

**TOWNSHIP OF COLTS NECK
COMMITTEE MEETING
JANUARY 27, 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. Jarrett Engel. 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 January 27, 2016 at 7:30 p.m., Colts Neck Courthouse, 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 Edward Eastman, Jr.

Also Present: Township Administrator Kathleen Capristo; Municipal Clerk Beth Kara; and Township Counsel Joseph Clark, Esq.

Absent: Committeeman Bartolomeo

- APPROVAL OF MINUTES:** MEETING OF JANUARY 13, 2016. Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and carried by Messrs. Orgo, Fitzgerald and Macnow.

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						

- PRESENTATION TO JARRETT R. ENGEL:** On behalf of the Township Committee, Mayor Orgo presented Mr. Engel with a plaque thanking him for his years of service and commitment to the citizens and community of Colts Neck during his time in office as Committeeman from 2008 through 2015, as Deputy Mayor in 2011, and as Mayor in 2012. Mr. Engel's year as Mayor included his leadership and thinking outside the box to help restore the community and provide services to the residents resulting from the Superstorm Sandy devastation. Mr. Engel received a standing ovation and photographs were taken.
- MAYOR'S PROCLAMATION:** SUPPORTING 2016 NATIONAL WEAR RED DAY FOR WOMEN WITHIN THE TOWNSHIP OF COLTS NECK FEBRUARY 5, 2016 was read in full by Mayor Orgo. In this, the 13th anniversary of National Wear Red Day for Women, all citizens were urged to show their support for women and the fight against heart disease and stroke by commemorating February 5, 2016 by wearing the color red. Through increased awareness, speaking up about heart disease and empowering women to reduce their risk for cardiovascular disease, thousands of lives can be saved each year.

Deputy Mayor Fitzgerald requested a point of order to add the following resolution to tonight's meeting agenda:

- RESOLUTION 2016-26A:** RESOLUTION AUTHORIZING THE APPOINTMENT OF A TOWNSHIP COMMITTEE MEMBER TO FILL A VACANCY UNTIL THE GENERAL ELECTION OF NOVEMBER 8, 2016 was read in full by Deputy Mayor Fitzgerald. This resolution authorizes the filling of the vacancy created by the resignation of Committeeman Jarrett R. Engel, effective January 4, 2016, with the appointment of Edward C. Eastman, Jr. until the results of the General Election to be held November 8, 2016 are certified and the vacancy filled for the unexpired term ending December 31, 2017.

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

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					

5. **SWEARING IN:** EDWARD C. EASTMAN, JR., TOWNSHIP COMMITTEE MEMBER. Ms. Capristo administered the Oath of Office, while at Mr. Eastman's request, Ms. Kara held the bible. Mr. Eastman received a round of applause and photographs were taken.

6. **ORDINANCE 2016-1:** ORDINANCE ENTITLED THE 2016 SALARY ORDINANCE FOR THE TOWNSHIP OF COLTS NECK (COLLECTIVE BARGAINING UNIT EMPLOYEES) was read by title at second reading by Mayor Orgo. Mayor Orgo advised this ordinance includes employees within the three bargaining units (Police, Public Works and White Collar). Hearing no comments, Mayor Orgo opened the public hearing. Hearing no comments, Mayor Orgo closed the public hearing. Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and carried by Messrs. Orgo, Fitzgerald and Macnow; Mr. Eastman abstained.

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					

Committeeman Bartolomeo was contacted by telephone and the call was placed on speaker.

7. **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 second reading by Mayor Orgo. (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 would be set aside for future renovations to the Police Department building, which includes ADA improvements.) With no comments from the Governing Body, Mayor Orgo opened the public hearing.

Mr. Jeffrey Sauter, a resident, noted he was glad and questioned when the paving would begin. Mayor Orgo responded the bidding process cannot begin until the funding is in place. Mr. Macnow noted paving should commence in late spring early summer. With regard to the building renovations, the ADA access will be addressed once funding is in place. A more comprehensive approach to the building renovations is needed and plans are to allocate additional funds for this project in 2017.

Mr. Alan Ryan, a resident, questioned the cost of ADA compliance. Mr. Macnow advised that projects in excess of \$17,500 must be publicly bid.

Hearing no further comments, Mayor Orgo closed the public hearing. 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			
Eastman		X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

Committeeman Bartolomeo excused himself from the meeting and ended the telephone call.

8. **ORDINANCE 2016-3:** ORDINANCE AMENDING AND REVISING CHAPTER 26, FARMLAND AND OPEN SPACE COMMITTEE, §26.2, MEMBERSHIP was read by title at second reading by Mayor Orgo. Mr. Macnow 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 opened the public hearing. Hearing no comments, Mayor Orgo closed the public hearing. Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and carried by Messrs. Orgo, Fitzgerald and Macnow; Mr. Eastman abstained.

