

**COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING
SEPTEMBER 26, 2018
7:30 P.M. AT TOWN HALL**

CALL MEETING TO ORDER

SALUTE TO THE FLAG

“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 SEPTEMBER 26, 2018 AT 7:30 P.M., TOWN HALL. 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

1. **MOMENT OF SILENCE:** IN MEMORY OF BENJAMIN T. FORESTER

2. **APPROVAL OF MINUTES:** SEPTEMBER 5, 2018

3. **MAYOR’S PROCLAMATIONS:**
 - PROCLAIMING OCTOBER 2018 AS BREAST CANCER AWARENESS MONTH

 - PROCLAIMING OCTOBER 2018 AS DOMESTIC VIOLENCE AWARENESS MONTH

 - PROCLAIMING OCTOBER 6, 2018 AS KNOCK OUT OPIATE ABUSE DAY

 - PROCLAIMING OCTOBER 7–13, 2018 AS MENTAL ILLNESS AWARENESS WEEK

 - PROCLAIMING OCTOBER 23-31, 2018 AS RED RIBBON WEEK

4. **DISCUSSION:**
 - AMENDMENT TO CHAPTER 102-16, GUARANTEES AND INSPECTIONS (MR. ANFUSO)

5. **ORDINANCE 2018-18:** ORDINANCE AUTHORIZING THE VACATION OF EASEMENT BY THE TOWNSHIP COMMITTEE OF COLTS NECK TOWNSHIP, COUNTY OF MONMOUTH, STATE OF NEW JERSEY (BLOCK 46, LOT 17.13)
 - 1ST READING BY TITLE

 - COMMENTS

 - MOTION TO APPROVE

 - ROLL CALL

 - SET PUBLIC HEARING OCTOBER 10, 2018

6. **DISCUSSION:**
 - CEDAR DRIVE SHOULDER (MAYOR BARTOLOMEO)

7. **PRESENTATION:** WILDLIFE COMMITTEE – MR. ROBERT MAHONEY

8. **ORDINANCE 2018-17**: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 177 OF THE TOWNSHIP CODE ENTITLED, "RECREATION AREAS, PARKS AND NATURE PRESERVES"

2ND READING BY TITLE

COMMENTS

MOTION TO OPEN PUBLIC HEARING

MOTION TO CLOSE PUBLIC HEARING

MOTION TO APPROVE

ROLL CALL

9. **RESOLUTION 2018-130**: RESOLUTION TO AFFIRM CIVIL RIGHTS POLICY OF COLTS NECK TOWNSHIP WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

COMMENTS

MOTION TO APPROVE

ROLL CALL

10. **RESOLUTION 2018-131**: RESOLUTION OF GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"

COMMENTS

MOTION TO APPROVE

ROLL CALL

11. **RESOLUTION 2018-132**: RESOLUTION ADOPTING THE COLTS NECK TOWNSHIP PERSONNEL POLICIES AND PROCEDURES MANUAL

COMMENTS

MOTION TO APPROVE

ROLL CALL

12. **RESOLUTION 2018-133**: RESOLUTION AUTHORIZING THE EXECUTION OF A MUNICIPAL ASSISTANCE/SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF HOWELL AND COLTS NECK TOWNSHIP

COMMENTS

MOTION TO APPROVE

ROLL CALL

13. RESOLUTION 2018-134: APPROVAL TO SUBMIT A GRANT APPLICATION TO EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2019 NJDOT MUNICIPAL AID ROAD PROGRAM, IMPROVEMENTS TO BUCKS MILL ROAD, PHASE II

COMMENTS

MOTION TO APPROVE

ROLL CALL

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.

