

This agenda reflects the agenda to the extent known at the time of posting, pursuant to N.J.S.A. 10:4-8(d), and is tentative, subject to amendment, additions or deletions prior to the meeting.

**COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING
JANUARY 9, 2019
7:30 P.M., MOVED TO COURT HOUSE**

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 AND THE ASBURY PARK PRESS ON DECEMBER 13, 2018 STATING THAT A REGULAR MEETING OF THE COLTS NECK TOWNSHIP COMMITTEE WOULD BE HELD ON JANUARY 9, 2019 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. **APPROVAL OF MINUTES:** MEETINGS OF DECEMBER 12, 19, 2018

2. **RESOLUTION 2019-22:** RESOLUTION CONFIRMING PROMOTION OF OFFICER MORGAN SAVAGE TO THE RANK OF SERGEANT, COLTS NECK POLICE DEPARTMENT

COMMENTS
MOTION TO APPROVE
ROLL CALL

OATH OF OFFICE - SERGEANT MORGAN SAVAGE

3. **MAYOR’S RECOGNITION OF FIRST AID SQUAD CADETS**

4. **MAYOR’S RECOGNITION OF EAGLE SCOUTS**

5. **RESOLUTION 2019-23:** RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE MONMOUTH COUNTY REGIONAL HEALTH COMMISSION NO. 1 (MCRHC) AND COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH FOR THE PROVISION OF A COMMUNICABLE DISEASE CONTROL PROGRAM AND OTHER SPECIALIZED PUBLIC HEALTH SERVICES

COMMENTS
MOTION TO APPROVE
ROLL CALL

6. **RESOLUTION 2019-24:** RESOLUTION AUTHORIZING THE EXECUTION OF A MUNICIPAL ASSISTANCE/SHARED SERVICES AGREEMENT BETWEEN THE COLTS NECK BOARD OF EDUCATION AND COLTS NECK TOWNSHIP

COMMENTS
MOTION TO APPROVE
ROLL CALL

7. **RESOLUTION 2019-25:** RESOLUTION AUTHORIZING FORMAL TRANSFER OF FUNDS, 2018 BUDGET

COMMENTS
MOTION TO APPROVE
ROLL CALL

This agenda reflects the agenda to the extent known at the time of posting, pursuant to N.J.S.A. 10:4-8(d), and is tentative, subject to amendment, additions or deletions prior to the meeting.

8. **RESOLUTION 2019-26:** RESOLUTION APPROVING AND ENDORSING THE SUBJECT PROPERTY'S (BLOCK 22, LOTS 11, 12, 13 AND 14) INCLUSION IN THE SEWER SERVICE AREA ELEMENT OF MONMOUTH COUNTY'S WASTEWATER MANAGEMENT PLAN AND AUTHORIZING EXPANSION OF THE SUEZ FRANCHISE AREA

COMMENTS
MOTION TO APPROVE
ROLL CALL

9. **RESOLUTION 2019-26A:** RESOLUTION CONFIRMING APPOINTMENT OF TOWNSHIP PROFESSIONAL PURSUANT TO N.J.S.A. 40A:11-5 AND AUTHORIZING AWARD OF CONTRACT FOR PROFESSIONAL SERVICES PURSUANT TO N.J.S.A. 19:44A-20.5 WITH AN ESTIMATED VALUE THAT MAY EXCEED \$17,500

COMMENTS
MOTION TO APPROVE
ROLL CALL

10. **MOTION TO APPROVE 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 2019-27:** RESOLUTION APPROVING CHANGE ORDER NO. 1, FY 2018 CAPITAL ROAD IMPROVEMENT PROGRAM, PHASE 1 – CONCRETE IMPROVEMENTS (\$506.10)

***RESOLUTION 2019-28:** RESOLUTION APPROVING CHANGE ORDER NO. 1, (FINAL) FY 2016 MUNICIPAL ROAD IMPROVEMENT PROGRAM – IMPROVEMENTS TO FIVE POINT ROAD, PHASE II, PROJECT #COLT-00739, (-\$21,504.19)

***RESOLUTION 2019-29:** RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTANCE OF MAINTENANCE GUARANTEE, PLANNING BOARD APPLICATION NO. 690B, BLOCK 48, LOT 19 – 206 ROUTE 537 (HUDDY'S INN RESTAURANT)

COMMENTS
MOTION TO APPROVE
ROLL CALL

11. **ADMINISTRATOR'S REPORT**

12. **MOTION TO APPROVE VOUCHERS**

COMMENTS
MOTION TO APPROVE
ROLL CALL

13. **TOWNSHIP COMMITTEE REPORTS**

14. **COMMENTS FROM THE PUBLIC**

MOTION TO OPEN PUBLIC HEARING
MOTION TO CLOSE PUBLIC HEARING

15. **RESOLUTION 2019-30:** EXECUTIVE SESSION

COMMENTS
MOTION TO APPROVE
ROLL CALL

***THE NEXT REGULAR TOWNSHIP COMMITTEE MEETING IS
WEDNESDAY, JANUARY 30, 2019, 7:30 P.M.
TOWN HALL, 124 CEDAR DRIVE, COLTS NECK, NJ***

