

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
FEBRUARY 13, 2013
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 Fitzgerald. The following statement was read by Township Clerk, Mr. Bowden: "The notice requirements of the New Jersey Open Public Meetings Law have been satisfied by forwarding a News Release to the Asbury Park Press on December 12, 2012 stating a regular meeting of the Colts Neck Township Committee would be held February 13, 2013 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 Michael Fitzgerald; Deputy Mayor Russell Macnow;
Committeemen James Schatzle, Thomas Orgo and Jarrett Engel

Also Present: Administrator/Municipal Clerk Robert Bowden, Deputy Municipal Clerk Beth Kara, and Township Counsel Sen. John O. Bennett, III, Esq.

Absent: None

OPENING REMARKS: Mayor Fitzgerald

Mayor Fitzgerald stated the No Discharge Ordinance is not on the agenda this evening, and there will be no vote on its passage this evening. Mayor Fitzgerald stated he attempted to correct this assumption on a string of e-mails circulating within the Township prior to this evening's meeting. Mayor Fitzgerald stated the public hearing and vote is scheduled for the meeting of February 27.

At this point, Mayor Fitzgerald returned to tonight's agenda.

1. **MAYOR'S PROCLAMATION:** Mayor Fitzgerald read the Proclamation in full proclaiming March 1, 2013 as Read Across America Day within the Township of Colts Neck. By this proclamation, all citizens of Colts Neck are urged to assure that every child is in a safe place reading together with a caring adult on March 1, 2013. Mayor Fitzgerald announced he will be reading a Dr. Seuss classic at the Library on March 13th at 4:00 p.m. as part of the Colts Neck Library's children's program celebrating Dr. Seuss.

2. **ORDINANCE 2013-2: AN ORDINANCE OF THE TOWNSHIP OF COLTS NECK IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 102 OF THE CODE OF THE TOWNSHIP OF COLTS NECK ENTITLED "DEVELOPMENT REGULATIONS"** (pertaining to building height) was read by title at second reading by Mayor Fitzgerald. This ordinance amends the building height for estate homes in the AG Zone with a minimum lot area of ten acres, and would increase the front, side and rear setbacks by five feet for each foot the structure exceeds 35 feet in height. Mayor Fitzgerald stated this ordinance was recommended by Long Range Planning and the Township Planner. Hearing no comments, Mayor Fitzgerald opened the meeting to public comment.

Mr. Vince Domidion, a resident and Chair of the Monmouth County Planning Board, stated he supports the premise; however, he questioned the limitation within the AG Zone and not tied to the size of the lot. Mr. Orgo responded within the A-1 Zone, the house could be built and the property owner could later request to subdivide the property.

Hearing no further comment, Mayor Fitzgerald closed the meeting. Mr. Orgo made a motion to approve, seconded by Mr. Engel and unanimously carried.

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

3. **ORDINANCE 2013-3:** AN ORDINANCE OF THE TOWNSHIP OF COLTS NECK IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 102 OF THE CODE OF THE TOWNSHIP OF COLTS NECK ENTITLED "DEVELOPMENT REGULATIONS" (pertaining to drive-thru retail stores) was read by title at second reading by Mayor Fitzgerald. The Master Plan promotes shared parking within the business zone to facilitate pedestrian travel between retail establishments. The Township's Long Range Planning Committee believes drive-in and drive-thru retail establishments are at odds with the Master Plan and would increase the use of and dependence on automobiles within the business zone. This ordinance will add prohibited drive-in and drive-thru retail stores at convenience stores, dry cleaners, pharmacies, and donut/coffee stores to the current list of restaurants, tea rooms and taverns. The five banks within the Township with drive-thru services are unaffected by this proposed change and will remain a permitted use. Mayor Fitzgerald stated this ordinance was recommended by Long Range Planning and the Township Planner.

Hearing no comments, Mayor Fitzgerald opened the meeting to public comment. Hearing none, Mayor Fitzgerald closed the meeting. Mr. Macnow made a motion to approve, seconded by Mr. Schatzle and unanimously carried.