***RESOLUTION 2018-135:** RESOLUTION ACCEPTING THE PERFORMANCE GUARANTEES, ZONING BOARD APPLICATION NO. 983, BLOCK 46, LOT 17.13, (300 ROUTE 34)

***RESOLUTION 2018-136:** RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CONDUCT AN ELECTRONIC TAX SALE ON DELINQUENT PROPERTY TAXES

***RESOLUTION 2018-137:** RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT FOR 2017

***RESOLUTION 2018-138:** RESOLUTION AUTHORIZING PERMIT FEE REFUND (\$158.40)

***RESOLUTION 2018-139:** APPROVING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1309-33-006-003, FIVE KIDS VENTURE, LLC, FOR THE 2018/2019 LICENSE YEAR

***RESOLUTION 2018-140:** RESOLUTION ACCEPTING THE RESIGNATION OF TOWNSHIP EMPLOYEE, CAROL MAURO

COMMENTS

MOTION TO APPROVE

ROLL CALL

15. ADMINISTRATOR'S REPORT

16. MOTION TO APPROVE VOUCHERS

COMMENTS

MOTION TO APPROVE

ROLL CALL

17. TOWNSHIP COMMITTEE REPORTS

18. COMMENTS FROM THE PUBLIC

MOTION TO OPEN PUBLIC HEARING

MOTION TO CLOSE PUBLIC HEARING

19. RESOLUTION 2018-141: EXECUTIVE SESSION

COMMENTS

MOTION TO APPROVE

ROLL CALL

***THE NEXT TOWNSHIP COMMITTEE MEETING IS-
WEDNESDAY, OCTOBER 10, 2018, 7:30 P.M.
TOWN HALL, 124 CEDAR DRIVE, COLTS NECK, NJ***

MAYOR'S PROCLAMATION

BREAST CANCER AWARENESS MONTH WITHIN COLTS NECK TOWNSHIP

OCTOBER 2018

WHEREAS, breast cancer is the most common cancer among women in the United States, other than skin cancer, and

WHEREAS, the chance of a woman having invasive breast cancer some time during her life is a little less than 1 in 8. The chance of dying from breast cancer is 1 in 35, and

WHEREAS, the National Cancer Institute estimates in the United States more than 200,000 women will be diagnosed with breast cancer this year and more than 40,000 people will die, and

WHEREAS, research has shown that taking advantage of early detection methods such as routine self-examination, clinical breast exams, and mammography, at the direction of a health care provider, could help drop the cancer rate by as much as 30 percent.

NOW, THEREFORE, I, J.P. Bartolomeo, Mayor of Colts Neck Township, do hereby proclaim October 2018 as *Breast Cancer Awareness Month* within Colts Neck Township and urge our residents to become aware of the importance of breast cancer prevention, detection, and treatment.

J.P. Bartolomeo
Mayor

Beth Kara, RMC/CMC
Municipal Clerk

September 26, 2018

MAYOR'S PROCLAMATION

DOMESTIC VIOLENCE AWARENESS MONTH

OCTOBER 2018

WITHIN COLTS NECK TOWNSHIP

WHEREAS, domestic violence remains a devastating public health crisis when one in four women will be physically or sexually assaulted by a partner at some point in her lifetime;

WHEREAS, individuals of every race, gender, and background face domestic violence;

WHEREAS, children exposed to domestic violence, whether victims or witnesses, are at higher risk for failure in school, emotional disorders, substance abuse, and perpetrating violent behavior later in life;

WHEREAS, ending domestic violence requires a collaborative effort involving every part of our society, and we must work to protect survivors, bring offenders to justice, and change attitudes that support such violence.

NOW, THEREFORE, I, J.P. Bartolomeo, Mayor of Colts Neck Township, together with the entire Colts Neck Township Committee, do hereby recognize and proclaim the month of October 2018 as Domestic Violence Awareness Month within Colts Neck Township recognizing the tremendous progress made in reducing domestic violence and recommitting to make everyone's home a safe place.