RESOLUTION 2019-22

**CONFIRMING PROMOTION OF
OFFICER MORGAN SAVAGE TO THE RANK OF SERGEANT
COLTS NECK POLICE DEPARTMENT**

BE IT RESOLVED by the Township Committee of Colts Neck Township that pursuant to the recommendation of the Chief of Police that it hereby confirms the promotion of Colts Neck Police Officer Morgan Savage to the rank of Sergeant, at an annual salary of \$122,907.64, pursuant to the terms and conditions of the employment contract between P.B.A. Local 333 and Colts Neck Township effective January 9, 2019; and

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

1. Frank Leccese, Acting Chief of Police;
2. Morgan Savage, Sergeant; and
3. 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 9th day of January 2019.

Beth Kara, Municipal Clerk

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

RESOLUTION 2019-23

**AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT
BETWEEN THE MONMOUTH COUNTY REGIONAL HEALTH COMMISSION NO. 1
(MCRHC) AND COLTS NECK TOWNSHIP
IN THE COUNTY OF MONMOUTH
FOR THE PROVISION OF A COMMUNICABLE DISEASE CONTROL PROGRAM
AND OTHER SPECIALIZED PUBLIC HEALTH SERVICES**

BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby approves and authorizes the Mayor and Clerk to execute an agreement between Colts Neck Township and the Monmouth County Board of Health for the provision of a Communicable Disease Control Program and other specialized public health services.

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 9th day of January 2019.

Beth Kara, Municipal Clerk

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

RESOLUTION 2019-24

**AUTHORIZING THE EXECUTION OF A
MUNICIPAL ASSISTANCE/SHARED SERVICES AGREEMENT
BETWEEN THE COLTS NECK BOARD OF EDUCATION
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 Colts Neck Board of Education, 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 into enter the proposed Municipal Assistance/Shared Services Agreement with the Colts Neck Board of Education.

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

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. Vincent Marasco, Business Administrator, CNBOE;
2. Louis Bader, Director, Department of Public Works;
3. John Antonides, Chief Financial Officer;
4. Department of Community Affairs, DLGS;
5. Monmouth County Shared Services Coordinator; and
6. 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 9th day of January 2019.

Beth Kara, Municipal Clerk

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

RESOLUTION 2019-25

**Authorizing Formal Transfer of Funds -
2018 Budget**

WHEREAS N.J.S.A. 40A:4-58 states : "Should it become necessary, during the first 3 months of the fiscal year, to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefor and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the governing body may, by resolution setting forth the facts, adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient"; and,

WHEREAS the Chief Financial Officer has recommended that the following transfers, being in compliance with N.J.S.A. 40A:4-58, be made:

2018 BUDGET TRANSFERS

TRANSFERS TO(INSIDE "CAPS"):

Financial Administration(Treasury):

Other Expenses	\$ 3,300.00	To cover additional expenses.
Telephone	2,100.00	To cover additional expenses.
TOTAL TRANSFERS TO	<u>\$ 5,400.00</u>	

TRANSFERS FROM(INSIDE "CAPS"):

Recreation Services and Programs:

Other Expenses	\$ 5,400.00
TOTAL TRANSFERS FROM	<u>\$ 5,400.00</u>

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township, County of Monmouth, (not less than 2/3 of the full membership concurring affirmatively) that the 2018 budget transfers be made a permanent part of this resolution, are hereby made and approved.

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 9th day of January 2019.

Beth Kara, Municipal Clerk

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

RESOLUTION NO. 2019-26

**APPROVING AND ENDORSING THE SUBJECT PROPERTY'S
(BLOCK 22, LOTS 11, 12, 13, AND 14) INCLUSION IN THE
SEWER SERVICE AREA ELEMENT OF MONMOUTH COUNTY'S
WASTEWATER MANAGEMENT PLAN AND AUTHORIZING
EXPANSION OF THE SUEZ FRANCHISE AREA**

WHEREAS, Colts Neck Township ("Township"), is seeking compliance with its Mount Laurel constitutional obligation to provide its fair share of housing to those families with low and moderate incomes;

WHEREAS, the Township intends to satisfy a portion of its affordable housing obligation by agreeing to the construction of a multi-family development on real property located at 302 Route 537, and identified as Block 22, Lots 11, 12, 13, and 14 on the Official Tax Map of the Township (the "Subject Property");

WHEREAS, the Subject Property requires public sewer and public water service to support the Subject Property's proposed development;

WHEREAS, the Subject Property is not presently located within the Sewer Service Area element of Monmouth County's Wastewater Management Plan;

WHEREAS, in order to receive public sewer service, the Subject Property must be included in the Sewer Service Area element of Monmouth County's Wastewater Management Plan;

WHEREAS, in order to receive public sewer and public water service, the Subject Property must be included in the franchise area of SUEZ Water New Jersey, Inc. ("SUEZ");

WHEREAS, it is the Township's intent to ensure that the Subject Property is eligible to receive public sewer service and public water service;

NOW THEREFORE, BE IT RESOLVED, that:

- 1) The Township hereby endorses the Subject Property's (Block 22, Lots 11, 12, 13, and 14) inclusion in the Sewer Service Area element of Monmouth County's Wastewater Management Plan; and
- 2) The Township hereby authorizes the expansion of the franchise area of SUEZ to provide sanitary sewer and water service to the Subject Property (Block 22, Lots 11, 12, 13, and 14).

