

**TOWNSHIP OF COLTS NECK
COMMITTEE MEETING
MAY 11, 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. Alan Ryan. 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 May 11, 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 (via telephone for Agenda Item 2, Capital Ordinance 2016-9), Committeemen Russell Macnow and J.P. Bartolomeo.

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

Absent: Committeeman Edward Eastman, Jr.

1. **MAYOR'S PROCLAMATION:** POLICE WEEK – MAY 15 THROUGH MAY 21, 2016 was read in full by Mayor Orgo. The proclamation recognizes the essential role the members of the Colts Neck Police Department play in safeguarding the rights and freedoms of the Township of Colts Neck. All citizens and patriotic, civic and educational organizations were called upon to observe this week with appropriate ceremonies and observances to commemorate law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and have established an enviable and enduring reputation for preserving the rights and security of all citizens.

Mayor Orgo then moved to Agenda Item 4.

4. **RESOLUTION 2016-65:** RESOLUTION AUTHORIZING AWARD OF BID, FY 2016 CAPITAL ROAD IMPROVEMENT PROGRAM, PHASE I (\$828,313.13) was read by title by Mayor Orgo. Ten bids were received and upon review, Earle Asphalt was deemed the lowest responsible bidder with a bid amount of \$828,313.13. The streets to be improved are a portion of Laird Road, Muhlenbrink Road, Big Beech Drive, Fireside Drive, Seedling Drive, and Spruce Lane. Mr. Bartolomeo discussed the process by which streets would be paved: The Township Engineer individually walks the streets, then Mayor Orgo, Mr. Gerken and Mr. Thompson grade the streets, and based on a collective consensus, the 10 worst streets were selected, with the exception of Laird Road, a portion of which is funded through a DOT Grant. Ms. Capristo advised once the dollar amount of what could be expended on road improvements was known for 2016, decisions were made. Mayor Orgo commented Stone Hill Road would be submitted for DOT Grant consideration next year. 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			
Eastman						X
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

5. **RESOLUTION 2016-66:** RESOLUTION AUTHORIZING SALE OF MUNICIPAL PERSONAL PROPERTY THROUGH ON-LINE AUCTION was read by title by Mayor Orgo. The on-line auction of Township vehicles and equipment is scheduled to commence May 21, 2016 at 9:00 a.m. and will close May 25, 2016 at 6:00 p.m. Inspection will be May 24, 2016 from 8:00 a.m. to 2:00 p.m. at the DPW yard. 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						

6. **RESOLUTION 2016-67:** RESOLUTION AUTHORIZING EXECUTION OF FAA LEASE NO. DTFAEN-16-L-00079 was read by title by Mayor Orgo. Ms. Capristo advised this is a ten-year lease period that began at \$200 per year, increased to \$1,000 per year in 2006, and will increase to \$4,000 per year in 2016. 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						

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

***RESOLUTION 2016-68:** RESOLUTION APPOINTING REGISTRAR OF VITAL STATISTICS, MS. RUTH LEININGER

***RESOLUTION 2016-69:** RESOLUTION APPOINTING DEPUTY REGISTRAR OF VITAL STATISTICS, MS. KATHLEEN CAPRISTO

***RESOLUTION 2016-70:** RESOLUTION AUTHORIZING FIREWORKS DISPLAY ON JULY 3, 2016, BUCKS MILL PARK (COLTS NECK BUSINESS ASSOCIATION)

***RESOLUTION 2016-71:** RESOLUTION AUTHORIZING RELEASE OF CASH PERFORMANCE GUARANTEE AND REPLACEMENT WITH LETTER OF CREDIT AND CASH GUARANTEE, PLANNING BOARD APPLICATION NO. 719 (BLOCK 19, LOT 18 – ST. MARY’S CHURCH)

***RESOLUTION 2016-72:** RESOLUTION AUTHORIZING REFUNDS OF TAX OVERPAYMENT FOR 2016

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			
Eastman						X
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

Deputy Mayor Fitzgerald joined the meeting in progress via telephone, and Mayor Orgo returned to Agenda Item 2.

2. **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 second reading by Mayor Orgo. Mr. Macnow noted there is over \$400,000 of expenditures authorized by this ordinance, all of which have been discussed in detail during previous meetings. Hearing no further comments, Mayor Orgo opened the public hearing.

Mr. Alan Ryan, a resident, questioned if the Township would be bonding, to which Mayor Orgo replied this is pay as you go purchasing. Mr. Ryan asked if any vehicles would be purchased. Mr. Macnow noted this ordinance includes the replacement of four vehicles: two patrol vehicles, one vehicle for the Police Chief, and a DPW pickup truck to replace the truck that died last year. Mr. Macnow stated every year two patrol vehicles are replaced. Mr. Ryan asked about the life of a patrol vehicle, to which Mayor Orgo advised patrol vehicles are replaced every two years, with the older, usable vehicles transferred to other Township departments.

Ms. Debbie Evankow, a resident, stated the two-way radio included in the ordinance is for OEM/County communications.

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

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						

Mr. Fitzgerald disconnected, leaving the meeting at 7:47 p.m.

3. **ORDINANCE 2016-10:** AN ORDINANCE ENTITLED A 2016 SALARY ORDINANCE OF THE TOWNSHIP OF COLTS NECK was read by title at second reading by Mayor Orgo. [This ordinance pertains to staff not covered by collective bargaining agreements.] Hearing no comments, Mayor Orgo opened the Public hearing. Hearing no comments, Mayor Orgo closed the public hearing. 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						

8. **ADMINISTRATIVE REPORT:**

Ms. Capristo reported the first draft of the FEMA reimbursement request for Storm Jonas expenditures was submitted and the Township is awaiting a response.

