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
FEBRUARY 27, 2019, 7:30 P.M.
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 AND THE ASBURY PARK PRESS ON DECEMBER 13, 2018 STATING THAT A REGULAR MEETING OF THE COLTS NECK TOWNSHIP COMMITTEE WOULD BE HELD ON FEBRUARY 27, 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

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1. **MAYOR'S PROCLAMATION:** IN HONOR OF COLTS NECK WOMAN'S CLUB 55TH ANNIVERSARY

2. **MAYOR'S PROCLAMATION:** PROCLAIMING MARCH 1, 2019 AS READ ACROSS AMERICA DAY WITHIN COLTS NECK TOWNSHIP

3. **MAYOR'S PROCLAMATION:** PROCLAIMING MARCH 2019 AS COLORECTAL CANCER AWARENESS MONTH WITHIN COLTS NECK TOWNSHIP

4. **ORDINANCE 2019-5:** ORDINANCE ENTITLED THE 2019 SALARY ORDINANCE FOR COLTS NECK TOWNSHIP (COLLECTIVE BARGAINING UNIT CONTRACTS)

   1ST READING BY TITLE
   COMMENTS
   MOTION TO APPROVE
   ROLL CALL
   SET PUBLIC HEARING MARCH 13, 2019

5. **ORDINANCE 2019-6:** AN ORDINANCE OF COLTS NECK TOWNSHIP AUTHORIZING THE ACCEPTANCE BY THE TOWNSHIP OF A DONATION OF CERTAIN REAL PROPERTY DESIGNATED AS TAX BLOCK 38, LOT 15.01, PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 40A:12-1 ET. SEQ.

   1ST READING BY TITLE
   COMMENTS
   MOTION TO APPROVE
   ROLL CALL
   SET PUBLIC HEARING MARCH 13, 2019

6. **ORDINANCE 2019-2:** ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 OF THE CODE OF COLTS NECK TOWNSHIP, "ARCHITECTURAL REVIEW COMMITTEE"

   2ND READING BY TITLE
   COMMENTS
   MOTION TO OPEN PUBLIC HEARING
   MOTION TO CLOSE PUBLIC HEARING
   MOTION TO APPROVE
   ROLL CALL

7. **ORDINANCE 2019-3:** ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 38 OF THE TOWNSHIP CODE ENTITLED, "LOCAL EMERGENCY PLANNING COMMITTEE"

   2ND READING BY TITLE
   COMMENTS
   MOTION TO OPEN PUBLIC HEARING
   MOTION TO CLOSE PUBLIC HEARING
   MOTION TO APPROVE
   ROLL CALL

8. **ORDINANCE 2019-4:** AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 173 OF THE TOWNSHIP CODE ENTITLED "PROPERTY MAINTENANCE"

   2ND READING BY TITLE
   COMMENTS
   MOTION TO OPEN PUBLIC HEARING
   MOTION TO CLOSE PUBLIC HEARING
   MOTION TO APPROVE
   ROLL CALL

9. **RESOLUTION 2019-48:** 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 LESS THAN $17,500

   COMMENTS
   MOTION TO APPROVE
   ROLL CALL

10. **RESOLUTION 2019-49:** RESOLUTION AUTHORIZING SETTLEMENT OF PET LICENSE OPRA LAWSUIT AND ATTORNEY FEE APPLICATION IN BOZZI V. COLTS NECK TOWNSHIP, DOCKET NO. MON-L-140-19 IN THE AMOUNT OF $2,800

    COMMENTS
    MOTION TO APPROVE
    ROLL CALL

11. **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 2019-50:** RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES AND THE ACCEPTANCE OF MAINTENANCE GUARANTEE, TRUMP NATIONAL GOLF CLUB, PLANNING BOARD APPLICATION 532B, BLOCK 46, LOT 1.52

    ***RESOLUTION 2019-51:** RESOLUTION AUTHORIZING THE ACCEPTANCE OF PERFORMANCE GUARANTEES, REVOLUTIONARY ROAD SUBDIVISION, PLANNING BOARD APPLICATION 730, BLOCK 17, LOT 2

