TOWNSHIP OF COLTS NECK
COMMITTEE MEETING
JANUARY 25, 2017, 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 Macnow 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 noticing the News Transcript on January 12, 2017 stating that a regular meeting of the Colts Neck Township Committee would be held January 25, 2017 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 Russell Macnow, Deputy Mayor J.P. Bartolomeo, Committeemen Edward Eastman, Jr. and Thomas Orgo

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

Absent: None

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1. **APPROVAL OF MINUTES:** JANUARY 11, 2017. Mr. Bartolomeo made a motion to approve, seconded by Mr. Orgo and unanimously carried.

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

2. **RESOLUTION 2017-25:** RESOLUTION AUTHORIZING THE APPOINTMENT OF A TOWNSHIP COMMITTEE MEMBER TO FILL A VANCANCY UNTIL THE GENERAL ELECTION OF NOVEMBER 7, 2017 was read by title by Mayor Macnow. Mayor Macnow advised following election law, three names of excellent candidates were provided to the Governing Body for consideration. Mr. Frank G. Rizzuto was selected by the Township Committee to fill the current vacancy until the results of the November 2017 General Election are certified. Mr. Eastman made a motion to approve, seconded by Mr. Bartolomeo and carried by Messrs. Macnow, Bartolomeo and Eastman; Mr. Orgo opposed..

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

3. **SWEARING IN OF MR. FRANK G. RUZZUTO, TOWNSHIP COMMITTEE MEMBER** Mayor Macnow swore in Mr. Rizzuto as his wife, Julie, held the bible and their children, Isabella, Frankie and Vivien observed. Mr. Rizzuto thanked the Township Committee and his family and friends for their support. Mr. Rizzuto received a round of applause, photographs were taken and Mr. Rizzuto joined the Township Committee at the meeting table.

4. **MAYOR'S PROCLAMATION:** SUPPORTING 2017 NATIONAL WEAR RED DAY FOR WOMEN WITHIN THE TOWNSHIP OF COLTS NECK, FEBRUARY 3, 2017 was read in full by Mayor Macnow. The proclamation urges all citizens to show their support for women and the fight against heart disease commemorating February 3, 2017 by wearing the color red. By increasing awareness, speaking up about heart disease, and empowering women to reduce their risk for cardiovascular disease, thousands of lives can be saved each year. Mayor Macnow presented the framed proclamation to Michele Battista on behalf of the Library, where this will reside as part of the Library's awareness program during the month of February.

5. **DISCUSSION:** CONSTRUCTION PERMIT FEES: Ms. Capristo stated Paul Vitale, Construction Official, has reviewed the construction fees and advised they are inconsistent with other municipalities and is recommending they be revised. Mr. Eastman questioned if the net result of the proposed revisions would be zero, resulting in the Township breaking. Both Mayor Macnow and Mr. Orgo responded in the affirmative. The Governing Body gave its unanimous consent and Ms. Capristo stated she will work with Mr. Vitale and have an ordinance prepared revising the fees for introduction at a future Township Committee meeting.

6. **ORDINANCE 2017-1:** AN ORDINANCE ENTITLED THE 2017 SALARY ORDINANCE OF THE TOWNSHIP OF COLTS NECK (COLLECTIVE BARGAINING UNIT CONTRACT) was read by title at second reading by Mayor Macnow. Mr. Eastman commented the salary ranges included in this ordinance were negotiated amounts in the three Collective Bargaining Agreements. Mr. Orgo commented this is the last year of the three contracts. Hearing no further comments, Mayor Macnow called for a motion. Mr. Bartolomeo made a motion to open the public hearing, seconded by Mr. Orgo and unanimously carried by voice vote. Hearing no comments, Mayor Macnow called for a motion. Mr. Bartolomeo made a motion to close the public hearing, seconded by Mr. Orgo and unanimously carried by voice vote. Mr. Bartolomeo made a motion to approve, seconded by Mr. Orgo and unanimously carried.

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

7. **ORDINANCE 2017-2:** AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE TOWNSHIP OF COLTS NECK, CHAPTER 20, ECONOMIC DEVELOPMENT COMMITTEE, §20.2 MEMBERSHIP was read by title at second reading by Mayor Macnow. Mr. Bartolomeo expressed concern that the composition of the committee is fair and balanced and questioned the number of Colts Neck Business Association members proposed for the committee. Discussion ensued, and the ordinance was amended to include a non-voting liaison from the Township Committee, the President of the CNBA or his/her designee, and four resident members, two of which may be members of the CNBA, for three-year term appointments, to be staggered initially (2018 and 2019 expirations). At the advice of Counsel Bennett, Mr. Macnow read the amended ordinance by title at first reading. Mr. Eastman made a motion to approve, as amended, seconded by Mr. Rizzuto and carried by Messrs. Macnow, Eastman, Orgo and Rizzuto; Mr. Bartolomeo opposed. Mayor Macnow set the public hearing February 8, 2017.

