

**TOWNSHIP OF COLTS NECK
COMMITTEE MEETING
JULY 12, 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 July 12, 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., Thomas Orgo and Frank Rizzuto

Also Present: Kathleen Capristo, Administrator/Deputy Clerk; Beth Kara, Municipal Clerk; and Meghan Bennet Clark, Esq., Township Counsel

Absent: None

- 1. APPROVAL OF MINUTES:** MEETING OF JUNE 28, 2017. Mr. Bartolomeo made a motion to approve, seconded by Mr. Orgo and carried by Messrs. Bartolomeo, Eastman, Orgo and Rizzuto; Mayor Macnow abstained.

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						

- 2. MAYOR'S PROCLAMATION:** COMMEMORATING THE 50TH ANNIVERSARY OF THE COLTS NECK SENIOR CITIZENS CLUB Mayor Macnow requested Senior Club members present this evening join him at the podium and members John Walsh, Judy Laufer, Diana Piotrowski, Mario and Meredith Geneve stood while the Proclamation was read in full. The Proclamation acknowledged the Senior Club's vital and significant impact on the Colts Neck community and it is a valuable social resource to senior citizens since its inception 50 years ago. Mayor Macnow presented the Proclamation, photographs were taken and all received a round of applause.
- 3. MAYOR'S PROCLAMATION:** HONORING MS. VICTORIA ASMAR. Mayor Macnow had resident Victoria Asmar, her son, Eddie, and the family assembled this evening come forward and read the Proclamation in full recognizing the extraordinary life of resident Victoria Asmar on her 90th birthday. On behalf of the Township Committee, Mayor Macnow proclaimed July 25, 2017 as Victoria Asmar Day within the Township of Colts Neck.
- 4. RESOLUTION 2017-98:** CONFIRMING APPOINTMENT OF POLICE OFFICER JOSEPH ZOPPI was read by title by Mayor Macnow. Mayor Macnow advised the appointing of a Police Officer is not something done every day, and tonight the Township Committee is looking forward to the appointment of a new

Police Officer. Mayor Macnow called for a motion. 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						

Police Chief Kevin Sauter thanked Mayor Macnow and the Township Committee, noting this will be the 21st Officer, and he will be dedicated to traffic enforcement. Chief Sauter commended the Officers serving here and throughout the State, noting Officers are under attack all over, and they do a great job, especially in this community. Chief Sauter advised Joseph Zoppi completed all steps and he is enrolled in the Monmouth County Police Academy on a waiver and will be attending classes part-time while starting on the road tomorrow at 7:00 a.m.

Mayor Macnow administered the Oath of Office to Joseph Zoppi while his mother held the bible and then pinned his badge. Mayor Macnow commented this Township is ranked one of the best in the State and is the only one selected from Monmouth County as part of the top 50 municipalities. Chief Sauter presented Mr. Zoppi with his wallet and identification. Joseph Zoppi received a round of applause and photographs were taken.

At 7:45 p.m., Mayor Macnow called a five-minute recess.

At 7:52 p.m., Mayor Macnow called the meeting to order.

5. **RESOLUTION 2017-40R:** RESOLUTION APPROVING DEDICATION BY RIDER, DONATIONS FOR RECREATION ATHLETIC FIELDS was read by title by Mayor Macnow. Mr. Antonides advised the State directed the original resolution be revised to include two additional paragraphs before the State would approve. 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						

6. **RESOLUTION 2017-99:** GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT was read by title by Mayor Macnow. Mr. Antonides advised this is the third year no deficiencies were noted and no recommendations for corrective action. Mr. Antonides noted the highlights of the audit including changes in fund balance and praised his staff for the continued high collection rate. Mr. Antonides commented there is a resolution on this evening's consent agenda extending the third quarter tax payment deadline date to August 25, which is necessary since there must be 25 days from date of tax bill mailing. Mr. Bartolomeo made a motion to approve, seconded by Mr. Rizzuto and unanimously carried. All members of the Governing Body signed the Certification of the Annual Audit.

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						

Mr. Antonides left the meeting.

7. DISCUSSION: COLTS NECK POLICE/COURT BUILDING RENOVATION.

Mayor Macnow noted the current Police building was built in 1962 and functioned as the State Police barracks. The building does not meet current code for Police facilities and has chronic water issues. Plans are underway to plan for the building of a new Police building adjacent to the Library (left side) in 2019 since a significant amount of debt will be retired that year. The existing Police building would be re-purposed; the Court building would remain as is; however, the atrium would be enclosed. Mayor Macnow noted plans are underway to submit simultaneous applications to the DEP to secure a flood hazard permit to build within the current Police building footprint, and to Green Acres for a land swap since the land adjacent to the Library is on the ROSI. The processing of both applications takes about one year and approvals would provide options for either site. Mayor Macnow advised he would be providing future updates on these projects.