    ***RESOLUTION 2019-52:** RESOLUTION CONFIRMING APPOINTMENT OF CODE ENFORCEMENT OFFICER, PART-TIME

    ***RESOLUTION 2019-53:** RESOLUTION AUTHORIZING RECREATION PROGRAM REFUND ($120.00)

COMMENTS
MOTION TO APPROVE
ROLL CALL

12. ADMINISTRATOR'S REPORT

13. MOTION TO APPROVE VOUCHERS

COMMENTS
MOTION TO APPROVE
ROLL CALL

14. TOWNSHIP COMMITTEE REPORTS

15. COMMENTS FROM THE PUBLIC

MOTION TO OPEN PUBLIC HEARING
MOTION TO CLOSE PUBLIC HEARING

16. MOTION TO ADJOURN

THE NEXT REGULAR TOWNSHIP COMMMITTEE MEETING IS
WEDNESDAY, MARCH 13, 2019, 7:30 P.M.
TOWN HALL, 124 CEDAR DRIVE, COLTS NECK, NJ

MAYOR'S PROCLAMATION

IN HONOR OF COLTS NECK WOMAN'S CLUB 55TH ANNIVERSARY

WHEREAS, the Colts Neck Woman's Club was duly established on March 20, 1964; and

WHEREAS, on March 20, 2019 the Colts Neck Woman's Club will celebrate their 55th Anniversary; and

WHEREAS, said Woman's Club is also a member of the New Jersey Federation of Woman's Clubs; and

WHEREAS, over the years the Colts Neck Woman's Club works tirelessly on a multitude of civic projects including Veteran's Day events, National Police Appreciation Week, Military support and Christmas stockings for personnel serving overseas, disaster relief support, Clean Communities litter abatement projects, maintaining the 9/11 Memorial and maintaining the entrance to the Library, just to name a few; and

WHEREAS, the Colts Neck Woman's Club also provides donations to the Colts Neck Fire Department, Fire Police, First Aid Squad, Library, Community Band and Cedar Drive Middle School Scholarships, Girls Career Institute Scholarships, 180 Turning Lives Around, Calico Cat food pantry, SPCA, CASA, Ronald McDonald House and Habitat for Humanity.

NOW, THEREFORE, I, Thomas Orgo, Mayor of Colts Neck Township, Colts Neck, New Jersey, along with the entire of Colts Neck Township Committee hereby recognize and honor the Colts Neck Woman's Club upon their 55th Anniversary and further proclaim March 20, 2019 as Colts Neck Woman's Club Recognition Day within Colts Neck Township.

Thomas Orgo
Mayor

Beth Kara
Municipal Clerk

February 27, 2019

MAYOR'S PROCLAMATION

PROCLAIMING MARCH 1, 2019 AS READ ACROSS AMERICA DAY WITHIN COLTS NECK TOWNSHIP

WHEREAS, the citizens of Colts Neck stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, Colts Neck Township has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's well being and long-term quality of life; and

WHEREAS, **NEA's *Read Across America,*** a national celebration of reading, will be conducted on March 1, 2019, which would have been the 115th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, Read Across America-NJ is being conducted state-wide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, and their local affiliates across the State to promote reading and adult involvement in the education of our community's students;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of Colts Neck Township calls on the citizens of Colts Neck to ensure that every child is in a safe place reading together with a caring adult on March 1, 2019;

BE IT FURTHER RESOLVED that the Township Committee of Colts Neck Township enthusiastically endorses NEA's Read Across America and Read Across America-NJ, and recommits our community to engage in programs and activities to make America's children the best readers in the world.

Thomas Orgo
Mayor

Beth Kara, RMC/CMC
Municipal Clerk

February 27, 2019

MAYOR'S PROCLAMATION

PROCLAIMING MARCH 2019
AS
COLORECTAL CANCER AWARENESS MONTH WITHIN COLTS NECK TOWNSHIP

WHEREAS, National Colorectal Cancer Awareness Month is an annual commemoration observed in the United States during the month of March, to increase awareness of colorectal cancer. In the United States it is organized by the Colorectal Cancer Alliance;

WHEREAS, National Colorectal Cancer Awareness Month in the United States was first established as a Presidential Proclamation, signed by William Jefferson Clinton on February 29, 2000;

WHEREAS, "Don't Assume" is the Colorectal Cancer Alliance's 2019 National Colorectal Cancer Awareness Month public awareness campaign. The goal is to challenge assumptions and misconceptions about colorectal cancer by dispelling myths, raising awareness, and connecting people across the country with information and support;

WHEREAS, colorectal cancer is the second-leading cause of cancer deaths in the United States among men and women combined but there is currently no cure;

WHEREAS, colorectal cancer affects men and women equally;

WHEREAS, every three minutes, someone is diagnosed with colorectal cancer and every ten minutes someone dies from colorectal cancer;

WHEREAS, Since the mid-1980s, the colorectal cancer survival rate has been increasing, due in part to increased awareness and screening;

WHEREAS, it is critical that all people, of all ages, know the signs and symptoms of the disease; and

WHEREAS, observing a Colorectal Cancer Awareness Month during the month of March provides a special opportunity to offer education on the importance of early detection and screening.