J.P. Bartolomeo
Mayor

Beth Kara, RMC/CMC
Municipal Clerk

September 26, 2018

MAYOR'S PROCLAMATION

KNOCK OUT OPIATE ABUSE DAY

OCTOBER 6, 2018

WITHIN COLTS NECK TOWNSHIP

WHEREAS, In 2016 -- the most recent year with complete data -- more than 42,000 people in the United States and 2,000 people in New Jersey lost their lives from an opioid overdose; and

WHEREAS, New Jersey is in the midst of a life-threatening opiate abuse epidemic and is on pace to have more than 3,000 drug overdose deaths in 2018; and

WHEREAS, the Partnership for a Drug-Free New Jersey has designated October 6, 2018 as Knock Out Opiate Abuse Day; and

WHEREAS, this initiative has a dual purpose:

- (1) To educate residents of the addictive qualities of opioid pain medicines and their link to heroin abuse rates in New Jersey; and
- (2) To seek outreach to physicians for safer prescribing messages found in the Centers for Disease Control and prevention guidelines for prescribing opiates, which include considering other therapies, setting realistic treatment goals and discussing the pros and cons of opioids with patients.

NOW, THEREFORE, BE IT RESOLVED, I, J.P. Bartolomeo, Mayor of Colts Neck Township, together with the entire Colts Neck Township Committee, do hereby recognize and proclaim October 6, 2018 as Knock Out Opiate Abuse Day within Colts Neck Township and encourage all residents to participate in and support initiatives designed to raise awareness about opiate abuse in New Jersey.

J.P. Bartolomeo
Mayor

Beth Kara, RMC/CMC
Municipal Clerk

September 26, 2018

MAYOR'S PROCLAMATION

MENTAL ILLNESS AWARENESS WEEK

OCTOBER 7 - 13, 2018

WITHIN COLTS NECK TOWNSHIP

WHEREAS, mental illness is a term used for a group of disorders causing severe disturbances of thinking, feeling and relating;

WHEREAS, mental illness can affect persons of any age, sex, race, religion, social and economic background;

WHEREAS, during the course of any given year, 5.5 million Americans are disabled by severe mental illnesses;

WHEREAS, nearly two-thirds of all people with diagnosable mental disorders do not seek treatment because of stigma, ignorance, and lack of appropriate service and treatment options; and

WHEREAS, mental illness impacts one in four individuals.

NOW, THEREFORE, I, J. P. Bartolomeo, Mayor of Colts Neck Township, together with the entire Colts Neck Township Committee, do hereby recognize and proclaim the week of October 7-13, 2018 as Mental Illness Awareness Week within Colts Neck Township.

J.P. Bartolomeo
Mayor

Beth Kara, RMC/CMC
Municipal Clerk

September 26, 2018

MAYOR'S PROCLAMATION

RED RIBBON WEEK OCTOBER 23 - 31, 2018 WITHIN COLTS NECK TOWNSHIP

WHEREAS, Alcohol and drug abuse in this Nation have reached epidemic stages; and

WHEREAS, It is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and

WHEREAS, The National Red Ribbon Campaign offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles (no use of illegal drugs, no illegal use of legal drugs); and

WHEREAS, The National Red Ribbon Campaign will be recognized throughout our Nation during Red Ribbon Week, October 23-31, with this year's theme, "Life is Your Journey, Travel Drug Free"; and

WHEREAS, business, government, law enforcement, media, medical institutions, religious institutions, schools, senior citizens, service organizations, parents, guardians and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying red ribbons during this week-long campaign.

NOW, THEREFORE, BE IT RESOLVED, I, J.P. Bartolomeo, Mayor of Colts Neck Township, together with the entire Colts Neck Township Committee, do hereby recognize and proclaim the week of October 23-31, 2018 as Red Ribbon Week within Colts Neck Township and encourage our citizens to engage in drug prevention education, not only during Red Ribbon Week, but all year long, as the strong commitment to a drug-free Township.

J.P. Bartolomeo
Mayor

Beth Kara, RMC/CMC
Municipal Clerk

September 26, 2018

ORDINANCE NO. 2018-18

**ORDINANCE AUTHORIZING THE VACATION OF EASEMENT BY THE
TOWNSHIP COMMITTEE OF COLTS NECK TOWNSHIP,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF COLTS NECK TOWNSHIP, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1.