- 8. DISCUSSION: EMERALD ASH BORER, SHADE TREE COMMISSION, COMMITTEEMAN RIZZUTO, MICHAEL VIOLA.** Mr. Rizzuto advised the infestation started in China, is in the mid-West, and is traveling East. Unless treated, the Emerald Ash Borer (EAB) will kill all ash trees. The Shade Tree Commission has identified three locations within the Township: Laird Road Field, trees are not worth saving and are small enough to have DPW remove now; Bucks Mill Park, prune back and take down over the next two years, as warranted; and Heritage Way, remove two trees now and treat remaining trees. Mr. Viola noted an arborist quoted a price of \$7,500 every two years to treat 41 trees, and after two years, a determination to re-treat or remove could be made. Mr. Viola urged residents with Ash trees to contact an arborist and monitor their ash trees, noting the EAB adult insects feed on the ash tree from the inside out. When funding is available, ash trees that were removed should be replaced with oak or maple trees. Mr. Viola noted treatment should occur in the fall, and there is no guarantee the treatment works. Discussion ensued with the following decisions by the Governing Body: 1. DPW should remove 13 ash trees from Laird Road Field now; 2. The four Ash trees at Bucks Mill Park should be pruned and monitored; 3. Two ash trees on Heritage Way should be removed, and the Shade Tree Commission should provide the Township Committee with additional information and their recommendations for an ash tree replacement program.

- 9. ORDINANCE 2017-16: AN ORDINANCE OF THE TOWNSHIP OF COLTS NECK IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, VACATING A CONSERVATION, DRAINAGE AND UTILITY RIGHT-OF-WAY EASEMENT AND GRANTING A NEW CONSERVATION, OPEN SPACE, DRAINAGE AND UTILITY RIGHT-OF-WAY EASEMENT ON BLOCK 44.01, LOT 9.10 (89 STONE HILL ROAD) was read by title at second reading by Mayor Macnow. Mayor Macnow advised the Township Planner has reported all recommendations made by the Environmental Commission have been completed by the property owner and recommends approval of this ordinance. Hearing no comments from the Governing Body, Mayor Macnow called for a**

motion to open the public hearing. Mr. Bartolomeo made a motion to open, seconded by Mr. Orgo and unanimously carried by voice vote.

Mr. David Kostka, Environmental Commission Chair, advised the Environmental Commission made five recommendations. Based on a review of the property, the property owner has met the requirements, and the Environmental Commission supports passage of this ordinance.

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

- 10. ORDINANCE 2017-17:** AN ORDINANCE OF THE TOWNSHIP OF COLTS NECK IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CONSENTING TO THE RECORDING OF A NEW CONSERVATION, OPEN SPACE, DRAINAGE AND UTILITY EASEMENT BETWEEN FSP, LLC T/A JTS LAND TRUST AND HOCKHOCKSON FARM AND THE TOWNSHIP OF COLTS NECK GOVERNING BLOCK 51, LOT 1.01 was read by title at first reading by Mayor Macnow. Mayor Macnow advised the Planning Board imposed a special condition when granting preliminary site plan approval with design waivers that requires approval by the Governing Body to widen a portion of the driveway within the existing and proposed conservation, open space, drainage and utility right-of-way easement area and to provide for safe ingress/egress for emergency personnel in the event of an emergency. Hearing no comments, Mayor Macnow called for a motion. Mr. Bartolomeo made a motion to approve, seconded by Mr. Rizzuto and carried by Messrs. Macnow, Bartolomeo, Eastman and Rizzuto; Mr. Orgo abstained. Mayor Macnow set the public hearing August 9, 2017.

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						

- 11. RESOLUTION 2017-100:** RESOLUTION REQUESTING THE PLACEMENT OF A REFERENDUM ON THE OFFICIAL BALLOT FOR THE NEXT GENERAL ELECTION OF NOVEMBER 7, 2017 AUTHORIZING THE INCREASE OF THE ANNUAL LEVY FOR OPEN SPACE, FARMLAND AND HISTORIC PRESERVATION WITHIN THE TOWNSHIP OF COLTS NECK was read by title by Mayor Macnow. Mayor Macnow advised the County may be placing a referendum on the November ballot for an Open Space tax increase, and while he is still a proponent, he is concerned about two referendums for tax increases. Mayor Macnow questioned the timing of the municipal referendum. Mr. Orgo commented the increase in Open Space tax monies will fund the preservation of more farms and will preserve the character of the Town, and noted this is not an increase in taxes for municipal services. Mr. Orgo commented seven years ago, the Open Space tax was reduced by half, and the Township's portion for