NOW, THEREFORE, I, Thomas Orgo, Mayor of Colts Neck Township, together with the entire Colts Neck Township Committee, do hereby proclaim March 2019 as Colorectal Cancer Awareness Month within Colts Neck Township.

Thomas Orgo Mayor	Beth Kara, RMC/CMC Municipal Clerk

February 27, 2019

ORDINANCE 2019-5

AN ORDINANCE ENTITLED THE 2019 SALARY ORDINANCE FOR COLTS NECK TOWNSHIP (COLLECTIVE BARGAINING UNIT CONTRACTS)

BE IT ORDAINED by the Township Committee of Colts Neck Township, in the County of Monmouth, as follows:

SECTION ONE: The salaries to be paid to appointed officials and employees of Colts Neck Township, in the County of Monmouth, and the time for payment of same, is hereby fixed as follows for 2019:

1. **Deputy Treasurer/Tax Collector** – an annual salary of up to $42,836.00, payable in equal installments, bi-weekly.

2. **Secretary to Planning Board/Board of Adjustment** – an annual salary of up to $49,297.00 plus up to $100.00 per meeting for Planning Board and up to $100.00 per meeting for Board of Adjustment, payable in equal installments, bi-weekly.

3. **Technical Assistant of the Construction Officer** – an annual salary of up to $52,300.00, payable in equal installments, bi-weekly.

4. **Secretary to Police Department** – an annual salary of up to $43,781.00, payable in equal installments, bi-weekly.

5. **Secretary to Public Works Department** – an annual salary of up to $47,731.00, payable in equal installments, bi-weekly.

6. **Secretary to Recreation Department** – an annual salary of up to $43,603.00, plus up to $100.00 per meeting, payable in equal installments, bi-weekly.

7. **Tax Clerk/Bookkeeper** – an annual salary of up to $40,000.00, payable in equal installments, bi-weekly.

SECTION TWO: The salaries to be paid to Police Officers of Colts Neck Township, in the County of Monmouth, are hereby fixed up to the following for 2019:

STEP	2019 SALARY
1st	$42,000.00
2nd	$45,130.00
3rd	$48,494.00
4th	$53,013.00
5th	$57,533.00
6th	$64,516.00
7th	$69,401.00
8th	$74,165.00
9th	$79,240.00
10th	$85,330.00
11th	$91,870.00
12th	$97,960.00
13th	$104,050.00
14th	$111,495.91
Corporal	$115,945.02
Sergeant	$122,907.64

SECTION THREE: Eligible Police Officers shall receive a yearly education incentive, as follows:

DEGREE	AMOUNT
Associate's	$ 700.00
Bachelor's	$1,500.00
Master's	$2,400.00

SECTION FOUR: All Ordinances, or parts of Ordinances, in conflict with this Ordinance, or any part thereof, are hereby repealed. All salaries contained herein are effective as of January 1, 2019 unless otherwise noted.

SECTION NINE: The Township retains the right to pay yearly salaries and wages at amounts less than those listed herein.

I, Beth Kara, Municipal Clerk in Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2019-5, introduced at a duly convened meeting of the Township Committee on the 27th day of February, 2019, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 13th day of March 2019.

Thomas Orgo, Mayor

Beth Kara, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	February 27, 2019					March 13, 2019				
Committeeman	M S	Yes	No	NV	Ab	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										

ORDINANCE 2019-6

AN ORDINANCE OF COLTS NECK TOWNSHIP AUTHORIZING THE ACCEPTANCE BY THE TOWNSHIP OF A DONATION OF CERTAIN REAL PROPERTY DESIGNATED AS TAX BLOCK 38, LOT 15.01, PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 40A:12-1, ET.SEQ.

