

**TOWNSHIP OF COLTS NECK
TOWNSHIP COMMITTEE MEETING
MARCH 13, 2019, 7:30 P.M.
TOWN HALL**

The meeting of the Colts Neck Township Committee was called to order at 7:30 p.m. by Mayor Orgo, who requested Mr. Vito Viola lead the Salute to the Flag. The following statement was read by Municipal Clerk, Ms. Kara: "The notice requirements of the New Jersey Public Meetings Law have been satisfied by noticing the News Transcript on December 13, 2018 stating that a regular meeting of the Colts Neck Township Committee would be held on March 13, 2019 at 7:30 p.m. Town Hall. The notice was posted on the Township website, and a copy is on file in the office of the Township Clerk."

Roll call by Ms. Kara indicated the following:

Present: Mayor Thomas Orgo, Deputy Mayor Frank Rizzuto; Committeemen Michael Viola, Russell Macnow and J.P. Bartolomeo

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

Absent: Township Counsel Meghan Bennett Clark, Esq.

1. APPROVAL OF MINUTES:

MEETING OF February 13, 2019. Mayor Orgo called for comments and/or revisions. Hearing none, Mayor Orgo called for a motion. Mr. Rizzuto made a motion to approve, seconded by Mr. Viola and carried by Messrs. Orgo, Rizzuto, Viola and Macnow; Mr. Bartolomeo abstained.

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

MEETING OF FEBRUARY 23, 2019. Mayor Orgo called for comments and/or revisions. Hearing none, Mayor Orgo called for a motion. Mr. Rizzuto made a motion to approve, seconded by Mr. Viola and unanimously carried.

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

MEETING OF FEBRUARY 27, 2019. Mayor Orgo called for comments and/or revisions. Hearing none, Mayor Orgo called for a motion. Mr. Rizzuto made a motion to approve, seconded by Mr. Viola and carried by Messrs. Orgo, Rizzuto, Viola and Bartolomeo, Mr. Macnow abstained.

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

2. **RESOLUTION 2019-55:** RESOLUTION CONFIRMING APPOINTMENTS TO THE OFFICE OF EMERGENCY MANAGEMENT was read by title Mayor Orgo. This resolution appoints James Schatzle and Kevin Walsh to the positions of Deputy Emergency Management Coordinators with terms expiring 12/31/20 and 12/31/19, respectively. Mr. Macnow made a motion to approve, seconded by Mr. Viola and unanimously carried.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor 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					

3. **PRESENTATION:** PROPOSED CIGAR SHOP IN COLTS NECK. Mr. Salvatore Afieri, Esq. provided a briefing on the proposed cigar shop to be located in the left side portion and outdoor patio at the former Huddy's location. Mr. Alfieri advised his client has met with business owners, Health Officer Thomas Frank and Township Counsel Meghan Bennett Clark. The primary use (at least 51%) will be retail; the shop has a back room for members equipped with humidor locker storage. This business would also be supplying cigars to off-site events. Counsel Clark commented the Township appreciates this presentation, and while Township Committee approval is not required as this business falls within the Township's Code, the Township reserves the right to enact ordinances that may be more restrictive. Mr. Alfieri commented his client will continue to work closely with the Board of Health, noting a high-powered ventilation system was installed and the adjoining walls were sealed in accordance with guidelines provided.
4. **ORDINANCE 2019-7:** ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK was read by title at first reading by Mayor Orgo. Ms. Capristo advised this ordinance authorizes a one percent increase in the 2.5 percent budget CAP to be used in the interest of promoting the health, safety and welfare of Township citizens. The one percent increase amounts to \$90,731.63. Hearing no comments, Mayor Orgo called for a motion. Mr. Macnow made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried. Mayor Orgo set the public hearing March 27, 2019.

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

5. **ORDINANCE 2019-1:** ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 102, ARTICLE IX, SUBSECTION 102-92, ENTITLED “FARM STANDS, TEMPORARY SEASONAL” was read by title at second reading by Mayor Orgo. This ordinance adjusts the length of time of operation of a farm stand from 9 to 12 months, increases the size of the structure from 600 s.f. to 1200 s.f., allows temporary structures up to a total of 1600 s.f. for a nine-month period, reduces the setback from 75’ to 30’, clarifies the size of signage, and removes the requirement that farm stands be temporary and removed during off-season. This ordinance has been reviewed by the Planning Board and found to be consistent with the Township’s Master Plan, and would make Township Code consistent with State Law. Hearing no further comments, Mayor Orgo called for a motion to open the public hearing. Mr. Macnow made a motion, seconded by Mr. Bartolomeo and unanimously carried. Hearing no comments, Mayor Orgo called for a motion to close the public hearing. Mr. Bartolomeo made a motion, seconded by Mr. Viola and unanimously carried. Mayor Orgo called for a motion. Mr. Macnow made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried.

