

**TOWNSHIP OF COLTS NECK
COMMITTEE MEETING
JANUARY 13, 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. 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 the regular meeting of the Colts Neck Township Committee would be held January 13, 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
- Also Present: Township Administrator Kathleen Capristo; Municipal Clerk Beth Kara; and Township Counsel John O. Bennett, III, Esq.
- Absent: None

1. APPROVAL OF MINUTES:

- MEETING OF DECEMBER 9, 2015: Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and carried by Messrs. Orgo, Fitzgerald and Macnow; Mr. Bartolomeo abstained.

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

- MEETING OF DECEMBER 16, 2015: Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and carried by Messrs. Orgo, Fitzgerald and Macnow; Mr. Bartolomeo abstained.

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

- MEETING OF JANUARY 3, 2016: Mr. Macnow 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	M		X			
Bartolomeo (Vacancy)			X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

2. **ANNOUNCEMENT:** LAW ENFORCEMENT APPRECIATION DAY – Mayor Orgo read the memorandum sent to all Colts Neck Police Officers from the Mayor and Township Committee in recognition of National Law Enforcement Appreciation Day held on January 9. The members of the Township Committee reaffirmed their support and expressed their appreciation to all law enforcement professionals, and particularly Colts Neck Police Officers, for their constant and invaluable service to the community.

3. **SWEARING IN:** COLTS NECK FIRE POLICE. Fire Police Officer Kevin Kettelsen was sworn in by Administrator Capristo while Counsel Bennett held the bible. Mr. Kettelsen received a round of applause.

4. **ORDINANCE 2016-1:** ORDINANCE ENTITLED THE 2016 SALARY ORDINANCE FOR THE TOWNSHIP OF COLTS NECK (COLLECTIVE BARGAINING UNIT EMPLOYEES) was read by title at first reading by Mayor Orgo. Mayor Orgo advised this ordinance includes employees within the three Township bargaining units (Police, Public Works and White Collar). Hearing no comments, Mr. Macnow made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried. Mayor Orgo set the public hearing January 27, 2016.

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

5. **RESOLUTION 2016-20:** RESOLUTION AUTHORIZING ADOPTION OF 2016 TEMPORARY CAPITAL BUDGET was read by title by Mayor Orgo. The passage of this resolution is required by the Division of Local Government Services prior to the first reading of the capital bond ordinance for various 2016 capital improvements, and estimates the total cost of all projects to be \$2,740,000.00 (\$2,240,000.00 for road improvements and \$500,000.00 for Police Station improvements). Debt authorized totals to \$2,398,095.00 for all projects (\$1,923,095.00 for road improvements and \$475,000.00 for Police Station improvements.) Hearing no comments from the Governing Body, Mayor Orgo called for a motion. Mr. Macnow 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	M		X			
Bartolomeo			X			
(Vacancy)						
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

6. **ORDINANCE 2016-2:** BOND ORDINANCE PROVIDING FOR VARIOUS 2016 CAPITAL IMPROVEMENTS BY AND IN THE TOWNSHIP OF COLTS NECK IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPROPRIATING \$2,740,000.00 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$240,000.00) AND AUTHORIZING THE ISSUANCE OF \$2,398,095.00 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF was read by title at first reading by Mayor Orgo. Mayor Orgo advised this ordinance appropriates funds for the 2016 Road Improvement Program for the resurfacing of the following roadways: Muhlenbrink Road, Stone Hill Road, Laird Road, Fireside Drive, Spruce Lane, Seedling Drive, Twin Lakes Drive, Deborah Drive, Lindy Lane, Big Beech Lane and the parking lot of the First Aid Squad. In addition \$500,000.00 will be set aside for future renovations to the Police Department building, which includes ADA improvements. With no comments from the Governing Body, Mayor Orgo called for a motion. Mr. Macnow made a motion

to approve, seconded by Mr. Bartolomeo and unanimously carried. Mayor Orgo set the public hearing January 27, 2016.

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

7. **ORDINANCE 2016-3:** ORDINANCE AMENDING AND REVISING CHAPTER 26, FARMLAND AND OPEN SPACE COMMITTEE, §26.2, MEMBERSHIP was read by title at first reading by Mayor Orgo. Mayor Orgo commented the ordinance establishes Alternate 1 and Alternate 2 positions within the Farmland and Open Space Committee. Hearing no comments from the Governing Body, Mayor Orgo called for a motion. Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried. Mayor Orgo set the public hearing January 27, 2016.