WHEREAS, the Township Committee has received an offer from Janice A. Egeland, owner of certain real property located in the Township and designated on the Tax Map of Colts Neck Township as Block 38, Lot 15.01 offering to donate the subject property to the Township; and

WHEREAS, the Mayor and Township Committee have considered such offer and concluded that the acceptance of the donation of real property aforesaid is in the public interest and is authorized by N.J.S.A. 40A:12-5 to acquire any real property by gift; and

WHEREAS, such offer has been made without conditions or restrictions and once the Township obtains title, it is free to do whatever it chooses to do with the land; and

WHEREAS, the Mayor and the Township Committee find that the acceptance of the aforesaid gift is authorized by law and desires to acknowledge the Township's acquisition of the property;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township that the Township hereby acknowledges the donation of real property of Block 38 in Lot 15.01, pursuant to N.J.S.A. 40A:12-1, et. seq.

BE IT FURTHER RESOLVED that the appropriate Township officials and or agents are hereby authorized to execute all necessary documents to effectuate the aforesaid donation of real property.

BE IT FURTHER RESOLVED that there are no outstanding liens or taxes owed on the aforesaid lot.

BE IT FURTHER RESOLVED that this Ordinance shall become effective upon final adoption, publication and otherwise in accordance with N.J.S.A. 40:69A-181.

I, Beth Kara, Municipal Clerk in Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2019-6, introduced at a duly convened meeting of the Township Committee on the 27th day of February, 2019, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 13th day of March 2019.

Thomas Orgo, Mayor

Beth Kara, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	February 27, 2019					March 13, 2019				
Committeeman	M S	Yes	No	NV	Ab	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										

ORDINANCE NO. 2019-2

AN ORDINANCE OF COLTS NECK TOWNSHIP, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 2 "ARCHITECTURAL REVIEW COMMITTEE" OF THE CODE OF COLTS NECK TOWNSHIP

BE IT ORDAINED, by the Township Committee of Colts Neck Township that Chapter 2 "Architectural Review Committee" of the Code of Colts Neck Township shall be amended and supplemented in the following parts only: (additions to text indicated by underline; deletions to text indicated by ~~strikeout~~):

SECTION I: That Chapter 2-2 "Applicability of Regulations" be amended and supplemented as follows:

§ 2-2. Applicability of regulations

The regulations of this chapter shall apply to newly proposed subdivisions, site plan and variance applications ~~other structures and major changes to structures built prior to 1875~~.

SECTION II: That Chapter 2-4 "Scope of Review" be amended and supplemented as follows:

§ 2-4. Scope of review.

~~The Architectural Review Committee shall review any construction, addition or alteration to any building or to any part thereof, or to any physical structures, including signs, which effect exterior features visible from a public street, way or place.~~ All applications to the Planning Board or Board of Adjustment shall be referred to the Architectural Review Committee, which Committee shall make a report within the time prescribed by the Planning Board's referral schedule. Said report shall be advisory, with no final authority over any land use, zoning or planning decisions. If no such report is received within 35 days of such referral, the obligation to make such a referral shall be deemed satisfied.

SECTION III Severability. If any section, paragraph subsection, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

SECTION IV Repealer. 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.

SECTION V Inconsistent ordinance. All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION VI This ordinance shall take effect immediately upon passage, publication and filing according to law.

I, Kathleen Capristo, Deputy Municipal Clerk in Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2019-2, introduced at a duly convened meeting of the Township Committee on the 13th day of February, 2019, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 27th day of February 2019.

Thomas Orgo, Mayor

Kathleen Capristo, Deputy Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	February 13, 2019					February 27, 2019				
Committeeman	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab
Mayor Orgo		X								
Deputy Mayor Rizzuto		X								
Viola	S	X								
Macnow	M	X								
Bartolomeo					X					
M - Moved S - Seconded	X - indicates vote			NV - Not Voting			Ab - Absent			

I, Beth Kara, Municipal Clerk in Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2019-2, introduced at a duly convened meeting of the Township Committee on the 13th day of February, 2019, and adopted after public hearing at a duly convened meeting of the Township Committee on the 27th day of February 2019.