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

6. **ORDINANCE 2019-5:** ORDINANCE ENTITLED THE 2019 SALARY ORDINANCE FOR COLTS NECK TOWNSHIP (COLLECTIVE BARGAINING UNIT CONTRACTS) was read by title at second reading by Mayor Orgo. Ms. Capristo advised this ordinance includes the 2019 salaries established in the contracts for the Police and White Collar Collective Bargaining Units. Hearing no comments, Mayor Orgo called for a motion to open the public hearing. Mr. Bartolomeo made a motion, seconded by Mr. Viola and unanimously carried. Hearing no comments, Mayor Orgo called for a motion to close the public hearing. Mr. Bartolomeo made a motion, seconded by Mr. Rizzuto and unanimously carried. Mayor Orgo called for a motion. Mr. Macnow made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried.

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

7. **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. was read by title at second reading. Ms. Capristo advised this ordinance authorizes the acceptance of the donation, pending the results of the Phase I environmental assessment, which is currently underway. Hearing no comments, Mayor Orgo called for a motion to open the public hearing. Mr. Bartolomeo made a motion, seconded by Mr. Viola and unanimously carried.

Ms. Elaine Mann, resident, questioned where the property was located. Ms. Mann was advised the property is located on Lakeside and Swimming River.

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

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

8. **RESOLUTION 2019-56:** RESOLUTION AUTHORIZING SELF EXAMINATION OF 2019 MUNICIPAL BUDGET was read by title by Mayor Orgo. Ms. Capristo advised due to its sound financial position, the Township has been declared eligible to perform a self-examination of the 2019 municipal budget. Hearing no comments, Mayor Orgo called for a motion. Mr. Macnow made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried.

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

9. **RESOLUTION 2019-57:** RESOLUTION AUTHORIZING FORMAL TRANSFER OF FUNDS – 2018 BUDGET was read by title by Mayor Orgo. This resolution authorizes the transfer of \$70,000.00 from Legal Services (Legal Department), Other Expenses, \$30,000.00; and Police Department, Salaries and Wages, \$40,000.00; to Accumulated Sick and Vacation, \$70,000.00; to cover additional expenses. Hearing no comments, Mayor Orgo called for a motion. Mr. Bartolomeo made a motion, seconded by Mr. Viola and unanimously carried.

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

10. **RESOLUTION 2019-58:** RESOLUTION AUTHORIZING EXTENSION OF SERVICES ADDENDUM TO CONTRACT FOR PROFESSIONAL SERVICES BETWEEN COLTS NECK TOWNSHIP AND S.O.M.E. ARCHITECTS, P.C. was read by title by Mayor Orgo. Ms. Capristo advised this resolution extends the existing contract to include the preparation of specifications for mechanical, plumbing and electrical systems and the contracting for aforesaid services up to

\$7,000. Hearing no comments, Mayor Orgo called for a motion. Mr. Macnow made a motion to approve, seconded by Mr. Bartolomeo and unanimously carried.

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

11. **RESOLUTION 2019-58A:** RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN COLTS NECK TOWNSHIP AND CWA LOCAL 1075 RESOLVING ALL OUTSTANDING ISSUES BETWEEN THE TOWNSHIP AND THE CWA was read by title by Mayor Orgo. Ms. Capristo advised the Township and the CWA have reached an agreement as to all outstanding issues between the parties, including matters before the Public Employment Relations Commission and the Superior Court of Monmouth County. The CWA has ratified the memorandum of agreement; this resolution authorizes the Township's approval of the memorandum of agreement. Mr. Macnow thanked the Business Administrator and Labor Counsel, which was echoed by the Township Committee members. Hearing no further comments, Mayor Orgo called for a motion. Mr. Bartolomeo made a motion to approve, seconded by Mr. Viola and unanimously carried.

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

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

Mayor Orgo read the following:

"All items listed on the "Consent Agenda" are considered routine by the Township and are adopted or approved collectively by a single motion and roll-call vote of a majority of the Township Committee. If discussion is desired on any item, it is considered separately."

***RESOLUTION 2019-59:** RESOLUTION ACCEPTING THE RESIGNATION OF TOWNSHIP EMPLOYEE, PATRICIA FAMULARO

***RESOLUTION 2019-60:** RESOLUTION CONFIRMING APPOINTMENT TO THE HISTORICAL PRESERVATION COMMITTEE, TARA BUSS

Mayor Orgo called for a motion. Mr. Macnow made a motion to approve, seconded by Mr. Viola and unanimously carried.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
Mayor 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					

OATH OF OFFICE: Ms. Tara Buss was sworn in as a Member of the Historic Preservation Committee (HPC) by Deputy Mayor and HPC Liaison Frank Rizzuto.