WHEREAS, Steven L. Garrett has previously recorded a Deed of Access Easement dated March 30, 2017, in the Monmouth County Clerk's Office as Instrument No. 2017036551 in Book 9221, Page 2133 as Grantor, which conveys to Colts Neck Township as Grantee those rights identified in the aforesaid Deed of Access Easement to use the Easement depicted thereby over property known as Block 46, Lot 17.13, for purposes of facilitating a highway access easement which was deemed appropriate as a condition of site plan approval awarded by the Colts Neck Township Zoning Board of Adjustment for the development of Block 46, Lot 17.14; and

WHEREAS, it now appears that the Colts Neck Township Zoning Board of Adjustment has decided that the aforementioned highway access easement would be better located if it were to traverse the southerly portion of Lot 17.13 and therefore, as part of the site plan approval for the development of Block 46, Lot 17.13, the Colts Neck Township Zoning Board of Adjustment has determined that the aforementioned March 30, 2017 Deed of Access Easement should be vacated and replaced with a new Deed of Access Easement; and

WHEREAS, that new Deed of Access Easement has been provided to Colts Neck Township in satisfaction of the requirement of the Colts Neck Township Zoning Board of Adjustment,

NOW, THEREFORE, BE IT ORDAINED that the Mayor of Colts Neck Township is hereby authorized to execute a document entitled: "Termination of Access Easement/Surrender of Rights" which will provide for the termination of the March 30, 2017 Deed of Access Easement referred to above for purposes of having that Termination of Access Easement/Surrender of Rights recorded with the Monmouth County Clerk.

SECTION 2.

This Ordinance shall take effect immediately.

I, Beth Kara, Municipal Clerk in Colts Neck Township, County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2018-18, introduced at a duly convened meeting of the Township Committee on the 26th day of September, 2018, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 10th day of October, 2018.

J.P. Bartolomeo, Mayor

Beth Kara, Municipal Clerk

RECORD OF VOTE												
	First Reading					Second Reading						
	September 26, 2018					October 10, 2018						
Committeeman	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Bartolomeo												
Deputy Mayor Orgo												
Rizzuto												
Viola												
Macnow												
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												

ORDINANCE 2018-17

AN ORDINANCE OF COLTS NECK TOWNSHIP, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 177 OF THE TOWNSHIP CODE ENTITLED "RECREATION AREAS, PARKS AND NATURE PRESERVES"

WHEREAS, the Township Committee has determined that regulations are required in connection with the use and enjoyment of the public parks and playgrounds in Colts Neck Township

WHEREAS, N.J.S.A. 40:61-1(f) permits municipalities to adopt by ordinance, rules and regulations related to the use of public parks, open spaces, playgrounds, beaches, water fronts and places for public resort and recreation;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck Township, in the County of Monmouth, State of New Jersey as follows: (additions to text indicated by underline; deletions to text indicated by ~~strikeout~~).

SECTION I That Chapter 177 "Recreation Areas, Parks and Nature Preserves" Article I "Recreation Area Rules and Regulations," Subsection 10 "Fishing" be amended and supplemented in the following parts:

Fishing, other than ice fishing, ~~by township residents and their friends,~~ shall be permitted in the ~~Community Center~~ ponds within Township-owned parks, subject to ~~rules of the New Jersey Fish and Game Commission~~ the following "Catch and Release" Policy:

"Catch and Release" refers to the requirement of the return to ponds within Township-owned parks of all fish and wildlife caught thereat.

The ponds within Township-owned parks are designated as catch and release sites, and all wildlife and fish caught, trapped or extracted from said ponds shall be returned immediately to the pond, and every reasonable effort must be taken to maintain the health and life of the wildlife.

It shall be a violation of this section for any person to deposit any fish, and/or other wildlife of any kind, into the ponds within Township-owned parks, other than in accordance with the "catch and release" requirements of the paragraph above, without the express authorization and directive from the Director of the Department of Recreation and Parks or his/her designee.

