

**TOWNSHIP OF COLTS NECK
COMMITTEE MEETING
SEPTEMBER 28, 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 that the regular meeting of the Colts Neck Township Committee would be held September 28, 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, J.P. Bartolomeo and Edward Eastman, Jr. (arriving late)

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

Absent: None

- APPROVAL OF MINUTES:** SEPTEMBER 14, 2016. Mr. Bartolomeo made a motion to approve, seconded by Mr. Macnow and carried by Messrs. Orgo, Macnow and Bartolomeo; Mr. Fitzgerald abstained.

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						

- RECOGNITION:** RETIREMENT OF HENRY SALERNO, 29 YEARS OF SERVICE TO THE COLTS NECK COMMUNITY. Ms. Capristo advised Mr. Salerno was unable to attend this evening's meeting, as he was attending a private family event, and sends his apologies. Mayor Orgo read the inscription on the plaque commemorating Mr. Salerno's 29 years of service to the Township, 26 of those years as Construction Official, and thanking him for a job well done.

- RESOLUTION 2016-117:** RESOLUTION APPOINTING MEMBERS TO THE HISTORICAL PRESERVATION COMMITTEE, MESSRS. KEITH OTTEN AND DALTON HAMLIN was read by title by Mayor Orgo. The term expirations for both appointments are December 31, 2017. As Liaison to the Historic Preservation Committee, Mr. Fitzgerald thanked both individuals for volunteering. 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						

SWEARING IN OF MESSRS. OTTEN AND HAMLIN: Ms. Capristo swore in both men as members to the Historic Preservation Committee with term expirations of December 31, 2017. Messrs. Otten and Hamlin received a round of applause and photographs were taken.

4. **MAYOR'S PROCLAMATION:** BREAST CANCER AWARENESS MONTH, OCTOBER 2016. Mayor Orgo read the Proclamation in full, which will be on display in the Colts Neck Library for the month of October.
5. **MAYOR'S PROCLAMATION:** DOMESTIC VIOLENCE AWARENESS MONTH, OCTOBER 2016. Mayor Orgo read the Proclamation in full, which was accepted by members of the Colts Neck Woman's Club present this evening.
6. **MAYOR'S PROCLAMATION:** MENTAL ILLNESS AWARENESS WEEK,, OCTOBER 2-8, 2016. Mayor Orgo read the Proclamation in full, which was accepted by members of the Colts Neck Woman's Club present this evening. Photographs were taken.
7. **MAYOR'S PROCLAMATION:** KNOCK OUT OPIATE ABUSE DAY, OCTOBER 6, 2016. Ms. Anita Dedalis, Alliance Co-Chair, accepted the Proclamation on behalf of the Township's Alliance, and photographs were taken.

Mayor Orgo thanked Anita and Emory Dedalis for once again re-finishing the benches at the Township's 9/11 Memorial.

8. **DISCUSSION:** NAVESINK RIVER STUDY. Mr. Fitzgerald spoke of the group formed by local municipalities to address the issue of contamination in the Navesink River with the goal of restoring shellfish harvesting in the river. (The issue of water quality in the Navesink River watershed was presented to the Township Committee at a recent meeting.) Colts Neck is at the headwaters of the Navesink and the Study Group is seeking Colts Neck representation. Mr. Fitzgerald noted that Colts Neck was thought to be a cause of contamination because of its septic; however, a farm in Middletown was identified as the source. Mr. Fitzgerald is volunteering to participate in this group on behalf of the Township and the Township Committee noted unanimous consensus on his participation. Ms. Capristo was asked to provide Mr. Fitzgerald with the next meeting date for this group.
9. **ORDINANCE 2016-18:** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 62, §62-4, 62-6 AND 62-7 OF THE CODE OF THE TOWNSHIP OF COLTS NECK ENTITLED, SHADE TREE COMMISSION was read by title at first reading by Mayor Orgo. Mr. Fitzgerald advised this ordinance was reviewed by the Shade Tree Commission, Long Range Planning, and again by the Shade Tree Commission. The proposed changes clarify their annual budget and expenditures (§62-4); the authority of the Commission regarding tree trimming and removal on Township property (§62-6); and the authorities and processes for tree removal on Township property (§62-7).

