

**TOWNSHIP OF COLTS NECK  
TOWNSHIP COMMITTEE MEETING  
AUGUST 8, 2018, 7:30 P.M.  
TOWN HALL**

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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 Krina Shaw. 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 on August 8, 2018 at 7:30 p.m. Town Hall. The notice was 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 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: Deputy Mayor Thomas Orgo

- APPROVAL OF MINUTES:** MEETING OF JULY 19, 2018. Mayor Bartolomeo called for comments and/or revisions. Hearing none, Mayor Bartolomeo called for a motion. Mr. Macnow made a motion to approve, seconded by Mr. Viola and unanimously carried.

<b>RECORD OF VOTE</b>					
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					

- RESOLUTION 2018-110:** RESOLUTION CONFIRMING APPOINTMENT OF SLEO III OFFICERS, SCOTT A. PEVONIS AND JAMES C. MC NAMARA was read by title by Mayor Bartolomeo. Mr. Macnow commented the two appointments this evening complete the staffing of well qualified SLEO III Officers for the High School and the local schools. Mr. Rizzuto commended the expeditious hiring of these Officers. Mayor Bartolomeo called for a motion. Mr. Macnow made a motion to approve, seconded by Mr. Rizzuto and unanimously carried.

<b>RECORD OF VOTE</b>					
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					

3. **ORDINANCE 2018-13:** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 102, "DEVELOPMENT REGULATIONS" OF THE CODE OF THE TOWNSHIP OF COLTS NECK BANNING BUSINESSES SELLING MARIJUANA AND/OR PARAPHERNALIA FACILITATING THE USE OF MARIJUANA AND FARMING OR MANUFACTURING OF MARIJUANA was read by title at continued second reading by Mayor Bartolomeo. This ordinance prohibits the growing of marijuana or cannabis, the manufacturing of natural or synthetic marijuana, cannabis or THC, and the sale of medical or recreational marijuana, cannabis, THC (natural or synthetic) or paraphernalia that facilitates its use in all zones. Mayor Bartolomeo called for a motion to open tonight's continued public hearing. Mr. Viola made a motion, seconded by Rizzuto and unanimously carried by voice vote.

Mr. Fulton Wilcox, resident, questioned what is prohibited and questioned the term "paraphernalia". Counsel Bennett Clark responded and advised the term paraphernalia is a legally defined term.

Ms. Flora Higgins, resident, stated she was in favor of this ordinance.

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 unanimously carried by voice vote. Mr. 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					

4. **ORDINANCE 2018-16:** AN ORDINANCE AMENDING AND SETTING THE SALARY AND WAGE RANGES FOR TOWNSHIP EMPLOYEES was read by title at second reading by Mayor Bartolomeo. This ordinance adds a job title to the current list of job titles for Township employees, and is considered routine in nature. Hearing no comments, Mayor Bartolomeo called for a motion to open the public hearing. Mr. Viola made a motion, seconded by Mr. Rizzuto and unanimously carried by voice vote. Hearing no comments, Mayor Bartolomeo called for a motion to close the public hearing. Mr. Viola made a motion, seconded by Mr. Rizzuto and unanimously carried by voice vote. 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. **RESOLUTION 2018-111:** RESOLUTION AUTHORIZING AND APPROVING AN INTERLOCAL SERVICE AGREEMENT FOR THE PURCHASE AND USE OF A FUEL PUMP SYSTEM BETWEEN THE TOWNSHIP OF COLTS NECK AND THE COLTS NECK BOARD OF EDUCATION was read by title by Mayor Bartolomeo. Ms. Capristo advised the Township had a very old and outdated fuel pump system that required replacement. The fuel pumps are used by the local school buses, and this agreement is a 50/50 cost share between the Township and the Local Board of Education. Mr. Rizzuto noted this would replace an extremely outdated system that has rusted away. Mayor Bartolomeo commented this is part of the evolution of the Town whereby outdated systems are being replaced by current technology. Hearing no further comments, Mayor Bartolomeo called for a motion. Mr. Rizzuto made a motion to approve, seconded by Mr. Viola and unanimously carried.