BE IT FURTHER ORDAINED, the remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this ordinance shall remain in full force and effect.

BE IT FURTHER ORDAINED, all ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

BE IT FURTHER ORDAINED, this ordinance shall take effect immediately upon passage, publication and filing according to law.

I, Beth Kara, Municipal Clerk in Colts Neck Township, County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2018-17, introduced at a duly convened meeting of the Township Committee on the 5th day of September, 2018, and adopted after public hearing at a duly convened meeting of the Township Committee on the 26th day of September, 2018.

J.P. Bartolomeo, Mayor

Beth Kara, Municipal Clerk

RECORD OF VOTE												
	First Reading					Second Reading						
	September 5, 2018					September 26, 2018						
Committeeman	M	S	Yes	No	NV	Ab	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												

RESOLUTION 2018-130

RESOLUTION TO AFFIRM CIVIL RIGHTS POLICY OF COLTS NECK TOWNSHIP WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of Colts Neck Township to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964, as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the Governing Body of Colts Neck Township has determined that certain procedures need to be established to accomplish this policy.

NOW, THEREFORE BE IT RESOLVED by the Township Committee that:

Section 1: No official, employee, appointee or volunteer of Colts Neck Township by whatever title known, or any entity that is in any way a part of the Township shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township's business or using the facilities or property of the Township.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township to provide services that otherwise could be performed by the Township.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Township Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Township Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Township Administrator shall establish a system to monitor compliance and shall report at least annually to the Governing Body the results of the monitoring.

Section 8: At least annually, the Township Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township. This communication shall include a statement from the Governing Body expressing its unequivocal commitment to enforce this resolution.

Section 9: This resolution shall take effect immediately.

I, Beth Kara, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 26th day of September 2018.

Beth Kara, Municipal Clerk

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

RESOLUTION 2018-131

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment
Decisions Under Title VII of the Civil Rights Act of 1964"**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of Colts Neck Township, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

I, Beth Kara, hereby certify that this is a true copy of a resolution passed during a regular meeting of the Township Committee held on September 26, 2018.

Beth Kara, Municipal Clerk

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

RESOLUTION 2018-132

**RESOLUTION ADOPTING THE COLTS NECK TOWNSHIP
PERSONNEL POLICIES AND PROCEDURES MANUAL**

WHEREAS, it is the policy of Colts Neck Township to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Township Committee has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Township Committee that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Township officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Township employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Township shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Township Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Township Administrator with the assistance of the Township's Labor Attorney shall assist in the implementation of the policies and procedures in this manual.

I, Beth Kara, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 26th day of September 2018.

Beth Kara, Municipal Clerk

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

RESOLUTION 2018-133

**AUTHORIZING THE EXECUTION OF A
MUNICIPAL ASSISTANCE/SHARED SERVICES AGREEMENT
BETWEEN THE TOWNSHIP OF HOWELL AND COLTS NECK TOWNSHIP**

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1, et seq.) authorizes local units such as this Municipality to enter into shared service agreements with other local units; and

WHEREAS, the Township of Howell, a local unit, has offered to provide municipal assistance/shared services to this Municipality; and

WHEREAS, it is in the best interest of this Municipality to enter into the proposed Municipal Assistance/Shared Services Agreement with the Township of Howell.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of Colts Neck Township that the Mayor and Municipal Clerk be and are hereby authorized to execute the attached Municipal Assistance/Shared Services Agreement with the Township of Howell.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution, along with the executed Municipal Assistance/Shared Services Agreement to the following:

1. Penny Wollman, Clerk, Township of Howell;
2. John Antonides; Chief Financial Officer;
3. Louis Bader, Public Works Director;
4. NJ Department of Local Government Services; and
5. Meghan Bennett Clark, Township Attorney.

I, Beth Kara, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 26th day of September 2018.