Thomas Orgo, Mayor

Kathleen Capristo, Deputy Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	February 13, 2019					February 27, 2019				
Committeeman	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab
Mayor Orgo		X								
Deputy Mayor Rizzuto		X								
Viola	S	X								
Macnow	M	X								
Bartolomeo					X					
M - Moved S - Seconded	X - indicates vote			NV - Not Voting			Ab - Absent			

ORDINANCE 2019-3

AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 38 OF THE TOWNSHIP CODE ENTITLED "LOCAL EMERGENCY PLANNING COMMITTEE"

WHEREAS, the Township Committee has determined, upon consultation with the Township Office of Emergency Management, that an additional Deputy Emergency Management Coordinator on the Local Emergency Planning Committee, is needed to ensure that the Office of Emergency Management is appropriately represented at all times of emergency;

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 38 "Local Emergency Planning Committee," Article 1 "Establishment" be amended and supplemented in the following parts:

There is hereby established by the Township Committee of ~~the Township of~~ Colts Neck Township a Local Emergency Planning Committee, which shall consist of ~~10~~ 12 members whose terms, powers, and duties are hereinafter set forth.

SECTION II That Chapter 38 "Local Emergency Planning Committee," Article 2 "Members and terms," Subsection A be amended and supplemented in the following parts:

The Chief of Police, the Chief of the Fire Department, the Captain of the First Aid Squad, the Emergency Management Coordinator, and ~~the~~ three (3) Deputy Emergency Management Coordinators shall be voting members of the Local Emergency Planning Committee by virtue of their position and need not be residents of ~~the Township of~~ Colts Neck Township.

The term of appointment for the three Deputy Emergency Management Coordinators is three years, initially staggered as follows:

The first appointee's term expires December 31, 2019;
The second appointee's term expires December 31, 2020; and
The third appointee's term expires December 31, 2021.

SECTION V That Chapter 38 "Local Emergency Planning Committee," Article 5 "Officers and organization," Subsection A be amended and supplemented in the following parts:

The Emergency Management Coordinator shall serve as the Chairperson of the Local Emergency Planning Committee and the three (3) Deputy Emergency Management Coordinators shall serve as the Deputy Chairpersons.

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 of 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, Kathleen Capristo, Deputy Municipal Clerk in Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2019-3, introduced at a duly convened meeting of the Township Committee on the 13th day of February, 2019, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 27th day of February 2019.

Thomas Orgo, Mayor

Kathleen Capristo, Deputy Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	February 13, 2019					February 27, 2019				
Committeeman	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab
Mayor Orgo		X								
Deputy Mayor Rizzuto		X								
Viola	S	X								
Macnow	M	X								
Bartolomeo					X					
M - Moved S - Seconded	X - indicates vote			NV - Not Voting			Ab - Absent			

I, Beth Kara, Municipal Clerk in Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2019-3, introduced at a duly convened meeting of the Township Committee on the 13th day of February, 2019, and adopted after public hearing at a duly convened meeting of the Township Committee on the 27th day of February 2019.

Thomas Orgo, Mayor

Beth Kara, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	February 13, 2019					February 27, 2019				
Committeeman	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab
Mayor Orgo		X								
Deputy Mayor Rizzuto		X								
Viola	S	X								
Macnow	M	X								
Bartolomeo					X					
M - Moved S - Seconded	X - indicates vote			NV - Not Voting			Ab - Absent			

ORDINANCE 2019-4

AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 173 OF THE TOWNSHIP CODE ENTITLED "PROPERTY MAINTENANCE"

WHEREAS, the Township regulates the condition and maintenance of residential and commercial property through Chapter 173 of the Township Code entitled "Property Maintenance"; and

WHEREAS, the Township wishes to clarify that snow removal at residential dwellings is held to the same standards as snow removal at commercial/business properties; and

WHEREAS, the Township wishes to ensure that all Landscapers conducting business in Colts Neck Township are aware of, and thus able to comply with, the provisions of Chapter 173 of the Township Code, and such other and further ordinances regarding property appearance, maintenance, and disposal of brush;

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

173-5 That Chapter 173 "Property Maintenance," Subsection 5 "Definitions" be amended and supplemented in the following parts:

"For hire" - shall mean to demand and/or accept payment or compensation for completion of services.

"Landscape" or "Landscaping Activity"- shall mean to be in the business, occupation or trade of adorning or improving property or portion of property by trimming or cutting grass and/or shrubs; by planting, installing or removing leaves, branches, grass, flowers, mulch, hedges or shrubs; or by planting, removing or installing trees. As used in this section, landscape and landscaping shall also refer to solicitation of the above referenced services.

"Person" – shall mean any individual or entity whose existence is recognized by law, including, but not limited to, any partnership, corporation (for-profit, nonprofit or municipal or its agencies), firm, association or any combination of the foregoing.