Committeeman Edward Eastman, Jr. arrived (7:50 p.m.)

Mr. Fitzgerald made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried. Mayor Orgo set the public hearing October 12, 2016. Mr. Fitzgerald asked that Ms. Capristo reach out to the Shade Tree Commission to have a member present during the public hearing.

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					

10. **RESOLUTION 2016-118:** RESOLUTION CONFIRMING APPOINTMENT OF TOWNSHIP PROFESSIONAL PURSUANT TO N.J.S.A. 40A:11-5 was read by title by Mayor Orgo. Mr. Macnow advised this resolution appoints Mr. Brian Molloy at the Township's Special Counsel for NWS Earle housing. Mr. Macnow noted Mr. Molloy represented the Township previously regarding the Base housing issue. Mr. Eastman commented passing this resolution does not mean the Township is litigating. Mr. Macnow advised the Township's concerns will be provided to the Base. 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					

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

All items listed on the "Consent Agenda" are considered routine by the Township and are adopted or approved collectively by a single motion and roll-call vote of a majority of the Township Committee. If discussion is desired on any item, it is considered separately.

***RESOLUTION 2016-119:** RESOLUTION AUTHORIZING RETURN OF ESCROW DEPOSITS AND INSPECTION FEES, PLANNING BOARD APPLICATION NOS. 582 AND 616, BLOCK 7, LOT 4 AND BLOCK 7, LOT 4.14, 19 COLTS GAIT LANE (\$28,670.97)

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

12. **ADMINISTRATIVE REPORT:**

Ms. Capristo advised the Township Clerk has received a Social Affairs application to serve wine at the Library during opening night of the Friends of the Library annual art show. The Police Chief has reviewed and has no issue with approving. Since this is a Township-owned building, Township Committee approval is required. Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and

unanimously carried by voice vote. Ms. Kara will apprise the Friends and the Chief of Police of the Township Committee's approval.

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						

Ms. Capristo reported the shredding event sponsored by the Monmouth County Freeholders in the Town Hall parking lot will be held Saturday, October 1, from 9:00 a.m. to 1:00 p.m. and DPW, Fire Police and Police will be on-site.

13. **MOTION TO APPROVE VOUCHERS:** Mr. Fitzgerald reviewed tonight's vouchers and recommend the following for approval:

Animal Control	\$89.38
Capital Fund	\$482,362.23
Construction Trust	\$10,421.69
Current Fund	\$256,077.49
Escrow	\$789.46
Grant Fund	\$13,289.40
Trust Fund	<u>\$11,443.33</u>
TOTAL	<u>\$774,472.98</u>

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						

14. **TOWNSHIP COMMITTEE REPORTS**

Mr. Bartolomeo advised the Senior Citizens monthly meeting would be held October 5, and flu shots would be available during the meeting.

Mr. Bartolomeo stated he was proud to see two young men volunteer as members in the Historic Preservation Committee. They are a great asset to the community.

Mr. Bartolomeo spoke of ways to increase awareness of and participation in First Responders Day. He suggested coordinating this with local sports events at a location where youth can participate.

Mr. Bartolomeo recounted a recent incident he encountered one evening on Vanderburg Road involving a stranded older driver. Knowing the high rates of automobile speed, Mr. Bartolomeo assisted by moving the automobile out of harms way. He was soon joined by three Township First Aid Squad members who were returning from a call and by chance, were passing by and stopped to assist. Mr. Bartolomeo gave high praise for the manner in which the three sprang into action to

safely secure the location and calm the stranded motorist until additional assistance arrived. Mr. Bartolomeo thanked Dalton Hamlin, here this evening, Nicholas Nuzzo and Greg Williams, all volunteers of the Township's First Aid Squad for jumping into action without waiting for a call for assistance.