Farmland/Open Space preservation is increasing to 21 percent. Mayor Macnow commented he is in favor of increasing the Open Space tax, but is concerned about its passage in November. Mayor Macnow called for a motion and noted if this resolution is passed tonight, it would again be discussed at the next meeting and a determination would be made whether to proceed and have it placed on the November ballot or strike the resolution. Mr. Eastman 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			
Mayor Macnow			X			
Eastman	M		X			
Orgo	S		X			
Rizzuto			X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

12. RESOLUTION 2017-101: RESOLUTION ESTABLISHING 2017 SALARIES AND WAGES FOR NON-UNION TOWNSHIP POSITIONS was read by title by Mayor Macnow. Ms. Capristo advised there was unanticipated turnover at the Recreation summer camp. Mr. Orgo 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			X			
Orgo	M		X			
Rizzuto			X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

13. RESOLUTION 2017-102: RESOLUTION AUTHORIZING APPLICATION TO FREEHOLD SOIL CONSERVATION DISTRICT FOR SOIL EROSION AND SEDIMENT CONTROL PLAN, BLOCK 41, LOT 3.01 (FIVE POINT PARK MULTIPURPOSE SPORTS FIELD) was read by title by Mayor Macnow. This application and certification by the Freehold Soil Conservation District is a requirement for the development of the multi-sport turf field. 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			X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

14. 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.

Mayor Macnow read the previous paragraph, then read the following resolutions by title:

***RESOLUTION 2017-103:** RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES, PLANNING BOARD APPLICATION NO. 617 (MANOR HOMES)

***RESOLUTION 2017-104:** RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEE, BLOCK 43, LOT 1, ACCOUNT NO. 835 (VERIZON TOWER H.S.)

***RESOLUTION 2017-105:** RESOLUTION ACCEPTING THE RESIGNATIONS OF RECREATION SUMMER PROGRAM STAFF

***RESOLUTION 2017-106:** RESOLUTION AUTHORIZING THE EXTENSION OF THE GRACE PERIOD FOR PAYMENT OF THIRD QUARTER PROPERTY TAXES

***RESOLUTION 2017-107:** RESOLUTION APPROVING INSERTION OF SPECIAL ITEM OF REVENUE, PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT (\$2,320.00)

Mr. Bartolomeo made a motion to approve, seconded by Mr. Rizzuto and carried by Messrs. Macnow, Bartolomeo, Orgo and Rizzuto; Mr. Eastman abstained.

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						

15. ADMINISTRATOR'S REPORT

Ms. Capristo advised bid openings for road projects are scheduled for July 27. Phase I Capital Road Improvements at 10:00 a.m., and Phase I NJDOT Road Improvement to Five Point Road (Route 18 to the Howell border) at 11:00 a.m.

Ms. Capristo reported DPW brush collection ended June 26 and Code Enforcement is addressing brush piles left curbside within the Township.

Ms. Capristo advised the Ocean Monmouth Health Care Alliance is hosting two skin cancer screenings in the upcoming weeks. Additional information will be posted on the website.

Ms. Capristo reported the Township Property Safety Committee is continuing to meet and three Township buildings, Town Hall, Recreation, and Public Works, are in good shape. They will continue a review of the Fire Companies, First Aid and Library buildings.

Mr. Bartolomeo questioned how the Township is doing relating to new protocols when brush is placed curbside after collection dates. Ms. Capristo advised the goal is to educate residents who place brush curbside after collection dates. If brush is not removed, a Notice of Violation is issued. Mr. Bartolomeo questioned if records are maintained for repeat offenders, to which Ms. Capristo responded, yes. Mayor Macnow commented the Township is in the process of hiring an Assistant Code Enforcement Officer.

16. MOTION TO APPROVE VOUCHERS: Mr. Bartolomeo noted he reviewed the vouchers and they include payment to the architect for the Police building and maintenance on trucks. Mr. Bartolomeo recommended the following be approved:

Animal Control	\$1,106.18
Capital Fund	\$40,198.89
Construction Trust	\$12,012.66
Current Fund	\$568,919.59
Escrow	\$3,493.50
Grant Fund	\$1,110.40
Trust Fund	<u>\$9,117.97</u>
TOTAL	<u>\$635,959.19</u>

Mr. Bartolomeo made a motion to approve, seconded by Mr. Orgo and unanimously approved with the exception of Mayor Macnow abstaining from approving bills payable to Sakoutis Brothers Disposal, Inc.¹; and Mr. Rizzuto abstaining from approving bills for Fire Department expenditures².

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Mayor Macnow			X ¹		X ¹	
Deputy Mayor Bartolomeo	M		X		X	
Eastman			X		X	
Orgo		S	X			
Rizzuto			X ²		X ²	
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

17. TOWNSHIP COMMITTEE REPORTS

Mr. Rizzuto reported the Shade Tree Commission is addressing the arrival of the Emerald Ash Borers. In addition, Mr. Rizzuto spoke with Mr. Bader about utilizing stump grinding services from the County before the fall busy season.

