

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
APRIL 11, 2018, 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 Bartolomeo followed by a salute to the flag led by Ms. Elaine Mann. 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 10, 2018 stating that a regular meeting of the Colts Neck Township Committee would be held April 11, 2018 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 J. P. Bartolomeo, Deputy Mayor Thomas Orgo, and Committeemen Frank Rizzuto, Michael Viola and Russell Macnow

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

Absent: None

- APPROVAL OF MINUTES:** MEETING OF MARCH 28, 2018. Mayor Bartolomeo called for comments. Hearing none, Mayor Bartolomeo called for a motion. Mr. Viola made a motion to approve, seconded by Mr. Rizzuto and unanimously carried.

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

Mr. Macnow recused himself and left the meeting.

- ORDINANCE 2018-6:** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 176, "PEACE AND GOOD ORDER" TO ADD NEW ARTICLE II ENTITLED, "NUISANCES", was read by title at second reading by Mayor Bartolomeo. This ordinance limits the following: operation of construction equipment between the hours of 7:00 p.m. and 7:00 a.m. the following day; operation of landscape equipment (power mowers and power tools) between the hours of 8:00 p.m. and 8:00 a.m. the following day; loading and unloading operation of boxes, crates or containers between the hours of 7:00 p.m. and 7:00 a.m. the following day; and solid waste and recycling collection between the hours of 7:00 p.m. and 7:00 a.m. the following day. The trash collectors operating within the Township will be notified of the collection restrictions; however, since the current recycling contract was bid prior to establishing collection time restrictions, the current recycling vendor will not be restricted. All future contracts will reflect the collection times noted within. Hearing no comments, Mayor Bartolomeo called for a motion to open the public hearing. Mr. Orgo made a motion, seconded by Mr. Rizzuto and carried by voice vote by Messrs. Bartolomeo, Orgo, Rizzuto and Viola.

Mr. Jack Zumba, resident, commented, thank you.

Mr. Fulton Wilcox, resident, questioned if this restricts work done inside. Counsel Bennett Clark responded advising this restricts work done outside, not inside.

Hearing no further comments, Mayor Bartolomeo called for a motion to close the public hearing. Mr. Viola made a motion, seconded by Mr. Rizzuto and carried by voice vote by Messrs. Bartolomeo, Orgo, Rizzuto and Viola. Mayor Bartolomeo then called for a motion. Mr. Orgo made a motion to approve, seconded by Mr. Rizzuto and carried by Messrs. Bartolomeo, Orgo, Rizzuto and Viola.

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

Mr. Macnow was sought and returned to the meeting in progress.

3. **RESOLUTION 2018-59:** RESOLUTION AUTHORIZING THE REDUCTION OF PERFORMANCE GUARANTEE, PLANNING BOARD APPLICATION NO. 719A, AMBOY ROAD ASSOCIATES, LLC, BLOCK 53.01, LOT 11.01, was read by title by Mayor Bartolomeo. Mr. Orgo made a motion, seconded by Mr. Viola and unanimously carried.

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

4. **RESOLUTION 2018-60:** RESOLUTION SUPPORTING THE AMENDMENT OF CHAPTER 222 OF THE MUNICIPAL CODE OF THE TOWNSHIP OF COLTS NECK, "VEHICLES AND TRAFFIC" was read by title by Mayor Bartolomeo. Ms. Capristo advised this resolution was requested and required by the State DOT showing the Township's support for the prohibition of u-turns and left and u-turns across the median onto Public Works Way for all but authorized vehicles, which are defined as Emergency vehicles and government-owned or government-leased vehicles. Counsel Bennett Clark advised she has spoken to the State DOT and this resolution together with the following ordinance is required by them. Mayor Bartolomeo spoke of the issue noting this is what is required to avoid having Township vehicles and buses traveling a distance southbound on SR 34, then northbound to turn into Public Works Way. Hearing no further comments, Mayor Bartolomeo called for a motion. Mr. Macnow made a motion to approve, seconded by Mr. Rizzuto and unanimously carried.

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

5. **ORDINANCE 2018-7:** AN ORDINANCE AMENDING CHAPTER 222 OF THE CODE OF THE TOWNSHIP OF COLTS NECK ENTITLED, "VEHICLES AND TRAFFIC" was read by title at first reading by Mayor Bartolomeo. This

ordinance restricts traffic to right turns only when exiting Public Works Way onto Route NJ 34. Mr. Macnow made a motion to approve, seconded by Mr. Viola and unanimously carried. Mayor Bartolomeo set the public hearing April 25, 2018.

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

6. ADMINISTRATOR'S REPORT

Ms. Capristo reported the Colts Neck Lions Club is seeking Township Committee approval to serve beer, wine, and bourbon during the Kentucky Derby event in the Bucks Mill Community Center. Ms. Capristo advised the Lions provided the Township with the required Certificate of Insurance and are seeking a Social Affairs Permit from the State ABC. Township Committee unanimously approved.

Ms. Capristo advised the Emerald Ash Borer treatment will commence with trunk injections within the next four weeks.