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

8. **ORDINANCE 2016-4:** ORDINANCE AMENDING AND REVISING CHAPTER 28, FIRE DEPARTMENT, §28.14, FIRE POLICE was read by title at first reading by Mayor Orgo. Mr. Fitzgerald asked that this ordinance be placed on the agenda during the annual reorganization meeting so that State statute and municipal code were consistent with a five-year term of office (municipal code currently states a one-year term of office). This ordinance also expands those that may administer the Oath of Office to Fire Police to include "Township official duly authorized to administer the Oath of Office". Hearing no 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 January 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			
(Vacancy)						
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

9. **RESOLUTION 2016-21:** RESOLUTION ENTERING INTO A MUNICIPAL SHARED SERVICE DEFENSE AGREEMENT TO RETAIN ECONSULT TO PREPARE MUNICIPAL THIRD ROUND AFFORDABLE HOUSING was read by title by Mayor Orgo. Mr. Macnow advised this agreement is part of the COAH litigation in the Township's effort to refute the COAH Third Round Obligation of 553 units. The trial court now responsible to establish the Township's fair share obligation has preliminarily arrived at an estimated obligation of 277 units. The municipal coalition of over 200 municipalities has retained Econsult, who established the Township's obligation at 45 units. While the Township is proposing a vacant land adjustment and an obligation of 12 units, the COAH Subcommittee believes it is in the best interest of the Township to supplement their approach with Econsult's report, at a cost of \$2,000.00 to do so. Mr. Fitzgerald noted the COAH Subcommittee is now meeting weekly, and Econsult has approximately 200 signatures from municipalities within the State. Mr. Fitzgerald

commented Econsult would provide another voice for Colts Neck. Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and unanimously approved.

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

10. **RESOLUTION 2016-22:** RESOLUTION AUTHORIZING APPLICATION FOR THE COLTS NECK ALLIANCE FOR THE PREVENTION OF ALCOHOLISM AND DRUG ABUSE FUNDING FOR FISCAL YEAR 2017 GRANT CYCLE (JULY 1, 2016-JUNE 30, 2017) was read by title by Mayor Orgo. Mr. Macnow noted this is a matching grant and this is something the Township does annually to fund the Alliance program. Hearing no further comment, Mayor Orgo called for a motion. Mr. Macnow 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	M	X			
Bartolomeo		X			
(Vacancy)					
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

11. **RESOLUTION 2016-23:** RESOLUTION APPROVING THE PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1309-33-003-007, JULIETTE, INC. (D/B/A HUDDY'S INN) was read by title by Mayor Orgo. Mr. Samuel Reale, Counsel for the applicant, and Mr. Raymond Longobardi, applicant, were present. Mr. Reale spoke of the transfer of the license to the new location with an effective date of February 10, 2016. Mr. Reale advised the current location would be closing during the week prior to allow for a smooth transition. Mr. Fitzgerald 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	M	X			
Macnow	S	X			
Bartolomeo		X			
(Vacancy)					
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

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

***RESOLUTION 2016-24:** RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES, PLANNING BOARD APPLICATION NO. 704 (BLOCK 10, LOTS 2 AND 2.01 - CROSS ROAD)

***RESOLUTION 2016-25:** RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS FOR 2015

Mr. Macnow 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			X			
Macnow	M		X			
Bartolomeo		S	X			
(Vacancy)						
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

13. ADMINISTRATIVE REPORT:

Ms. Capristo reported she received notification from JCP&L of pending vegetation management activity within the transmission rights of way, to include removal of incompatible vegetation within the transmission rights of way, use of herbicides, routine trimming of encroaching limbs and removal of hazard priority trees posing an imminent risk to transmission facilities. Ms. Capristo met with the JCP&L representative and discussed, at length, what was envisioned within Colts Neck. Ms. Capristo reported very few properties are impacted.

Ms. Capristo reported one last leaf pickup sweep through Town had occurred, and leaf collection would resume in the Spring.

Ms. Capristo reported the 2016 Budget process is underway, and she has been meeting with department heads to finalize their budget requests. Ms. Capristo noted the presentation to the Township Committee would commence in February.