173-15 That Chapter 173 "Property Maintenance," Subsection 15 "Snow removal" be amended and supplemented in the following parts:

C. All owners, occupants and/or tenants of residential dwellings in Colts Neck Township, and/or persons hired on their behalf for the purposes of snow removal, shall be prohibited from plowing, throwing, stacking or in any other manner moving snow from their property onto the public streets within the Township of Colts Neck.

173-19 That Chapter 173 "Property Maintenance," Subsection 19 "Violations and penalties" be amended and supplemented as follows:

~~Violations and penalties.~~ Landscaping activity.

~~A violation of any provision of this chapter shall be punishable as provided in § 1-9 of this Code.~~

No person shall landscape for hire or engage in any landscaping activity for hire on any public or private property, whether residential or commercial, within the Township without first registering with the Township's Certified Recycling Professional via forms to be supplied by the Township.

173-20 That Chapter 173 "Property Maintenance" be amended and supplemented to include a new subsection, Subsection 20 "Application for registration, fees," as follows:

Application for registration, fees.

a. At the time of registration, applicants shall provide proof that they have received a copy of and will comply with the provisions of the Township Code regarding property maintenance, and Township policies and schedules regulating its brush and branch collection program.

b. Every registration shall be issued and renewed on an annual basis, effective February of each year, upon payment of an annual fee to the Township in the amount of forty ($40.00) dollars. The first year, 2019 registrations shall be effective July at a cost of twenty ($20.00) dollars and will run until February 2020.

c. No registration shall be required for any owner, lessee or tenant of real property who shall personally perform activities otherwise requiring a registration; except that all such work must otherwise comply with the Township's ordinances, policies and schedules.

d. The Township makes no guarantee or representation regarding the fitness, knowledge or qualification of any person that is registered by the Township to engage in landscaping for hire.

173-21 That Chapter 173 "Property Maintenance" be amended and supplemented to include the provisions of former 173-19 as a new subsection, Subsection 21 "Violations and penalties," as follows:

Violations and penalties.

A violation of any provision of this chapter shall be punishable as provided in § 1-9 of this Code.

BE IT FURTHER ORDAINED, if any section, paragraph subsection, clause or provision of this ordinance shall be adjudged invalid, Such adjudication shall apply only to the section, paragraph, subsection, clause of provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, the remainder of all other sections and subsections of the afore mentioned 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, Kathleen Capristo, Deputy Municipal Clerk in Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2019-4, introduced at a duly convened meeting of the Township Committee on the 13th day of February, 2019, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 27th day of February 2019.

Thomas Orgo, Mayor

Kathleen Capristo, Deputy Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	February 13, 2019					February 27, 2019				
Committeeman	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab
Mayor Orgo		X								
Deputy Mayor Rizzuto	S	X								
Viola	M	X								
Macnow		X								
Bartolomeo					X					
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent										

I, Beth Kara, Municipal Clerk in Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2019-4, introduced at a duly convened meeting of the Township Committee on the 13th day of February, 2019, and adopted after public hearing at a duly convened meeting of the Township Committee on the 27th day of February 2019.

Thomas Orgo, Mayor

Beth Kara, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	February 13, 2019					February 27, 2019				
Committeeman	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab
Mayor Orgo		X								
Deputy Mayor Rizzuto	S	X								
Viola	M	X								
Macnow		X								
Bartolomeo					X					
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent										

RESOLUTION 2019-48

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 LESS THAN $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 is less than $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:

Mario J. Delano, Esq.; Campbell, Foley, Delano & Adams, LLC; Conflict/Alternate Prosecutor;

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. Mario J. Delano, Esq.;
2. Meghan Bennett Clark, Township Attorney;
3. Kathryne Bradach, Municipal Court Clerk; and
4. 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 27th day of February 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 2019-49

RESOLUTION AUTHORIZING SETTLEMENT OF PET LICENSE OPRA LAWSUIT AND ATTORNEY FEE APPLICATION IN BOZZI v. COLTS NECK TOWNSHIP, DOCKET NO. MON-L-140-19 IN THE AMOUNT OF $2,800

WHEREAS, Ernest Bozzi (the "Complainant") filed a Verified Complaint and Order to Show Cause entitled Bozzi v. Colts Neck Township, Docket No. Mon-L-140-19 (the "Litigation"), against Colts Neck Township (the "Township") alleging that he was denied access to documents that were required to be produced to him under the Open Public Records Act (the "OPRA"); and