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

8. **ORDINANCE 2017-3:** AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE TOWNSHIP OF COLTS NECK TO CHAPTER 106, "DONATION BINS" was read by title at second reading by Mayor Macnow. Mayor Macnow advised this ordinance would limit the number of donation bins around Town, as required by State statute, and commented there should be some measure of control. Mr. Eastman noted the maximum fine needs to be corrected within the actual ordinance to $2,000. Mr. Bartolomeo made a motion to open the public hearing, seconded by Mr. Eastman and unanimously carried by voice vote. Hearing no comments, Mayor Macnow called for a motion. Mr. Bartolomeo made a motion to close the public hearing, seconded by Mr. Eastman and unanimously carried by voice vote. Mr. Bartolomeo made a motion to approve, as amended, seconded by Mr. Orgo and unanimously carried.

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

9. **RESOLUTION 2017--26:** RESOLUTION CONFIRMING APPOINTMENTS TO THE ARCHITECTURAL REVIEW COMMITTEE was read by title by Mayor Macnow. Mayor Macnow noted the appointments are for Messrs. Paul Gassert and Charles Tappen with both terms expiring December 31, 2019. 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 Macnow		X			
Deputy Mayor Bartolomeo	S	X			
Eastman	M	X			
Orgo		X			
Rizzuto		X			
M - Moved S - Seconded X - indicates vote	NV - Not Voting		Ab - Absent		

10. **RESOLUTION 2017-27:** RESOLUTION AUTHORIZING FORMAL TRANSFER OF FUNDS – 2016 BUDGET was read by title by Mayor Macnow. Mayor Macnow advised this resolution transfers a total of $13,500 from Streets and Road Maintenance, Salaries and Wages ($13,500) to Legal Services (Legal Department), Other Expenses ($13,200); and Zoning Board of Adjustment, Other Expenses ($300) to cover additional expenses. Mr. Bartolomeo made a motion to approve, seconded by Mr. Eastman and unanimously carried.

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

11. **RESOLUTION 2017-28:** RESOLUTION AUTHORIZING FIREWORKS DISPLAY ON JULY 3, 2017, BUCKS MILL PARK was read by title by Mayor Macnow. The Colts Neck Business Association is sponsoring this event, which was discussed at the last Township Committee meeting. Mr. Bartolomeo made a motion to approve, seconded by Mr. Rizzuto and unanimously carried.

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

12. **ADMINISTRATOR'S REPORT:**

Ms. Capristo advised a request was received to serve champagne, beer, wine and two signature cocktails by a TIPS certified bartender during a wedding celebration at the Bucks Mill Park Pavilion and Recreation Center in October 2017. Mr. Eastman made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried by voice vote. Approval was granted contingent upon the Clerk's receipt of Certificate of Insurance naming the Township as Additional Insured and including a liquor liability clause.

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

13. **MOTION TO APPROVE VOUCHERS:** Mr. Bartolomeo reviewed tonight's vouchers and recommends the following be approved:

Animal Control	$613.18
Capital Fund	$4,994.63
COAH	$462.50
Construction Trust	$10,799.58
Current Fund	$3,022,564.72
Escrow	$16,991.19
Grant Fund	$500.00
Trust Fund	$10,131.07
TOTAL	$3,067,056.87

Mr. Eastman made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried with the following abstentions: Mayor Macnow abstained

from approving vouchers to Sakoutis Brothers Disposal, Inc.*; Mr. Bartolomeo abstained from approving vouchers to Adams, Buchan & Palo, LLC**; and Mr. Orgo abstained from approving vouchers to Pine Tree Landscape Systems***.

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

14. **TOWNSHIP COMMITTEE REPORTS**

Mr. Eastman had no report this evening.

Mr. Bartolomeo had no report this evening.

Mr. Orgo reported the new Public Works Director, Lou Bader, is on the job now and urged residents to say hello when they meet.