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

4. **ORDINANCE 2013-4:** AN ORDINANCE OF THE TOWNSHIP OF COLTS NECK IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 102 OF THE CODE OF THE TOWNSHIP OF COLTS NECK ENTITLED "DEVELOPMENT REGULATIONS" (pertaining to performance guarantees) was read by title at second reading by Mayor Fitzgerald. This ordinance would protect the Township from a developer abandoning a project with unsafe site conditions by requiring final approval and the posting of performance guarantees prior to the start of construction. Mayor Fitzgerald noted the changes in this ordinance are consistent with State regulations. Mayor Fitzgerald stated this ordinance was recommended by Long Range Planning and the Township Planner.

Hearing no comments, Mayor Fitzgerald opened the meeting to public comment. Hearing none, Mayor Fitzgerald closed the meeting. Mr. Engel

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

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

5. **RESOLUTION 2013-33:** RESOLUTION AUTHORIZING POLICIES AND PROCEDURES REGARDING POST-ISSUANCE COMPLIANCE OF FEDERAL TAX REQUIREMENTS REGARDING TAX-EXEMPT DEBT ISSUES (ARBITRAGE) was read by title by Mayor Fitzgerald. Township Bond Counsel, Sen. Bennett, stated this resolution is required to ensure issuers of tax exempt obligations are not making a profit on borrowed funds. Mr. Schatzle made a motion to approve, seconded by Mr. Engel and unanimously carried.

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

6. **MOTION TO ADOPT A CONSENT AGENDA:**

7. ***RESOLUTION 2013-34:** RESOLUTION AUTHORIZING RELEASE OF APPLICATION FEES, PLANNING BOARD APPLICATION NO. 570 (KELLY-CONOVER RIDGE); AND

8. ***RESOLUTION 2013-35:** RESOLUTION AUTHORIZING RELEASE OF APPLICATION FEES, PLANNING BOARD APPLICATION NO. 500 (BRANDYWINE).

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

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

9. **DISCUSSION:** MONMOUTH COUNTY/COLTS NECK PAPER SHREDDING EVENT, JUNE 1, 2013. Mr. Bowden reported he was approached by the County to host a recycling shredding event within Colts Neck. The County provides a truck for on-site shredding, and Colts Neck and County residents would be able to bring two to three filled bankers boxes for free on-site shredding. The event would cost the Township approximately \$1,000 for advertising and two DPW staff to assist loading the shred truck, which could be charged to the recycling grant. Mr. Engel stated this is an extremely successful program and a plus for Colts Neck.

Mr. Engel made a motion to approve the agreement between Monmouth County and Colts Neck to host the shredding event on Saturday, June 1, at Town Hall, seconded by Mr. Schatzle and unanimously carried by voice vote.

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

10. **ADMINISTRATIVE REPORT:** Mr. Bowden had nothing to add to his report this evening. Mr. Bowden stated the Lions Club is planning the annual Kentucky Derby Day wine tasting event May 4 at the Community Center Building in Bucks Mill Park. The Lions Club is seeking Township Committee approval for the wine tasting and will provide the required certificate of insurance. Mr. Macnow made a motion to approve, seconded by Mr. Engel and unanimously carried by voice vote.

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

11. **MOTION TO APPROVE VOUCHERS:** Mayor Fitzgerald reviewed the vouchers and recommended approval, as follows:

Animal Control	\$573.02
Capital Fund	\$14,080.50
Construction Trust	\$8,538.25
Current Fund	\$3,065,178.09
Escrow	\$1,331.25
Grant Fund	\$2,410.80
Trust Fund	\$6,770.88
TOTAL:	\$3,098,882.79

Mayor Fitzgerald noted the bills list includes transfers to the School Boards and Hurricane Sandy related expenses. Mr. Macnow made a motion to approve, seconded by Mr. Engel and unanimously carried. Mr. Macnow abstained from approving any Sakoutis Brothers Disposal, Inc. bills.*

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

12. TOWNSHIP COMMITTEE REPORTS

Mayor Fitzgerald stated each Township Committeemember is liaison to five or six committees and reports on their activities.