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

ANIMAL CONTROL	\$463.85
CAPITAL FUND	\$46,639.00
COAH	\$6,824.50
CONSTRUCTION TRUST	\$20,212.39
CURRENT FUND	\$3,276,190.58
ESCROW	\$3,707.57
GRANT FUND	\$5,491.83
TRUST FUND	\$23,057.44
TOTAL	<u>\$3,382,587.16</u>

Mr. Bartolomeo made a motion to approve, seconded by Mr. Macnow and unanimously carried. Mr. Macnow abstained from approving payment to Sakoutis Brothers Disposal Inc.*

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

15. TOWNSHIP COMMITTEE REPORTS

Mr. Bartolomeo announced the Board of Health is holding the annual rabies vaccination clinic Saturday, January 16, from 9:00 a.m. to 10:30 a.m. at Fire House #2, Conover Road. Rabies vaccinations are free for cats and dogs of Monmouth County residents.

Mr. Bartolomeo attended the monthly meeting of the Colts Neck Sports Foundation (CNSF). The new grievance policy is posted on their website. Basketball and wrestling are now in full swing and Opening Day of baseball is planned for the first week of April.

The Father Daughter Dance is planned February 28, 2016, which is always a huge success and a great fundraiser.

Mr. Bartolomeo attended the Senior Citizens meeting and swore in the 2016 officers. He reported the Police provided a presentation about e-mail and telephone fraud and courses of action.

Mr. Bartolomeo attended the monthly meeting of The Grande and reported they are in the process of repairing all lighting, as it was initially installed incorrectly. They were advised that Administrator Capristo is researching their request for snow removal reimbursement, and inquired about the paving of Stone Hill Road.

Mr. Bartolomeo attended the Local Board of Education (BOE) reorganization meeting and was pleased to report the three local schools (Primary, Elementary and Middle School) collectively outperformed New Jersey Schools and schools in 12 participating states on the PARCC testing in mathematics and English. For detailed information, visit the CNBOE website.

Mr. Macnow reported the Wildlife Committee is scheduled to meet January 25, at 7:00 p.m., Town Hall. The Committee will be looking at ways to address wildlife in Town and all are encouraged to attend and participate in the discussion.

Mr. Fitzgerald reported the Planning Board is reviewing two applications. The Planning Board is looking into the newly installed 15 Minute Parking signs recently installed within The Orchards shopping center.

Mr. Fitzgerald commented as Liaison to the Police Department that the Humvees acquired by the Township were free of charge and are being used as utility vehicles. Recently one was used to remove a fallen tree off the roadway. Two are being repainted, at no cost to the taxpayers, from the proceeds generated by the clothing donation bins.

Mayor Orgo advised he was unable to attend the Farmland and Open Space Committee meeting, and attended the Planning Board meeting, which was previously reported this evening.

16. **COMMENTS FROM THE PUBLIC:** Hearing no further comments, Mayor Orgo opened the meeting to public comments.

Mr. Jeffrey Sauter, a resident, welcomed Committeeman Bartolomeo. Mr. Sauter questioned the capital spending report he received. Mr. Sauter spoke of the front steps to Town Hall asking if the pointing had been done and noting the treads appear to pitch inward as there is an amount of water on the steps. Mr. Sauter spoke of the current vacancy on the Township Committee.

Ms. Judy Laufer, a resident and member of the Recreation Committee, commented about the condition of the pavement on Heyers Mill Road noting it is in bad shape in several spots. Ms. Laufer questioned if the tree on Heyers Mill Road growing at a 45 degree angle will be removed, and was advised it is scheduled for removal.

Ms. Debbie Evankow, a resident and member of the First Aid Squad, questioned which steps were being discussed. She was advised it was the Court House steps.

Mr. Allan Ryan, a resident, wanted clarification on the Township's Affordable Housing obligation. Mr. Macnow went into detail and explained the assigned number, the Township's number, and the expert's number and discussed the need to employ the expert for the COAH appeal, which will be decided in the court as to how many units are to be built.

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

17. **RESOLUTION 2016-26:** EXECUTIVE SESSION. Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald, and unanimously carried by voice vote.

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

The meeting adjourned at 8:20 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			
(Vacancy)					
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

Motion by Mr. Macnow, seconded by Mr. Bartolomeo 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		X			
Macnow	M	X			
Bartolomeo	S	X			
(Vacancy)					
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

The meeting adjourned at 9:30 p.m.



Beth Kara, Municipal Clerk