Mr. Rizzuto thanked the members of the Colts Neck Township Committee for selecting him to serve. Mr. Rizzuto then thanked his family, friends and Freeholder Director Lillian Burry for their support.

Mayor Macnow spoke about the recent Supreme Court ruling on the GAP issue, noting he did not read the opinion as is being reported in the news. Mayor Macnow spoke of the specifics of the decision and questioned how determinations will be made on those that no longer qualify, have left the State, or were not captured in the original figures, noting it will be very difficult to make these calculations. Mayor Macnow urged all to encourage the Legislators and the Governor to take control of this issue and not let the Courts control the outcome.

Mayor Macnow spoke of the briefing session coordinated by Senator Beck on January 17 at Colts Neck High School. Mayor Macnow noted there was a nice turnout, and commended Col. James Sfayer for his presentation on the proposed civilian housing at NWS Earle. Attendees were urged to let themselves be heard about this issue. Mayor Macnow advised the Township has retained the same Legal Counsel that dealt with the Laurelwood housing issue several years ago.

Mayor Macnow reported Monmouth County is seeking poll workers for the Primary and General Elections. Poll workers earn $200 per day, and additional information can be found on the Township's website (Elections), or at the Clerk's Office in Town Hall.

Mayor Macnow spoke of an individual who took the time to write a letter of appreciation for the way in which Kathy Bradach, Court Administrator, dealt with her. Mayor Macnow offered his thanks to Kathy for her positive action.

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

Ms. Michele Battista, resident and President of the Friends of the Library, announced the Friends used book sale would be held at the Library this year March 17 and 18. Donated books are now being accepted at the Library; however, Ms. Battista urged donations be made when the Library is open and not left outside or deposited in the returned book slot.

Ms. Anna Appolonia, resident and past President of the CNBA, questioned the composition envisioned for the Economic Development Committee (EDC). Mr. Bartolomeo responded the EDC is not planned as an offshoot of the CNBA and broadening membership to residents with various backgrounds should help in formulating plans for the business district as part of a collective process.

Ms. Sue Fitzpatrick, resident and President of the CNBA, felt the limitation on the number of CNBA members on the EDC was restrictive, and questioned if no volunteers are forthcoming outside the CNBA, what will happen with the EDC? Mayor Macnow commented resident volunteers that are non-business owners are being sought for seats on the EDC to provide different points of view. Ms. Fitzpatrick questioned what if no one volunteers outside the CNBA, to which Mayor Macnow responded the issue would then be re-visited.

Ms. Elaine Mann, resident, congratulated Mr. Rizzuto on his appointment. Ms. Mann spoke of the date of February 1 established that delayed proceeding with civilian housing at NWS Earle, and questioned the current status. Mayor Macnow advised there should be information forthcoming from the Secretary of the Navy, and if not, the Township Committee will then decide a course of action. Ms. Mann stated Sen. Beck will be issuing something to utilize when writing to Legislators.

Mr. Michael Viola, resident, questioned the vendor of the current recycling contract. Mayor Macnow noted it was Sakoutis Brothers Disposal. Mr. Viola noted the vendor must be careful the recyclables don't fall out of the trucks and end up in the catch basins.

Mrs. Lillian G. Burry, resident and Freeholder Director of Monmouth County Board of Chosen Freeholders, spoke about the selection process for finding a replacement for Michael Fitzgerald on the Township Committee. Mrs. Burry noted the Local County Committee put forth three names of individuals noting all are exceptionally qualified. Mrs. Burry thanked Frank Rizzuto for his service.

Hearing no further comments, Mayor Macnow called for a motion to close the meeting to public comments. Mr. Orgo made a motion, seconded by Mr. Bartolomeo and unanimously carried by voice vote.

16. **RESOLUTION 2017-29:** EXECUTIVE SESSION was read by title by Mayor Macnow. Mr. Bartolomeo made a motion to approve, seconded by Mr. Orgo and unanimously carried by voice vote. Mayor Macnow advised the Township Committee does not plan to return this evening in open meeting.

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

Meeting adjourned at 8:15 p.m.

At 9:09 p.m., motion by Mr. Bartolomeo, seconded by Mr. Orgo and unanimously carried by voice vote to adjourn Executive Session and return to Regular meeting to adjourn for the evening.

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

Motion by Mr. Bartolomeo, seconded by Mr. Eastman and unanimously carried by voice vote to adjourn meeting.

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

Meeting adjourned at 9:10 p.m.

Beth Kara

Beth Kara, RMC, CMC
Municipal Clerk