Mr. Rizzuto reported the July 3rd fireworks were well run events. Mr. Rizzuto commended Sue Fitzpatrick and the CNBA, Lions Club, Girl Scouts, Fire Department, Fire Police, Police and First Aid. Mr. Rizzuto noted this was a well-attended, family event and involved traffic of over 2,000 cars. Mr. Rizzuto congratulated all organizations on a job well done. Mayor Macnow commented the Fire Police were spot on in controlling traffic on smaller roads, and he thanked Ray Shebell and the Fire Police for their service.

Mr. Rizzuto noted he attended the CNBA meeting today, and Shawn Golden had reported there were 186 deaths in Monmouth County and 68 in Howell from heroin overdoses.

Mr. Eastman reported he attended the Planning Board meeting when the American Water Company presented on the proposed Swimming River Treatment Plant \$23 million upgrade. Mr. Eastman commented they need to send representatives to answer questions.

Mr. Bartolomeo commended the CNBA and all participants making this year's fireworks a success, noting he received positive feedback from many in surrounding communities.

Mr. Bartolomeo advised a Tinton Falls resident living across from the Swimming River facility enlisted an auditory specialist and the current operation exceeds State noise standards. The proposed upgrade includes larger equipment. Mr. Bartolomeo urged residents to bring their issues to the attention of the Governing Body.

Mr. Bartolomeo attended the Senior Citizens Club monthly meeting where Jim Schatzle provided instruction on using a defibrillator. The current equipment talks you through the process, and these devices are placed within the Township to be used in the event of an emergency.

Mr. Orgo reported Ms. Ruth Leininger's son, Mark, recently won the Belmar Five, five mile race. Mark ran for Colts Neck High School and throughout college. Mr. Orgo commended Mark for his win.

Mr. Orgo noted the Swimming River proposal includes a generator with an 18 cylinder engine.

Mr. Orgo reported the Colts Neck Inn would be celebrating its 300th anniversary this fall.

Mayor Macnow advised he has ordered all Township flags flown at half-staff until further notice in honor of the recently fallen resident, Marine Dan Baldassare. Mayor Macnow reported he is awaiting further information and will provide information on the website to let the residents know if the funeral is open to the public. In the meantime, Mayor Macnow urged all to keep this family and the other families who lost their loved ones in their thoughts and prayers.

Mayor Macnow reported vandals were driving four-wheel drive vehicles in Bucks Mill Park fields and through the quick thinking of Mr. Hennessy, the perpetrators were apprehended by the Police.

Mayor Macnow commented on correspondence received from a resident on Privet Lane who took the time to write a letter of appreciation about the excellent response he received from Jeanie and Mike at DPW relating to brush pick up.

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

18. PUBLIC COMMENTS:

Ms. Elaine Mann, resident, spoke of S2903 regarding aid to schools and sponsored by Senator Beck. Ms. Mann is in favor of supporting this legislation. Ms. Mann questioned the purchase of a defibrillator and was advised by Mr. Bartolomeo that one was purchased by the Senior Club and is carried on all trips and at Senior Club events. Ms. Laufer commented it was on their recent trip to Canada.

Ms. Sue Fitzpatrick, President of the CNBA, thanked the Fire Department, DPW, Township Committee and all involved for the success of the fireworks. Ms. Fitzpatrick noted the events preceding the fireworks included phenomenal musical performances, Delicious Orchards donated donuts, Phil Maida and Martha Leonhardt directing parking, the Boy Scouts clean up after the event, and she gave special thanks to Thom Hennessy for his support.

Ms. Michele Battista, resident, thanked Carolyn Burtnick, Community Magazine, for her recent story.

Ms. Judy Laufer, resident, advised she attended the Planning Board meeting last evening and retained all drawings available. Ms. Laufer noted there was no mention about the generator, and she expressed concern over noise levels and how often it will be running. Mayor Macnow noted it would predominantly impact Tinton Falls residents, and they should express their concerns about this proposal by American Water.

Ms. Modh, resident, thanked the Governing Body for approving tonight's ordinance relating to her property.

Mr. Alan Ryan, resident and member of Fire Department, noted the fire vehicle is registered. Mr. Ryan stated if the family of Dan Baldassare need anything from the Fire Department, they are ready to respond.

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.

19. **MOTION TO ADJOURN:** Mayor Macnow called for a motion to adjourn noting there would be no Executive Session this evening. Mr. Bartolomeo made a motion to adjourn, seconded by Mr. Rizzuto and unanimously carried by voice vote.

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						

Meeting adjourned at 9:20 p.m.


 Beth Kara, RMC, CMC
 Municipal Clerk