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

6. **RESOLUTION 2018-112:** RESOLUTION AUTHORIZING THE AWARD OF A THREE-YEAR AGREEMENT FOR ENERGY CONSULTING SERVICES WITH GABEL ASSOCIATES, INC. IN CONNECTION WITH THE IMPLEMENTATION OF THE COLTS NECK COMMUNITY ENERGY AGGREGATION PROGRAM (AUGUST 28, 2018 TO AUGUST 27, 2021) was read by title by Mayor Bartolomeo. Ms. Capristo advised this agreement provides the Township with the expertise to address the Energy Aggregation Program for Township residents. Hearing no further comments, 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					

7. **RESOLUTION 2018-113:** RESOLUTION AUTHORIZING AWARD OF BID, USE OF TOWNSHIP PROPERTY FOR AGRICULTURAL PURPOSES was read by title by Mayor Bartolomeo. Ms. Capristo advised this was publicly bid and the resolution awards a two-year contract (2019-2020) to Hemlock Hill Farm, Colts Neck, for the amount of \$1,050 per year. Mr. Antonides, Township Qualified Purchasing Agent, has reviewed the bid package and has found it acceptable. 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					

8. **RESOLUTION 2018-114:** RESOLUTION AUTHORIZING AND APPROVING AMENDMENT NO. 2 TO LEASE AGREEMENT BETWEEN THE TOWNSHIP OF COLTS NECK AND STC FIVE LLC, BY AND THROUGH GLOBAL SIGNAL ACQUISITIONS III LLC, EXTENDING THE LEASE AGREEMENT was read by title by Mayor Bartolomeo. This resolution extends the current lease agreement five years to September 1, 2023, for the wireless communications facility cell tower located within the DPW yard. Counsel Bennett Clark advised this was publicly bid, the bid reviewed and she has determined it is in conformance. 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					

9. **RESOLUTION 2018-115:** RESOLUTION AUTHORIZING AWARD OF BID— FY 2018 CAPITAL ROAD IMPROVEMENT PROGRAM PHASE II, ROAD IMPROVEMENTS (COLT-00743) (\$1,331,870.33) was read by title by Mayor Bartolomeo. This was publicly bid, and MECO Inc., of Millstone, New Jersey was the low bidder at \$1,331,870.30. Ms. Capristo advised this is the Five Point Road project, and the mill and pave component came in under estimate. Counsel Bennett Clark has reviewed and determined the bid is in conformance. Hearing no 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					

10. **RESOLUTION 2018-115A:** A RESOLUTION APPROVING CHANGE ORDER NO. 1 TO THE CONTRACT WITH SHAW SPORTS TURF FOR PURCHASE AND INSTALLATION OF SYNTHETIC SPORTS FIELDS IN THE AMOUNT OF \$11,351.00 was read by title by Mayor Bartolomeo. Ms. Capristo advised the additional cost was attributed to additional modifications to the scope of work, including prevailing wage labor charges, and includes \$1,651.00 for adding center

hash marks to football field; \$7,500.00 labor for adding center hash marks to football field; and \$2,200.00 labor to set home plate sleeve in new concrete and install home plate. Mayor Bartolomeo advised there were several options presented; however, this Committee is in favor of doing things right the first time. Hearing no 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					

11. **RESOLUTION 2018-116:** RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A VOLUNTEER AGREEMENT BETWEEN THE TOWNSHIP OF COLTS NECK AND THOMAS ORGO, SOIL PREPARATION AT BUCKS MILL PARK SOCCER FIELD was read by title by Mayor Bartolomeo. Counsel Bennett Clark advised Mr. Orgo has volunteered to do the soil preparation work at the Bucks Mill Soccer Field for free, and the volunteer services agreement has been prepared for indemnification purposes. Mr. Macnow commented it is very nice he is volunteering to do this work at no cost to the Township. Mayor Bartolomeo commented it is a good thing Mr. Orgo is sharing his skill set and saving the Township money for this project. Hearing no further comments, Mayor Bartolomeo called for a motion. Mr. Macnow made a motion to approve, seconded by Mr. Viola and unanimously carried.