Mr. Orgo reported he attended meetings of the Environmental Commission, Shade Tree Commission and Planning Board.

Mr. Orgo reported the Colts Neck Business Association is sponsoring a business networking luncheon at Trump National Golf Club on March 5, 12:00 noon to 3:00 p.m. Tickets are \$35 per person.

Mr. Schatzle had no report this evening.

Mr. Engel congratulated DPW staff for quickly clearing the roadways during the recent snowfall. Cost for snow clearing is estimated at \$33,000.

Mr. Macnow had no report this evening.

Mayor Fitzgerald reported the Colts Neck Sports Foundation is having difficulties manning their events and has reached out to the Colts Neck Seniors Club to see if their members are interested to volunteer.

Mayor Fitzgerald stated the Planning Board approved the proposed revisions to the Development Regulations discussed earlier in tonight's agenda.

13. PUBLIC COMMENT

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

Ms. Virginia Amend, a resident and Editor of the Colts Neck Calendar, stated she read the law and any group receiving funds from a public treasury must announce their meetings. Discussion ensued and Counsel Bennett stated he would provide an answer to Ms. Amend.

Ms. Rose Ann Scotti, a resident and former Mayor, read a prepared statement in full pertaining to the proposed changes to the Township's Municipal Code, Chapter 120, by Ordinance 2013-5, which is scheduled for public hearing February 27. Ms. Scotti requested the statement be made part of the official record. Former Mayor Scotti's statement is appended.

Mr. Tony Costa, a resident, commented on Home Rule. Mr. Costa stated Justices affirmed Fish and Game laws for the preservation of animals and hunting; however, State law does not preempt Municipal law. Mr. Costa urged the Township to retain the 450 foot distance restriction for bow hunting. Mr. Costa cited past legal precedents that may be applicable to Colts Neck.

Mr. Peter Berman, a resident, provided handouts for distribution to the Township Committee pertaining to loaded firearms within 450 feet. Mr. Berman stated a registry exists on hunting accidents. Mr. Berman stated he has lived here for 17 years, and during this time land has been preserved, but not for the use of hunters. Mr. Berman stated he has never known the Township Committee to shy away from a fight, and he commented "let them sue".

Ms. Eleanor Schwartz, a resident, stated her horse was shot by a hunter three to four years ago. Ms. Schwartz stated her husband found the horse in the paddock. Ms. Schwartz stated the neighboring landowner allowed hunting, and a hunter's bullet ricocheted and killed her horse. Ms. Schwartz urged

the Township Committee to look at the maps and rescind the proposed ordinance. Mayor Fitzgerald asked Ms. Schwartz if this incident was brought to the attention of State Legislators. Ms. Schwartz replied no, but the story was carried in the newspapers.

Mr. George Boggio, a resident, questioned who brought this inconsistency to the attention of the Township Committee and why did the Township Committee choose to amend the existing ordinance? Mayor Fitzgerald responded that during the Deer Sub-Committee meetings, which were attended by representatives from State Fish and Wildlife, it became evident that existing Municipal Code was not in compliance with State law. Mayor Fitzgerald stated on November 29, a special Township Committee meeting was held, and Fish and Wildlife representatives provided a deer management presentation. Mayor Fitzgerald stated at the advice of Counsel, an ordinance to change the existing ordinance and make it consistent with State law was introduced January 30 and is scheduled for public hearing February 27. Mayor Fitzgerald stated the Township Committee is taking the opportunity to discuss this issue tonight even though it is not on the agenda. Mayor Fitzgerald noted the Township Committee is spending a great deal of time researching this issue, and advised hunting cannot legally occur on two-acre zoning parcels.

Mr. Louis Comanducci, a resident, questioned if there was hunting permitted on Green Acres. Mayor Fitzgerald responded there is no hunting on Green Acres or Township property.