Beth Kara, Municipal Clerk

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

RESOLUTION 2018-134

**APPROVAL TO SUBMIT A GRANT APPLICATION TO
EXECUTE A GRANT CONTRACT WITH THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE
FY 2019 NJDOT MUNICIPAL AID ROAD PROGRAM,
IMPROVEMENTS TO BUCKS MILL ROAD, PHASE II**

WHEREAS, the Township of Colts Neck has determined that Bucks Mill Road, from Cedar Drive south 3,010 l.f. toward Monmouth County Route 537 is in a state of disrepair and is in need of reconstruction; and

WHEREAS, the Township desires to reconstruct said road under the New Jersey Department of Transportation, FY 2019 Municipal Trust Fund Program.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Colts Neck formally approves the grant application for the above-stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2019 - Improvements to Bucks Mill Road-00337 to the New Jersey Department of Transportation on behalf of Colts Neck Township.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Colts Neck Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

I, Beth Kara, do hereby certify the foregoing to be a true and accurate copy of a resolution passed by the Township Committee of the Township of Colts Neck during a regular meeting held on the 26th day of September 2018.

Beth Kara, Municipal Clerk

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

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement, as authorized by the resolution above.

ATTEST AND AFFIX SEAL

Beth Kara, RMC
Municipal Clerk

J.P. Bartolomeo
Mayor

RESOLUTION 2018-135

**AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEES
ZONING BOARD APPLICATION NO. 983, BLOCK 46, LOT 17.13
(300 ROUTE 34)**

BE IT RESOLVED by the Township Committee of the Township of Colts Neck that pursuant to the recommendation of the Township Planner, that it hereby accepts the following performance/safety and stabilization guarantee for the above-referenced variance:

1. Acceptance of Check No. 145 in the amount of \$10,030.00, which represents a cash performance/safety and stabilization guarantee; and
2. Acceptance of Check No. 147 in the amount of \$11,715.63, which represents the inspection fee.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Source Brewing, Applicant;
2. Timothy Anfuso, Township Planner;
3. John Antonides, Chief Financial Officer; and
4. Glenn Gerken, Township Engineer.

I, Beth Kara, do hereby certify the foregoing to be a true and accurate copy of a resolution passed by the Township Committee of the Township of Colts Neck during a regular meeting held on the 26th day of September 2018.

Beth Kara, Municipal Clerk

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

RESOLUTION 2018-136

AUTHORIZING THE TAX COLLECTOR TO CONDUCT AN ELECTRONIC TAX SALE ON DELINQUENT PROPERTY TAXES

WHEREAS, N.J.S.A.54:5-19.1 et seq. permits municipalities to conduct electronic tax sales pursuant to rules and regulations promulgated by the Director of the Division of Local Government Services; and,

WHEREAS, the rule thus promulgated requires a municipality to authorize said electronic tax sale by resolution of the governing body; and,

WHEREAS, an electronic tax sale provides a greater pool of potential lien buyers, thereby creating an environment for a more effective tax sale process.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of Colts Neck Township does hereby authorize and direct the Tax Collector to conduct an electronic tax sale on delinquent property taxes.

I, Beth Kara, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 26th day of September 2018.

Beth Kara, Municipal Clerk

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

RESOLUTION 2018-137

AUTHORIZING REFUND OF TAX OVERPAYMENT FOR 2017

BE IT RESOLVED by the Township Committee of Colts Neck Township that based upon the recommendation of the Tax Collector, a refund be made to the property owner shown as follows due to an overpayment of 2017 taxes:

<u>BLOCK</u>	<u>LOT</u>	<u>TAXPAYER</u>	<u>YEAR</u>	<u>TAX AMOUNT</u>
48	6	A & J Realty, LLC 297 Route 34 (Property Address) Payable To: A & J Twin Realty, LLC c/o Paff Law Firm PO Box 6767 Bridgewater, New Jersey 08807	2017	\$2,724.26

NOW, THEREFORE, BE IT RESOLVED that the Finance Officer is hereby authorized to issue individual check to the mortgage company shown and charge 2017 taxes in the total amount of \$2,724.26.