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					

9. **ORDINANCE 2016-4:** ORDINANCE AMENDING AND REVISING CHAPTER 28, FIRE DEPARTMENT, §28.14, FIRE POLICE was read by title at second reading by Mayor Orgo. Mr. Fitzgerald advised this ordinance will make State statute and municipal code consistent with a five-year term of office (municipal code currently states a one-year term of office). The ordinance also revises those that may administer the Oath of Office for Fire Police to include "Township official duly authorized to administer the Oath of Office". Hearing no comments, Mayor Orgo opened the public hearing. Hearing no comment, Mayor Orgo closed the public hearing. Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and carried by Messrs. Orgo, Fitzgerald and Macnow; Mr. Eastman abstained.

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					

10. **RESOLUTION 2016-27:** RESOLUTION AUTHORIZING AWARD OF CONTRACTS FOR PROFESSIONAL SERVICES PURSUANT TO N.J.S.A. 19:44A-20.5 WITH AN ESTIMATED VALUE THAT MAY EXCEED \$17,500 was read by title by Mayor Orgo. This resolution authorizes the Mayor and Clerk to execute the following contracts: John O. Bennett, III, Esq., Dilworth Paxson, LLP, Township Attorney; Meghan Bennett Clark, Esq., Dilworth Paxson, LLP, Township Prosecutor; John M. Cantalupo, Esq., Archer & Greiner, PC, Township Bond Counsel; Michael B. Steib, Esq., Special Counsel, Planning Board Attorney, Board of Adjustment Attorney; Dominick Manco, Esq., Special Counsel, Affordable Housing; Glenn R. Gerken, P.E., T&M Associates, Township Engineer, Planning Board Engineer, Board of Adjustment Engineer; Robert W. Allison, Holman, Frenia, Allison, P.C., Township Auditor; Associated Humane Societies, Inc, Animal Control Services. Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and carried by Messrs. Orgo, Fitzgerald and Macnow; Mr. Eastman abstained.

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

11. **RESOLUTION 2016-28:** RESOLUTION AUTHORIZING AWARD OF CONTRACTS FOR PROFESSIONAL SERVICES PURSUANT TO N.J.S.A. 19:44A-20.5 WITH AN ESTIMATED VALUE LESS THAN \$17,500 was read by title by Mayor Orgo. This resolution authorizes the Mayor and Clerk to execute the following contracts: Meghan Bennett Clark, Esq., Dilworth Paxson, LLP, Bond Counsel; James L. Plosia, Jr., E#sq., Apruzzese, McDermott, Maestro & Murphy, P.C., Labor Counsel; Christopher D. Adams, Esq., Adams Buchan & Palo, LLC, Public Defender; Thomas A. Thomas, P.P., Thomas Planning Associates, Affordable housing; Visiting Nurse Association Health Group, Inc., Home Health Services; and Valley Health Medical Group, Random Drug/Alcohol Testing. Mr. Macnow made a motion, seconded by Mr. Fitzgerald and carried by Messrs. Orgo, Fitzgerald and Macnow; Mr. Eastman abstained.

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. **RESOLUTION 2016-29:** RESOLUTION AUTHORIZING FORMAL TRANSFER OF FUNDS-2015 BUDGET was read by title by Mayor Orgo. This resolution transfers \$4,550.00 from Gasoline to Electricity (\$2,800.00), Street Lighting (\$750.00) and Telephone (\$1,000.00) to cover additional expenses. Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and carried by Messrs. Orgo, Fitzgerald and Macnow; Mr. Eastman abstained.

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					

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

***RESOLUTION 2016-30:** RESOLUTION AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE TOWNSHIP OF COLTS NECK

***RESOLUTION 2016-31:** RESOLUTION AUTHORIZING RELEASE OF MAINTENANCE GUARANTEE, PLANNING BOARD APPLICATION NO. 691, BLOCK 23, LOT 17.01 (FEILER)

Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow and carried by Messrs. Orgo, Fitzgerald and Macnow; Mr. Eastman abstained and Mr. Macnow abstained from approving Resolution 2016-31*.

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

14. ADMINISTRATIVE REPORT:

Ms. Capristo advised she received a request from the Monmouth County Parks System (MCPS) to stage the 40th Annual E.Murray Todd Half Marathon on streets within the Township on Sunday, March 6, 2016. The race course remains the same as past years: Holmdel Road, Willowbrook Road, Cross Road, Laird Road and Longbridge Road. By voice vote, Township Committee unanimously approved this event on Township roads. The MCPS will be advised to commence coordination with our Police Department.