Ms. Kathy Gizzo, a resident, stated she attended three meetings on this issue. Ms. Gizzo stated she started with an open mind, but she is now completely against making the current ordinance less stringent. Ms. Gizzo stated there are people hunting illegally, and Ms. Gizzo said a hunter was on her property retrieving a dead deer, which is within the two-acre zone. Ms. Gizzo stated if the Township is opened up, it invites more hunters, illegal hunting will increase and the potential for accidents will increase. Ms. Gizzo is against changing the existing ordinance.

Mr. Vince Scotti, a resident, commented the Township was told the existing ordinance was illegal and not in conformance with State law, and if a suit was brought against the Township, the Township would lose. Mr. Scotti stated Mr. Tony Costa spoke of a case that is similar to this Township, and if that bears true, we should let the existing ordinance remain in effect. Mayor Fitzgerald stated the Township Committee followed the Township Attorney's advice. Mr. Scotti stated he has been in communication with various State agencies. Mayor Fitzgerald stated you spoke with a dispatcher. Mr. Scotti stated he spoke with Deputy Attorney General Magnus, who advised case law be researched and offered no comment on this particular issue. Mr. Scotti commended the Township Committee for their work; however, he believes in this instance they are wrong and urged the Township Committee to take its time performing due diligence.

Mr. Ken Krupa, a resident, stated there is a choice between consequences. The Township could be sued and they are compelled to conform to some law, or a horse is shot due to illegal hunting. Mr. Krupa stated the less stringent ordinance increases the chances of incidents. Mr. Krupa stated the majority of the Township is against changing the ordinance. Mr. Macnow responded the deer population locally has blossomed. When driving in the dark, it is difficult to see and there have been an increase in the number of deer-related accidents. Mr. Macnow stated various methods for deer control were explored including hunting, where the meat can be used; culling, which involves gathering deer in a group and killing them; birth control, which has proven ineffective; and relocating, which is very expensive and would require a referendum to exceed the 2% budget CAP. Mr. Macnow stated he is unsure how a lawsuit would play out since the case referenced is from 1973. Mr. Macnow is concerned with a motorist swerving to avoid

deer and having an accident. Mr. Krupa stated hunting would adversely impact the quality of life for residents in that if someone were to see a hunter, they would go inside their home. Mr. Krupa stated people have accepted a certain quality of life of slowing down and looking around. Mr. Krupa is open to other options; he is not fine with the trade-off of hunting.

Mayor Fitzgerald stated there are approximately 50 persons here tonight and most who have spoken are opposed to the change in ordinance; he has heard from others that support the change.

Ms. Jane Schidge, a resident, stated she has raised her children to be outside in the woods and she treasures living in harmony with nature. Ms. Schidge is in favor of taking preventative measures to avoid multiple births. Ms. Schidge wants a representative from the State to advise the Township what it is getting into.

Ms. Catherine Bailey, a resident, stated the timeline when this issue began involves a time where things happened in our world. Ms. Bailey stated there was a hunter on the Middle School property. Ms. Bailey stated she will be contacting the State Legislators and does not want the ordinance changed, if even for one year, in view of what has happened in the world. Mayor Fitzgerald stated he is listening to each person. Ms. Bailey stated she cannot imagine the Township has to change the existing ordinance. Mayor Fitzgerald stated the Township Committee hasn't had meetings that weren't public, and the Township is hamstrung in complying with State law.

Ms. Nancy Locasio, a resident and President of Local School Board, stated she appreciates the hard work of public servants, noting is not easy. Ms. Locasio stated the person advising the Township is from Fish and Wildlife, a department funded by hunting licenses. Ms. Locasio stated this is not an impartial person and she would like to hear from an impartial expert. Ms. Locasio questioned if the Township Attorney represents the Township? The Township Committee? Counsel Bennett stated he represents the people of the Township through the Governing Body. Counsel Bennett stated this is the first meeting he has attended where this topic was discussed; prior meetings were attended by the Associate Township Counsel. Ms. Locasio questioned if there is time to amend the proposed ordinance after the public hearing? Mayor Fitzgerald stated after the Public Hearing concludes, the Township Committee will have a public discussion. If there is a substantial change in thinking, the ordinance proposed for adoption will be tabled or voted down and a revised ordinance would be introduced at a subsequent meeting. Ms. Locasio questioned if the State is saying we are out of compliance, why are we having this discussion? Mayor Fitzgerald replied the Township Committee does not want to proceed with this type of change without input from the public.

