pass-through payments to the regional and local school boards, and recommends approval as follows:

Animal Control	\$82.78
Capital Fund	\$47,075.62
COAH	\$10,210.50
Construction Trust	\$9,904.10
Current Fund	\$2,670,348.26
Escrow	\$62,167.79
Farmland Preservation Trust	\$3,590.00
Grant Fund	\$1,897.50
Trust Fund	\$11,545.46
TOTAL	<u>\$2,816,822.01</u>

Mr. Eastman 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		X	
Deputy Mayor Fitzgerald			X			
Macnow						X
Bartolomeo		S	X			
Eastman		M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

13. TOWNSHIP COMMITTEE REPORTS

Mr. Eastman reported tonight's professional services appointments of Elizabeth McManus, and the firm of New Fields are necessary for the Township to address the COAH issue.

Mr. Bartolomeo reported the Friends of the Library annual book sale is scheduled March 18 (10 a.m. to 5 p.m.) and March 19 (9 a.m. to 5 p.m.). Admission is free; however, on March 18 a pre-sale opening donation of \$5 will permit admission from 9 a.m. to 10 a.m. Volunteers are needed to assist with this very popular fundraiser.

Mr. Bartolomeo reported Opening Day for Colts Neck Little League Baseball is April 9.

Mr. Bartolomeo reported the Seniors Club discussed "phishing" scams at the last meeting and warned these fraudulent calls for monetary assistance are rampant.

Mr. Bartolomeo noted the local Board of Education student survey had a surprise 50 percent participation rate up from below 5 percent in previous years. The vacancy on the School Board has been filled, and the individual will be sworn in at the March 16, 2016 meeting.

Mr. Bartolomeo reported the Historical Preservation Committee is making plans for the weekend in "Old Monmouth", which will be commemorated at the Montrose Road School House April 30 to May 1, 2016.

Mr. Bartolomeo commented the First Aid Squad had a Cadet sworn into service at its last meeting.

Mr. Bartolomeo advised the Boards, Committees and Commissions were briefed on COAH and will be sharing this information within the community, noting links have been added to the websites of the local School Board, the Senior Citizens Club and The Grande.

Mr. Fitzgerald reported County Road 537 will be re-numbered and the "East" "West" designations will be dropped, as they are impeding emergency services responses. Mr. Fitzgerald commented if the Township seeks to re-name the roadway, now is the time to do it and offered the possible Colts Neck Road, Main Street, and Atlantic Avenue as options. Mr. Michael Burke, OEM Coordinator, stated the Colts Neck Emergency Planning Committee reviewed this issue and recommends keeping the County Road 537 designation. The Township Committee concurred. Mr. Burke will work with Chief Sauter to have the addresses re-numbered.

Mayor Orgo reported the flags have been lowered to half-staff in recognition of the passing of former First Lady, Nancy Reagan. Mayor Orgo also commented on the recent passing of Tom McClintock, three-term Mayor of Colts Neck, Township Committeeman, and member of the Planning Board and the Board of Adjustment. Mr. McClintock also provided a sizable donation that helped construct the current Library building. Mayor Orgo also noted the passing of Al Donando, who was active in the Township and a founding member of the Colts Neck Library.

Mayor Orgo stated the Colts Neck Business Association luncheon is scheduled for March 15, 2016 at Trump National Golf Club. Tickets are available.

Mayor Orgo reported he celebrated "Read Across America Day" today reading two Dr. Seuss books to the children assembled at the Library this afternoon.

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

Mr. Jeffrey Sauter, a resident, spoke of this evening's Agenda Item No. 9 (Resolution 2016-48) and questioned the number of cell towers and locations within the Township and the contract agreement for these services. Mr. Sauter spoke of his OPRA request dated January 21.

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

15. **MOTION TO ADJOURN:** Mr. Fitzgerald made a motion to adjourn, seconded by Mr. Bartolomeo, and unanimously carried by voice vote.

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						

The meeting adjourned at 8:20 p.m.



 Beth Kara, RMC, CMC
 Municipal Clerk