Ms. Capristo reported 24.3 inches of snow fell during the weekend storm. The Police Department received 35 calls for assistance, the majority being motor vehicle assistance, and the newly acquired Humvee was an enormous help during this snow event. There were two EMS calls, 52 persons were without power for a portion of the storm, and DPW received 75 calls from residents regarding the timing of street plowing and damaged mailboxes. Ms. Capristo also received calls complementing DPW and First Responders for their work associated with the storm, and added her compliments noting Colts Neck fared well during this significant snow event.

Mr. Fitzgerald commented the DPW staff took a rest during the snow's heaviest falling in the middle of the night, and returned to clear streets within a few hours. The brief rest allowed them to function more efficiently, and they did a good job.

Mr. Orgo commented everyone working on snow clearing did a good job and noted between midnight and 3:00 a.m. Saturday, between four and six inches additional snow fell. Mr. Orgo reported a large downed tree was moved out of the way by DPW staff allowing JCP&L to repair the damage resulting in less than a two hour power outage, which he noted was very good.

Mr. Fitzgerald recognized Michael Burke, OEM Director, for keeping everyone aware of the storm status.

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

Animal Control	\$388.14
Capital Fund	\$2,440.19
COAH	\$2,100.00
Construction Trust	\$9,601.67
Current Fund	\$2,826,320.90
Escrow	\$15,281.38
Grant Fund	\$3,550.00
Tax Collector's Trust	\$92,003.47
Trust Fund	<u>\$8,466.66</u>
TOTAL	<u>\$2,960,152.41</u>

Mr. Macnow made a motion to approve, seconded by Mr. Orgo and carried by Messrs. Orgo, Fitzgerald and Macnow; Mr. Eastman abstained. Mayor Orgo abstained from approving payment to Pine Tree Landscaping* and Mr. Macnow abstained from approving payment to Sakoutis Brothers Disposal Inc.*

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

16. TOWNSHIP COMMITTEE REPORTS

Mr. Eastman had no report this evening.

Mr. Macnow read an e-mail in full from the local school board Superintendent of Schools advising of a vacancy on the Local Board of Education.

Mr. Macnow reported the Colts Neck Librarian, Stephanie Laurino, just celebrated 23 year of service. Mr. Macnow noted the ROTC at Colts Neck High School will be utilized for matching with seniors within the community to assist with snow shoveling and the Friends Book Sale.

Mr. Macnow reported the COAH meeting is scheduled for the following evening. Mr. Macnow noted the Court is referring all inquiries to mediation. Mr. Macnow stated the Township was given 277 units as its obligation by the master, which may result in high density housing in Town.

Mr. Fitzgerald had no report this evening.

Mayor Orgo reported a fundraising event scheduled for tomorrow between 4:00 p.m. and 6:00 p.m. in the Conover Road Primary School Cafeteria supporting local charities.

Mayor Orgo reported Mr. Michael Viola has been made Chair of the Wildlife Committee. The Wildlife Committee is awaiting new numbers from the State. Mayor Orgo noted the next meeting of the Wildlife Committee is February 22, and all are welcome to attend and participate.

Mayor Orgo stated he was glad motorists stayed off the streets during the latest snow storm, which facilitated the quick clearing of streets. Mayor Orgo noted there were instances of snow being pushed into the streets and cited New Street. Mayor Orgo commented by pushing the snow into the streets, a problem is created and the run off does not drain properly. Mayor Orgo noted there were drifts as high as five to seven feet, with drifting next to buildings as high as nine feet. Mayor Orgo noted JCP&L was on top of the problems, and having no leaves on the trees during the storm helped.

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

Mr. Art Becker, resident and owner of Becker's Hardware, advised two weeks ago there was another accident at the Artisan Way/Route 34 location. Mr. Becker stated there have been a lot of accidents at this location in the past, and he asked the Township Committee to work with the State DOT to have a traffic light installed. Mr. Becker thanked the Township for the snow removal.

Mr. Jeffrey Sauter, a resident, welcomed Mr. Eastman to the Township Committee. Mr. Sauter thanked Mr. Macnow for providing great information on COAH and its major impact within the Township.

Mr. Alan Ryan, a resident, questioned the COAH numbers and how long the process will take. Mr. Macnow noted the expert assigned an obligation of 55 to the Township; however, the Township has to see how this plays out to provide reasonable accommodation. Mr. Macnow noted when the Township Committee is advised, it will pass on the information to residents.

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

18. **RESOLUTION 2016-32: EXECUTIVE SESSION.** Mr. Fitzgerald made a motion to approve, seconded by Mr. Macnow, and unanimously carried by voice vote.

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

The meeting adjourned at 8:15 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
Eastman		X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

Motion by Mr. Macnow seconded by Mr. Fitzgerald 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	S	X			
Macnow	M	X			
Bartolomeo					X
Eastman		X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

The meeting adjourned at 9:20 p.m.



Beth Kara, RMC, CMC
Municipal Clerk