Ms. Diana Piotrowski, a resident, questioned if all State Laws are assigned a number. Mayor Fitzgerald stated N.J.S.A. 23:4-16, pertains to prohibited hunting practices and penalties.

Mr. Pat Caputi, a resident, stated he circulated petitions against changing the existing ordinance in the Beaver Dam and Rimwood areas and only one person refused to sign. Mr. Caputi stated he is against having transient hunters coming through town. Mr. Caputi stated if the Township were opened to hunting, hunters would not have to drive far to hunt. Mr. Caputi stated farms are in favor of this ordinance change, not other residents. Mr. Caputi mentioned another resident's recounted experience with a hunter in green acres behind his home at the last meeting. Mr. Caputi urged the Township Committee to proceed slowly and determine what residents want. Mr. Caputi stated Shrewsbury adopted a 150 foot ordinance and there have been incidents of beer drinking and shooting crossbows there. Mr. Caputi is concerned hunting would soon be opened to green acres properties in the Township. Mr. Caputi would like to leave things as they are.

Ms. Andria Schanzer, a resident, questioned signage for deer crossing, deer feeding, and reduced speed when deer are present placed throughout the Township and questioned the number of deer motor vehicle accidents. Mr. Schatzle stated the First Aid Squad can provide statistics on deer related automobile fatalities. Ms. Schanzer stated Clover Hill is missing the deer signage and questioned if this would be replaced. Mayor Fitzgerald suggested Ms. Schanzer contact the Township Administrator to advise of the missing signage location(s). Mayor Fitzgerald suggested Ms. Schanzer attend the Wildlife Committee meetings this year to observe the process.

Mr. Christopher Adams, a resident, questioned if the Township is required to change the ordinance by preemption, noting there is a strong argument for ambiguity. Mr. Adams spoke of shooting a gun versus slowing down and becoming aware of the presence of deer. Mr. Adams is in favor of using professional sharpshooters to thin the deer herd, not relying on weekend warriors. Mr. Adams stated this law is a prohibition, not a right to go closer, and the Township can take greater protections. Mr. Adams urged the Township to not act so swiftly for compliance with State law.

Mr. Tom Papalia, a resident, is in favor of reducing the deer population. Mr. Papalia thinks there are two issues: not complying with the State law and the reduction of the deer population.

Ms. Beth Burke stated she has personally witnessed illegal hunting in her back yard. There was a truck parked in her back yard and she called the Police. When questioned, the hunter said he had approval and was approximately 200 feet away from a building. Ms. Burke stated her neighborhood has ¾ acre lots. Ms. Burke stated she was at a children's party where an arrow embedded in the rear of the host's home was found by children playing. Ms. Burke did not hear of any follow-up taken. Mayor Fitzgerald responded both activities are illegal under the current and the proposed ordinances.

Hearing no further comments, Mayor Fitzgerald closed the meeting.

Mr. Bowden made two announcements:

- The public hearing on Ordinance 2013-5 will be February 27, at 7:30 p.m. in the Court House; and
- The ordinance introduced differs from the ordinance posted with the January 30, 2013 meeting agenda. The introduced ordinance is posted on the home page of the Township's website. Mr. Bowden urged all to make sure you have the correct version of the ordinance.

14. **RESOLUTION 2013-36:** EXECUTIVE SESSION was read by title by Mayor Fitzgerald. Mr. Macnow made a motion to approve, seconded by Mr. Schatzle and unanimously carried by voice vote. Mr. Bowden stated the Township Committee was not expected to return to open session this evening.