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					

12. **RESOLUTION 2018-117:** RESOLUTION CONFIRMING REAPPOINTMENT OF MUNICIPAL CLERK BETH KARA was read by title by Mayor Bartolomeo. This resolution confirms the reappointment of Ms. Kara as Municipal Clerk effective September 14, 2018. Hearing no comments, 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					

**SWEARING IN OF MUNICIPAL CLERK, BETH KARA.** Mayor Bartolomeo administered the Oath of Office.

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

Mayor Bartolomeo read the following:

“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 2018-118:** RESOLUTION AUTHORIZING RELEASE AND RETURN OF ESCROW FUNDS, PLANNING BOARD APPLICATION NO. 462, WINDING BROOK FARM/STAVOLA BROTHERS FARM (\$10,608.59)

**\*RESOLUTION 2018-119:** RESOLUTION ESTABLISHING 2018 SALARIES AND WAGES FOR NON-UNION TOWNSHIP POSITION

**\*RESOLUTION 2018-120:** RESOLUTION CONFIRMING TEMPORARY PART-TIME APPOINTMENT OF CLERK/TYPIST, FINANCE, CHRISTINE BECKLEY ESCHERT

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

14. **ADMINISTRATOR’S REPORT**

Ms. Capristo advised the curb work at Five Point Road started and milling and paving will commence within the next week or so. Priority is being given to this project, given the opening of the school for the forthcoming year.

Ms. Capristo advised the Energy Aggregation bids will be opened September 5 with a possible award at the September 5 Township Committee meeting.

Ms. Capristo advised activity will begin shortly with the installation of the all purpose field at Five Point Park.

15. **MOTION TO APPROVE VOUCHERS:** Mr. Rizzuto stated he reviewed the vouchers and recommends approval of the following:

Animal Control	\$79.63
Capital Fund	\$96,887.69
Construction Trust	\$13,657.25
Current Fund	\$7,407,048.31
Escrow	\$4,276.49
Grant Fund	\$2,595.48
Trust Fund	<u>\$4,564.96</u>
<b>TOTAL</b>	<u><b>\$7,529,109.81</b></u>

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

- Mayor Bartolomeo Adams Buchan and Paolo;
- Mr. Rizzuto Fire Department Expenditures; and
- Mr. Macnow Sakoutis Brothers Disposal, Inc.

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

**16. TOWNSHIP COMMITTEE REPORTS:**

Mr. Viola reported the Wildlife Committee has worked with the State's Division of Fish and Wildlife, and the Town Hall pond will be re-stocked on August 24, with young sunfish and bass and other varieties. Children are invited to participate in this memorable event, which is scheduled to begin at 11:30 a.m., rain or shine.

Mr. Viola advised County Clerk Christine Hanlon addressed the Colts Neck Business Association (CNBA) this morning and provided information on the various services available by her office. Mr. Viola noted the CNBA will be having their annual card exchange at Trump National Golf Club August 21, and the CNBA is planning a pig roast at Huddy's Inn September 17.

Mr. Viola reported he attended and spoke at a meeting in Trenton regarding COAH. Mr. Macnow and Mr. Viola are discussing having another COAH informational session for residents in the fall.

Mr. Viola advised the Environmental Commission is working on an informational post for the website to advise residents of what should/should not be done in this environmentally sensitive community.

Mr. Viola advised the Board of Health approved the Source Brewing Waste Management Plan during its last meeting.

Mr. Rizzuto advised the Architectural Review Committee met in July and performed standard reviews on the applications received.

Mr. Rizzuto commented during the summer "Sundays with the Committeemen", which is more of a brisk walk without the Mayor, topics of interest are discussed among participants. Mr. Rizzuto urged residents to attend this Sunday morning event during which he and Committeeman Viola lead engage with residents on the Town Hall walking trail. Mayor Bartolomeo is anticipated to return after Labor Day.

Mr. Rizzuto advised the Fire Department is performing a pump drill at the High School this evening.