7. MOTION TO APPROVE VOUCHERS: Mr. Rizzuto noted he reviewed the vouchers and recommends approval of the following:

Animal Control	\$101.23
Capital Fund	\$244,127.14
Construction Trust	\$16,807.55
Current Fund	\$2,916,996.60
Escrow	\$3,247.27
Grant Fund	\$4,566.95
Trust Fund	<u>\$8,851.53</u>
TOTAL	<u>\$3,194,698.27</u>

Mr. Rizzuto made a motion to approve, seconded by Mr. Macnow and unanimously carried with the following abstentions for approving bills from:

- Mayor Bartolomeo Adams Buchan and Paolo¹;
- Mr. Orgo Pine Tree Landscaping²;
- Mr. Rizzuto Fire Department expenditures³; and
- Mr. Macnow Sakoutis Bros. Disposal, Inc.⁴

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor Bartolomeo		X ¹		X ¹	
Deputy Mayor Orgo		X ²		X ²	
Rizzuto	M	X ³		X ³	
Viola		X			
Macnow	S	X ⁴		X ⁴	
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

8. TOWNSHIP COMMITTEE REPORTS:

Mr. Orgo reported SADC representatives were at the recent Farmland and Open Space Committee meeting and three properties will be closing under this program, one approximately January 2019; one approximately late 2019, and one in 2020. Mr. Orgo advised they discussed how growing marijuana on farmland preserved property is legal while boarding horses on farmland preserved property is not.

Mr. Orgo reported the Planning Board approved parking on Leland Road.

Mr. Viola reported there is free training being held in the Bayshore area on the administering of Narcan, and he noted the information is available this evening and is being placed on the Alliance page of the Township's website.

Mr. Viola reported the Shade Tree Commission is obtaining 200-300 saplings for the Elementary School students as part of their studies to offset the adverse effects of the Emerald Ash Borer. Mr. Viola advised the Shade Tree Commission is looking into grants and developing a forestry management plan to obtain the grant monies.

Mr. Viola advised the CNBA Luncheon was held today at Trump National Golf Club, which was well attended. There will be a CNBA card exchange at 9Round Fitness co-sponsored by Frutta Bowl on April 24, 2018. In addition, planning for the fireworks is underway and will include the Community Band and NWS Earle participation.

Mr. Rizzuto advised he discussed the noise ordinance at The Grande monthly meeting. Mr. Rizzuto heard The Grande community has mobile ice cream vendors repeatedly playing jingle music while waiting for customers, which also poses a nuisance.

Mr. Rizzuto reported the Historic Preservation Committee cancelled the monthly meeting.

Mr. Rizzuto advised Thomas Jefferson would be at the Eastman residence as part of the Woman's Club luncheon on Sunday afternoon.

Mr. Macnow commented two vehicles were recently stolen from driveways with the cars unlocked and keys in the vehicles. Mr. Macnow urged all to lock their vehicles and take the keys.

Mr. Macnow noted there was a very good turnout at today's CNBA luncheon, and commended the Police Department members that took the time to attend this event.

Mayor Bartolomeo advised he congratulated resident Sam Citto's 100th birthday at the Seniors Club luncheon. Deputy Director Freeholder Burry presented Mr. Citto with a Proclamation commemorating this milestone event.

Mayor Bartolomeo urged all to report any concerns they observe through the "Report a Concern" portal on the Township's website. The "no outlet" sign on Leland Road was addressed after its absence was brought to the Township's attention.

Mayor Bartolomeo advised Opening Day at Laird Road field is scheduled this Saturday at 10:00 a.m. In addition, Sunday with the Mayor continues this Sunday at 7:45 a.m. at Town Hall Park. Mayor Bartolomeo urged all residents to attend these events as a way to meet neighbors, regardless if you have children participating.

9. **COMMENTS FROM THE PUBLIC**

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

Mr. Fulton Wilcox, resident, stated he wants the Township Committee to reconsider the resolution passed tonight regarding the turning from NJ Route 34 onto Public Works Way. Counsel Bennett Clark advised this is a State Law, and the Township's passage of this resolution was mandated by the State DOT. Counsel Bennett advised the Township has no jurisdiction over a State road.

Ms. Elaine Mann, resident, stated she wants the Police Chief to provide his comments to this resolution in a letter to the NJDOT. Ms. Mann commented Perth Amboy is obtaining free refuse containers for use in their Town. Mayor Bartolomeo commented the downside of the containers is the advertising on the container. Mr. Macnow commented this program may be better suited to higher density communities. Ms. Mann suggested it be addressed by the County for all municipalities.

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

11. **RESOLUTION 2018-61: EXECUTIVE SESSION.** Mayor Bartolomeo called for a motion. Mr. Macnow made a motion, seconded by Mr. Viola and unanimously carried by voice vote. Counsel Bennett Clark advised the Township Committee would not be returning tonight to take formal action.

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

Meeting adjourned at 8:12 p.m.

Motion by Mr. Macnow, seconded by Mr. Orgo and unanimously carried to adjourn Closed Session. Motion by Mr. Orgo, seconded by Mr. Macnow and unanimously carried to reconvene in public session and adjourn meeting.

Meeting adjourned at 9:50 p.m.



Beth Kara, RMC/CMC
Municipal Clerk