Ms. Capristo reported the Clean Up Day newsletters were mailed out last week. This year Clean Up Day will be held on June 4, 2016.

9. **MOTION TO APPROVE VOUCHERS:** Mr. Macnow noted he reviewed the vouchers, and with the exception of two vouchers to Sakoutis Brothers Disposal, which were reviewed by Committeeman Bartolomeo, the following is recommended for approval:

Animal Control	\$165.55
Capital Fund	\$27,622.68
Construction Trust	\$17,730.68
Current Fund	\$461,388.62
Grant Fund	\$3,016.87
Trust Fund	\$15,038.73
TOTAL	<u>\$524,963.13</u>

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

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						

10. **TOWNSHIP COMMITTEE REPORTS**

Mr. Macnow reported there is COAH litigation pending in Ocean County affecting all municipalities, which is anticipated to be completed by the end of June. The Monmouth County Judge is holding off on any decisions until the Ocean County litigation is settled, and this decision has a direct impact on the COAH numbers allocated. The Colts Neck trial projected for the end of June will be postponed until the Ocean County decision is made. Mr. Macnow has been in touch with Sen. Beck, and stated there is hopeful activity on the legislative front.

Mr. Macnow reported the Community Garden dedication is to be held May 21 at 3:00 p.m. at the site behind the Library. Mr. Macnow noted the garden has been discussed at several recent meetings and noted Ms. Janine Yodakis is running this program.

Mr. Bartolomeo reported the Tony Garito Memorial Home Run Derby is scheduled for June 11, 2016. The Blue Claws game with the Sports Foundation is scheduled for June 14, 2016, and 400 seats were reserved (200 seats reserved last year). Mr. Bartolomeo advised the ad hoc committee for sports field improvements at Cedar Drive softball fields is in the review process.

Mr. Bartolomeo reported he attended the May 4, 2016 meeting of the Senior Citizens Club. Membership has declined with 19 members not renewing, for a total of 267 members to-date.

Mr. Bartolomeo reported the First Aid Squad members are aware the paving of their parking lot is being postponed. Once improvements are made to the existing pavement, a request has been made to re-line the lot.

Mr. Bartolomeo advised the "Weekend in Old Monmouth" was a big hit throughout the County with several hundred visitors to the Montrose Road School House.

Mr. Bartolomeo reported the Colts Neck local Board of Education adopted its budget \$22,656,629, and it is posted on their website.

Mayor Orgo reported the Colts Neck Business Association will be hosting the fireworks display scheduled for July 3, and the Lions Club will assist at this event.

Mayor Orgo reported the Planning Board has one preliminary application and 2 final applications with conditional approval.

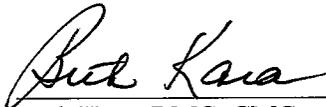
- 11. PUBLIC COMMENTS:** Hearing no further comments from the Township Committee, Mayor Orgo read the following statement: "The public is free to voice opinions of any viewpoint regarding any governmental issue that a member of the public feels may be of concern to the residents of the municipality." He opened the meeting to public comments.

Ms. Diana Piotrowski, a resident, requested someone trim back the trees on Laird Road, as branches are overhanging onto Laird Road. Mayor Orgo stated he would have the County look at this location, as the County is currently trimming trees on Muhlenbrink.

Mr. Jeffrey Sauter, a resident, thanked Mayor Orgo for reading the statement prior to opening the meeting to public comments, as per the settlement agreement. Mr. Sauter advised this cost the taxpayers \$9,600, and he expressed his displeasure with the delay in reading the statement. Mr. Sauter questioned the road improvements. Ms. Capristo noted Phase I and Phase II are roughly \$1 million each. Based on the bids received, the Township may be able to do more. Mr. Sauter questioned the Monmouth County Assessment Demonstration Program stating the cut-off date to opt out was extended to May 31 and noted when the Township went into the program, it did so with reservations. Mr. Macnow responded in municipalities where there wasn't a revaluation for a while, there was a tremendous increase; however, Colts Neck did its revaluation 2 years prior to program inception, and the numbers did not change dramatically. By reviewing 20% of property assessments annually, the reviews will do well for the Township as no substantial impact should occur. Mr. Orgo commented two years of annual inspections have already been completed. Mr. Sauter stated he appreciates the response. Mr. Sauter stated he attended the public hearing announced during the last Township Committee meeting. Mr. Sauter stated he is related to the individual. Mr. Sauter commented that if the allegations are true, Mr. Macnow should tender his resignation. Mr. Macnow questioned if Mr. Sauter was making an accusation, to which Mr. Sauter replied no. Discussion ensued. Mr. Macnow stated for the record, on advice of Counsel, no Governing Body members attended the public hearing. Mr. Macnow questioned if Mr. Sauter was speaking on behalf of his brother, Police Chief Kevin Sauter and if he was accusing Mr. Macnow of lying. Mr. Sauter responded he was not accusing Mr. Macnow of lying under oath.

Committeeman Macnow left the meeting at 8:14 p.m.

At 8:15 p.m., Counsel Bennett stated there is no longer a quorum of the Governing Body, and the meeting is now adjourned.



Beth Kara, RMC, CMC
Municipal Clerk