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

The public meeting adjourned at 9:45 p.m.

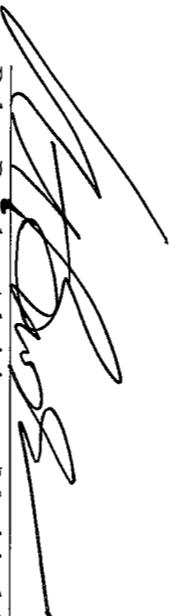
Motion by Mr. Orgo, seconded by Mr. Engel and unanimously carried to adjourn Closed Session.

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

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

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

Meeting adjourned at 10:35 p.m.


 Robert Bowden, Administrator/Municipal Clerk

Attachment

Presentation Township Committee Meeting 2/13/13

While no one disputes that there are safety issues connected with the proliferation of the deer population in Colts Neck, our concern is that the proposed ordinance will allow hunting in heavily populated residential areas in a town where it is hard to tell where publicly owned wooded areas and tree-filled private properties begin and end. Our kids run and play in and among these wooded areas, at all times of day. We believe it will pose more of a safety threat to our citizens than the deer related issues do. I have gathered some information that I wish to share with you. I hope, after reading the material, you will be convinced that this ordinance may not be the safest or best way to address the problem, and that a more in-depth investigation of alternatives is in order.

I am submitting articles on hunting accidents, but ask that you bear in mind that many incidents such as these are not reported, and do not become a part of the statistics that the hunters spout to convince citizens that hunting is safe in residential areas. In this room, at the last meeting, we heard one of them. I am sure, tonight, you will hear of many more, and more in the weeks to come as more citizens become involved in this debate. Stories of missiles ending up in toddlers' bedrooms, striking toddlers in cars and winding up in people's walls, doors and on stairways are not fictional, and may not be included in statistical data, but they are real.

I am including data which shows the "consortium" of special interest groups that are connected in this state that are, actively, promoting so called "hunters' rights". I hope you will see that entities like the State Division of Fish Game and Wildlife are not the best consultants on deer management because most, if not all, of their funding comes from hunting and fishing licenses, and they seem to promote hunting more than to encourage a fact-based dialogue with the community on other safer methods of deer control and management.

I am including reports on the pros and cons of baiting deer, legally practiced by hunters in New Jersey. The first step to any deer problem is to cease activities that congregate deer, which baiting does, and which leads to deer eating natural vegetation. Baiting causes deer to cross roads to reach artificial, or human derived food, adding to the safety hazard. All this is fact. So, before any lethal or 'control' action, please understand the hunter-related activities that contribute to, or in some cases, cause the damage that hunters and their agencies attribute to deer.

I am asking you to peruse this data, and reconsider this ordinance. Also, I am respectfully requesting that the Township Attorney advise Committeeman Orgo to remove himself from discussions and votes on the ordinance due to conflicts of interest including, but not limited to, the fact that the status of lands which he owns, controls, or may be authorized to hunt on, will be impacted. He is also in the business of selling deer corn to hunters, which, I suggest, is in itself a conflict of interest.

Most emphatically what we want is for you, our elected representatives, to keep the current ordinance with it's no discharge map, and to update the current map, last updated in 2008, to reflect new residences near or in hunting zones. First and foremost, this Committee is obligated to provide for the safety and well being of our residents and should, therefore, keep the safety standards that are in place in the current ordinance. Our Township is within it's rights under the New Jersey State "Home Rule" provision to meet and exceed the state law for the safety and well being of our citizenry. Furthermore, nothing has been presented to substantiate your position, often stated, that our code is "illegal", "not in conformance with state law" or that we would lose if sued. We believe that we would prevail in any lawsuit that challenged our ability to have more stringent restrictions on the use of firearms than those in state code. For the record, I have included documentation that substantiates this.

At this time, I ask that the Committee allow Mr. Tony Costa to address this body with further information on the issue, which I believe you will find very helpful.

Thank you for the opportunity to speak.

Rose Ann Scotti