Mr. Macnow advised several years ago, consideration was given to house civilians at the NWS Earle Base and did not come to pass. Several weeks ago, the Township learned of a plan to rent the available housing units to civilians. Congressman Smith's office, Senator Beck, Freeholder Burry, Township and Borough officials from Colts Neck and Tinton Falls met with the Navy to advise of their opposition to this plan. It is estimated gross revenue from rentals would be \$200,000 per year, with a net revenue of \$60,000. Senator Beck has introduced legislation opposing civilian housing at NWS Earle and plans to hold an information session at Colts Neck High School soon. In the past, public sentiment had a significant impact on the Navy's decision.

Mr. Macnow reported the Friends of the Library will be holding their annual Art Show and Sale with a preview Friday evening, October 14, and weekends of October 15 to 16 and October 22 to 23, 2016. Mr. Macnow noted there are many things to buy, but it is also great to browse.

Mr. Macnow urged all motorists to be careful on the roadways during the deer rut, especially on high speed roadways of Routes 18, 34, 537 and Phalanx Road. Mr. Macnow noted the ordinance adopted at the last meeting decreased property available to hunt from 5 acres to 3 acres, and allowed for aggregating contiguous properties for hunting. Mr. Macnow advised anyone interested in having their property hunted should speak with Wildlife Committee Chairman Viola (contact through Town Hall, 732-462-5470, x 100).

Mr. Macnow spoke of the large contingent of bicycles in town Sunday for a fundraising event. He noted many participants were not obeying Motor Vehicle Code, placing themselves and motorists in jeopardy. The Township has contacted the charity to express its concerns.

Mr. Macnow reported with regard to COAH, Jackson Township in Ocean County will try their methodology case the end of October. The Colts Neck Township brief has been filed.

Mr. Eastman stated is happy Senator Beck has introduced legislation opposing civilian housing at NWS Earle and is grateful to Senator Beck for taking a strong stance against the civilian housing issue, as noted in the September 21, 2016 edition of the News Transcript. Mr. Eastman also was pleased with Congressman Smith's support opposing civilian housing at the Base.

Mr. Eastman spoke of the Township's Drug and Alcohol Alliance and its focus on opiate abuse. Mr. Eastman noted everyone knows someone who is struggling with this addiction and this issue needs to be brought to the forefront.

Mayor Orgo noted the Colts Neck Business Association would be meeting at Town Hall for the November meeting.

Mayor Orgo reminded all motorists of the dangers of deer darting across roadways during rutting season and urged all to be careful while driving.

Mayor Orgo asked all present to speak with their friends about the benefits of passing the ballot referendum to increase the open space tax to preserve more farmland.

Mayor Orgo reported the last street to be paved before winter is Stone Hill Road, and all work there is almost completed.

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

Ms. Judy Laufer, resident, commented the last time the NWS Earle issue was raised, Col. Jim Sfayer was a great help. Mr. Macnow noted he has been in touch with him. Ms. Laufer commented deer are dangerous to motorists, and her friend had a deer jump over her car while driving.

Mr. Fulton Wilcox, resident, questioned if there is an action plan to put a freeze on the civilian housing at NWS Earle. Mr. Macnow noted that is a point well taken. Mr. Fitzgerald commented the Navy already has a contract with Balfour Beatty Communities, which is the same group they contracted with in 2004. Mr. Wilcox spoke of the Environmental impacts and noted they never won a single battle in court.

Ms. Elaine Mann, resident, commented Congressman Smith and Senator Beck were principles in the previous issues with NWS Earle housing.

Mr. Vince Domidion, resident, questioned whether it is more a Homeland Security issue than a Department of Defense issue. Mr. Macnow noted Congressman Smith's office is relied upon to bridge that gap and bring forward the concerns.

Mr. Wilcox questioned if all first responders are carrying narcan. Mr. Macnow responded yes.

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

16. **RESOLUTION 2016-120:** EXECUTIVE SESSION was read by title by Mayor Orgo. Mr. Fitzgerald made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried by voice vote. Mayor Orgo stated the Township Committee is not expected to return to take action this evening.

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					

Meeting adjourned at 8:35 p.m.

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

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					

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

The meeting adjourned at 10:11 p.m.



Beth Kara, RMC, CMC
Municipal Clerk