I, Beth Kara, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the Township Committee of Colts Neck Township, County of Monmouth, State of New Jersey, at a regular meeting of said Committee on the 9th day of January, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of Colts Neck Township in the County of Monmouth and the State of New Jersey, on this 9th day of January, 2019.

BETH KARA, RMC, CMC
Municipal Clerk

RECORD OF VOTE

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

RESOLUTION 2019-26A

**CONFIRMING APPOINTMENT OF TOWNSHIP PROFESSIONAL
PURSUANT TO N.J.S.A. 40A:11-5 AND
AUTHORIZING AWARD OF CONTRACT FOR PROFESSIONAL SERVICES
PURSUANT TO N.J.S.A. 19:44A-20.5
WITH AN ESTIMATED VALUE THAT MAY EXCEED \$17,500**

WHEREAS, Colts Neck Township has a need to retain professional architect and planning services pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, an appointment in this regard can be made without the need of competitive bidding and public advertising pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, an appointment in this regard and a contract with the professional so named by this resolution may now be executed now that all provisions of N.J.S.A. 19:44A-20.8 are fully complied with; and

WHEREAS, proposed contract for said services for the year 2019 was received by the Township and is on file and available for public inspection in the Office of the Township Clerk; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of said services may exceed \$17,500 for the year 2019; and

WHEREAS, funds for said services are provided in the 2019 Municipal Budget;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby appoints the following for the year 2019:

Edward W. O'Neill, Jr., R.A., S.O.M.E. Architects, PC, for Architectural Services.

BE IT FURTHER RESOLVED by the Township Committee of Colts Neck Township that the Mayor and Clerk are hereby authorized to execute the contract with the aforesaid.

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

1. Edward W. O'Neill, Jr., S.O.M.E. Architects, PC; 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 9th day of January 2019.

Beth Kara, Municipal Clerk

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

RESOLUTION 2019-27

**APPROVING CHANGE ORDER NO. 1
FY 2018 CAPITAL ROAD IMPROVEMENT PROGRAM
PHASE I – CONCRETE IMPROVEMENTS
(\$506.10)**

BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby approves and authorizes the Mayor to execute Change Order No. 1 in the net amount of \$506.10 based on adjusted as-built quantities and additional work and further authorizes the Mayor and Clerk to execute same; and

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

1. Vendor, Earle Asphalt Company;
2. John Antonides, Chief Financial Officer; and
3. 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 Colts Neck Township during a regular meeting held on the 9th day of January 2019.

Beth Kara, Municipal Clerk

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

RESOLUTION 2019-28

**APPROVING CHANGE ORDER NO. 1 (FINAL)
FY 2016 MUNICIPAL ROAD IMPROVEMENT PROGRAM
IMPROVEMENTS TO FIVE POINT ROAD – PHASE II
PROJECT #COLT-00739
(-\$21,504.19)**

BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby approves and authorizes the Mayor to execute Change Order No. 1 in the net amount of (-\$21,504.19) based on adjusted as-built quantities and further authorizes the Mayor and Clerk to execute same; and

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

1. Vendor, Meco, Inc.;
2. John Antonides, Chief Financial Officer; and
3. 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 Colts Neck Township during a regular meeting held on the 9th day of January 2019.

Beth Kara, Municipal Clerk

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

RESOLUTION 2019-29

**AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE
AND
ACCEPTANCE OF MAINTENANCE GUARANTEE
PLANNING BOARD APPLICATION NO. 690B
BLOCK 48, LOT 19 – 206 ROUTE 537
(HUDDY’S INN RESTAURANT)**

BE IT RESOLVED by the Township Committee of Colts Neck Township that pursuant to the recommendation of the Township Planner and Township Engineer, that it hereby authorizes the following:

1. Release of Performance Guarantee No. B1151959 with Selective Insurance Company of America in the amount of \$112,282.20;
2. Release of Cash Performance Guarantee in the amount of \$12,475.80 plus accrued interest; and
3. Acceptance of two-year New Jersey Maintenance Surety Bond B1208769 in the amount of \$47,410.00, which represents 15% of the original cost estimate of the improvement work.

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

1. Applicant, Huddy’s Inn Restaurant, American Heritage Realty, LLC;
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 Colts Neck Township during a regular meeting held on the 9th day of January 2019.

Beth Kara, Municipal Clerk

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

RESOLUTION 2019-30

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 matters in private about contracts, personnel and legal advice regarding potential litigation; and

NOW, THEREFORE, BE IT RESOLVED by the Colts Neck Township Committee that it go into an Executive Session to discuss contracts, personnel and legal advice regarding potential litigation; 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 Colts Neck Township during a regular meeting held on the 9th day of January 2019.

Beth Kara, Municipal Clerk

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