Mr. Macnow reported plans for the Police Station are proceeding and are now in the final design phase. The goal is a design that works now as well as in the future. A second building is planned for Bucks Mill Park, which would temporarily house the Police Department during the construction phase, when demolition begins next spring. The new Police building will be within the same footprint as the current building.

Mayor Bartolomeo reported dirt was spread on the field in upper Bucks Mill Park yesterday, and things are moving along.

Mayor Bartolomeo requested discussion on a possible "catch and release" ordinance for the ponds within Township-owned parks. All Committeemen were in agreement, and Mayor Bartolomeo requested an ordinance be included on the agenda for the next Township Committee meeting to ensure the newly stocked ponds aren't depleted.

Mayor Bartolomeo reported the Colts Neck Sports Foundation is honoring Jim Nance, former Colts Neck resident, on September 28, 2018 at Battleground Country Club. The money raised at this event will be used for recreation and Five Point Park improvements.

Mayor Bartolomeo urged all to participate in the "Sundays with the Mayor", noting he will be returning after Labor Day. Until then, "Sundays with the Committeemen" is enjoyable and informative.

Mayor Bartolomeo reported he attended the recent Senior Club meeting, where a discussion on the new brush, leaves, snow plowing ordinances were discussed. While some do not like the new ordinances, they were adopted for a reason and not as much brush and leaves are left curbside outside the collection schedule. While fines have not been issued, repeat offenders are being tracked.

Mr. Macnow commented the number one complaint received is about brush and leaves. Mr. Macnow noted the ordinances were considered in Long Range Planning for many months with the intent to make the Town look neater. Collection needs to be structured to ensure collection schedules remain on time.

Mr. Viola noted leaves and brush accelerate the degradation of the infrastructure, and we have to take care of our roads.

Mayor Bartolomeo thanked DPW and Code Enforcement for their diligence.

17. **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. Viola and unanimously carried by voice vote.

Ms. Michele Batista, Friends of the Library President and resident, thanked DPW Director Bader for spending his time to ensure the Library carpets were cleaned on the weekend with minimal disruption to patrons. Ms. Batista also advised the Woman's Club is having its annual "treasures and trinkets" sale at the Bucks Mill Community Center September 13-15, 2018. Ms. Batista announced the Library's annual Art Show and Sale begins October 5 running two consecutive weekends.

Mr. Thomas Papalia, resident, spoke of the heavy trucks hauling trash and the possibility of having one contractor for all of Colts Neck to ease the adverse impact on the roadways. Mr. Papalia also reported he has curbing covered with dirt which is now growing grass. Mayor Bartolomeo requested Mr. Papalia and all residents utilize the "Report a Concern" portal on the website or call it in to Town Hall. Counsel Bennett Clark commented if the property is not graded properly, it would be the property owner's responsibility to correct.

Ms. Judy Laufer, resident, noted she moved here 50 years ago when there was just one trash hauler; now there are many and questioned Township collection. Mr. Macnow advised the cost of Township collection would increase the budget significantly and would result in exceeding the 2% budget CAP, which would require a voter referendum. Mr. Macnow advised many waste haulers are very competitive, and noted the increase in on-line shopping and home shipments greatly increase the number of trucks within the Township. Mayor Bartolomeo noted when streets were paved years ago, they didn't pave as deep as today's standards, and the product today is a higher quality.

Mr. Fulton Wilcox, resident, noted in general, streets in the Township need sweeping, but was not specific as to which streets.

Mr. Charles Camarata questioned where the new Police building would be placed, and was advised it would be located in the same place. Mr. Camarata questioned the cost of the building, to which Mr. Macnow responded once the building is finalized, cost will be determined.

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 2018-109: EXECUTIVE SESSION.** Mayor Bartolomeo called for a motion. Mr. Macnow made a motion, seconded by Mr. Rizzuto and unanimously carried by voice vote. Mayor Bartolomeo stated the Township Committee would not be returning to take action this evening.

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					

Meeting adjourned at 8:25 p.m.

Motion by Mr. Viola, seconded by Mr. Macnow and unanimously carried to adjourn Closed Session.

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

Meeting adjourned at 9:09 p.m.

  
 Beth Kara, RMC/CMC  
 Municipal Clerk