I, Beth Kara, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during the meeting held on the 26th day of September 2018.

Beth Kara, Municipal Clerk

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

RESOLUTION 2018-138

**AUTHORIZING PERMIT FEE REFUND
(\$158.40)**

BE IT RESOLVED by the Township Committee of the Township of Colts Neck that based on the recommendation of the Township Construction Official that it hereby authorizes the following related to Permit No. 2018-462:

- At the homeowner's request, that Permit No. 2018-462 be cancelled; and
- That 80 percent of the original permit fee in the amount of \$158.40 be returned to the homeowner:

Mr. Salvatore Sgroi
17 Wide Horizons Drive
Colts Neck, NJ 07722

BE IT FURTHER RESOLVED that a copy of this resolution be provided to:

1. Salvatore Sgroi;
2. John Antonides, Chief Financial Officer; and
3. Paul Vitale, Construction Official.

I, Beth Kara, do hereby certify the foregoing to be a true and accurate copy of a resolution passed by the Township Committee of the Township of Colts Neck during a regular meeting held on the 26th day of September 2018.

Beth Kara, Municipal Clerk

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

RESOLUTION 2018-139

**APPROVING THE RENEWAL OF
PLENARY RETAIL CONSUMPTION LICENSE NO. 1309-33-006-003
FIVE KIDS VENTURE, LLC
FOR THE 2018/2019 LICENSE YEAR**

WHEREAS, pursuant to N.J.S.A. 33:1-12.39, a Verified Petition requesting a Special Ruling to permit filing of the renewal application of the inactive Plenary Retail Consumption License, No. 1309-33-006-003, held by Five Kids Venture, LLC, for the license terms 2018/2019 and 2019/2020 has been filed with the New Jersey Division of Alcoholic Beverage Control; and

WHEREAS, the Director, Division of Alcoholic Beverage Control, must approve the Verified Petition prior to license renewal; and

WHEREAS, the Verified Petition was approved by the Director, Division of Alcoholic Beverage Control and under Docket No. 08-18-420, Job No. 253315, on September 13, 2018.

BE IT RESOLVED by the Township Committee of Colts Neck Township that the renewal of Plenary Retail Consumption License No. 1309-33-006-003, for the 2018/2019 License Year is hereby approved.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Shiela Inverso, NJ Division of ABC;
2. Richard Nasca, Skene Law Firm, P.C.;
3. Kevin Sauter, Chief, Colts Neck Police Department; and
4. Meghan Bennett Clark, Township Attorney.

I, Beth Kara, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 26th day of September 2018.

Beth Kara, Municipal Clerk

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

RESOLUTION 2018-140

**ACCEPTING THE RESIGNATION OF
TOWNSHIP EMPLOYEE
CAROL MAURO**

BE IT RESOLVED by the Township Committee of the Township of Colts Neck that it hereby acknowledges the receipt of and accepts the resignation of Carol Mauro, effective October 1, 2018.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Carol Mauro; and
2. John Antonides, Chief Financial Officer.

I, Beth Kara, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 26th day of September 2018.

Beth Kara, Municipal Clerk

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

RESOLUTION 2018-141

EXECUTIVE SESSION

WHEREAS, the Colts Neck Township Committee wishes to go into a closed Executive Session to discuss a subject which should not be discussed in public; and

WHEREAS, the exception to the Open Public Meetings Act which permits the Township Committee to discuss this matter in private about litigation, property acquisition, and contracts; and

NOW, THEREFORE, BE IT RESOLVED by the Colts Neck Township Committee that it go into an Executive Session to discuss litigation, property acquisition, and contracts; and

BE IT FURTHER RESOLVED that the results of such discussion may be revealed at such time as the matter is resolved.

I, Beth Kara, do hereby certify the foregoing to be a true and accurate copy of a resolution passed by the Township Committee of the Township of Colts Neck during a regular meeting held on the 26th day of September 2018.

Beth Kara, Municipal Clerk

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