WHEREAS, the Complainant previously filed an identical Verified Complaint and Order to Show Cause against Wall Township for the same records he was denied under OPRA (the "Wall Township Litigation"); and

WHEREAS, the Monmouth County Assignment Judge issued a written Opinion in the Wall Township Litigation, finding the records requested by the Complainant were required to be produced unredacted under OPRA; and

WHEREAS, the Township does not contest the allegations raised by the Complainant within the Litigation against the Township; and

WHEREAS, the Township's records custodian will produced the unredacted records to the Complainant; and

WHEREAS, the Complainant retained an attorney, Donald M. Doherty, Jr., Esq., to represent him in the Litigation; and

WHEREAS, under OPRA, a prevailing party is entitled to an award of reasonable attorney's fees; and

WHEREAS, the Complainant's counsel has agreed to accept a fee award of $2,800, representing reasonably attorney's fees and costs incurred for filing the Litigation; and

WHEREAS, the Township has determined that it is in the best interest of the Township to settle this claim rather than incurring additional costs to litigate this issue.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township, County of Monmouth, New Jersey that it hereby authorizes the release of records pursuant to Mr. Bozzi's OPRA request in order to settle the pending litigation entitled Bozzi v. Colts Neck Township, Docket No. Mon-L-140-19; and

BE IT FURTHER RESOLVED that the inclusion of Mr. Bozzi's counsel fees in the settlement in the amount of $2,800 is hereby approved; and

BE IT FURTHER RESOLVED that the Township Administrator and/or the Mayor are hereby authorized to sign any documents necessary to implement and effectuate this settlement; and

BE IT FURTHER RESOLVED that upon submission of fully-executed settlement documents in a form approved by the Township Attorney, the Township's Finance Department is hereby authorized to issue a check in the amount of $2,800 to the Complainant's counsel or as directed within the settlement documents.

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 27th day of February 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 2019-50

AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES AND THE ACCEPTANCE OF MAINTENANCE GUARANTEE TRUMP NATIONAL GOLF CLUB PLANNING BOARD APPLICATION NO. 532B BLOCK 46, LOT 1.52

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 for Block 46, Lot 1.52:

1. Release of Performance Surety Bond No. K0821556A in the amount of $707,772.60;

2. Release of Cash Performance Guarantee in the amount of $78,641.40, plus any accrued interest; and

3. Acceptance of Maintenance Guarantee Bond No. 09299384, Fidelity and Deposit Company of Maryland, in the amount of $77,043.00.

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

1. Applicant, Trump National Golf Club Colts Neck, LLC;
2. Timothy Anfuso, Township Planner;
3. John Antonides, Chief Financial Officer;
4. Meghan Bennett Clark, Township Attorney; and
5. 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 27th day of February 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 2019-51

AUTHORIZING ACCEPTANCE OF PERFORMANCE GUARANTEES
REVOLUTIONARY ROAD SUBDIVISION
PLANNING BOARD APPLICATION NO. 730
BLOCK 17, LOT 2

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 accepts the following for Block 17, Lot 2:

1. Acceptance of Standard New Jersey Performance Surety Bond No. CT024043, First Indemnity America Insurance Company, in the amount of $191,134.08; and

2. Acceptance of Cash Performance Guarantee in the amount of $21,237.12, representing 10% cash guarantee; and

3. Acceptance of Cash Inspection Fees in the amount of $8,848.80.

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

1. Applicant, John Kling;
2. Timothy Anfuso, Township Planner;
3. John Antonides, Chief Financial Officer;
4. Meghan Bennett Clark, Township Attorney; and
5. 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 27th day of February 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 2019-52

CONFIRMING APPOINTMENT OF
PART-TIME CODE ENFORCEMENT OFFICER

PAUL A. MURPHY, JR.

BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby confirms the appointment of Mr. Paul A. Murphy, Jr. as Part-time Code Enforcement Officer at a rate of $25 per hour, effective March 11, 2019; and

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

1. Mr. Paul A. Murphy, Jr.; and
2. Mr. 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 27th day of February 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 2019-53

AUTHORIZING RECREATION PROGRAM REFUND
($120.00)

BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby authorizes the following Recreation program refund:

Claire Carey	Yoga	$120.00

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 27th day of February 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		