13. ADMINISTRATOR'S REPORT

Ms. Capristo reported the Colts Neck Lions Club is seeking Township Committee approval to serve wine, beer and bourbon spirits at the 13th Annual Wine Tasting/Kentucky Derby event scheduled for May 4, 2019 at the Bucks Mill Community Center. The Lions Club has provided the required Certificates of Insurance consistent with Township requirements. Township Committee unanimously approved by voice vote.

Ms. Capristo advised JCP&L will be back in town performing vegetation management around transmission lines, which includes a targeting of Ash trees under attack from an infestation of the "Emerald Ash Borer". Trees marked with an "X" will be removed; those marked with an "I" will be pruned.

14. MOTION TO APPROVE VOUCHERS: Mr. Viola stated he reviewed the vouchers and recommends approval of the following:

Animal Control	\$105.37
Capital Fund	\$49,613.84
Construction Trust	\$13,283.45
Current Fund	\$10,980,061.31
Escrow	\$88,655.29
Grant Fund	\$2,410.62
Tax Collectors Trust	\$192,638.16
Trust Fund	\$9,354.78
TOTAL	<u>\$11,336,122.82</u>

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

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

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

15. TOWNSHIP COMMITTEE REPORTS:

Mr. Macnow advised the public forum on COAH within the Township will be scheduled relatively soon, as resolution approved by the Court is thought to be close. Mr. Macnow advised Mr. Anfuso and Mr. Lutkewitte are attending the Tinton Falls COAH meeting.

Mr. Macnow advised plans are underway for plans of a spring community-wide day of remembrance to commemorate those within this Township that have passed. The anticipated date is sometime in March 2020.

Mr. Bartolomeo attended the Senior Citizens monthly meeting.

Mr. Bartolomeo advised the Recreation Committee is involving the Sports Foundation in Recreation activities, and the Recreation Committee is seeking to increase membership of the Recreation Committee to include one member of the Sports Foundation, which would require an ordinance. Mr. Bartolomeo noted the Recreation activity calendar of events will be issued shortly. Copies will be mailed to residences, available at Town Hall and Recreation, and on the website.

Mr. Bartolomeo advised with the time change and beginning of daylight savings time, the 8:45 a.m. start for Sundays with the Committeemen around Town Hall Park may be changing. Any changes will be posted on the Township's website.

Mr. Bartolomeo reported he attended the Conover Road Elementary School's 50th Anniversary celebration. This was a well-attended event, with County representatives and Township Committee members in attendance, as well as many former students, teachers and principals, the most noteworthy of which was Ms. Shirley Anderson, after which the entrance road to the school was named Anderson Way. The Colts Neck Police Department Officers were well represented and interacted with the children and community members.

Mr. Bartolomeo advised the Sports Foundation Baseball/Softball Opening Day is April 6, 10:30 a.m., at Laird Road Park, and the following week, an Easter Egg Hunt will be held rain or shine April 13, 10:00 a.m., at Fire Company #1.

Mr. Bartolomeo advised Opening Day for Flag Football at the new field had an awesome turnout, and noted the field is being used almost continuously.

Mr. Viola advised the Shade Tree Commission met and is planning the sapling distribution at Town Hall April 13, from 9 to 11 a.m.

Mr. Viola reported today's meeting of the CNBA in Town Hall was well attended, and Freeholder Director Thomas Arnone was the guest speaker. The annual CNBA luncheon at Trump National Gold Club is now sold out. The CNBA will be supporting the Township's Memorial Day Parade.

Mr. Rizzuto reported the Building Committee met and discussed the plans for the Police Building and the Police temporary location at Bucks Mill Park. Plans are being finalized and will be presented in the future. Mr. Rizzuto advised a tour of the current Police building has been scheduled for March 25, at 6:00 p.m. Those wishing to attend should meet in the parking lot and must sign a waiver to participate in the tour. Basement and attic access are difficult.

Mr. Rizzuto advised the Historic Preservation Committee met yesterday. Plans are underway to replace the "Welcome to Colts Neck" signs. Historic Preservation is also planning for the "Weekend in Old Monmouth" event, which includes the Montrose Road School House as one of the many historic locations within Monmouth County. Mr. Rizzuto noted the repairs to the School House are being assessed, and the use of a storage shed is being reviewed.

Mr. Rizzuto reported the Friends of the Library Book Sale is scheduled for March 14-16, and noted there are many excellent deals on books available for purchase. The Library takes approximately 500 books out of circulation, and high-quality donations make this book sale a great event.

Mr. Rizzuto reported The Grande Association is concerned about the unauthorized use of their dumpsters and is looking into the use of cameras.

Mayor Orgo reported Clean Up Day is scheduled for May 11, from 7:00 a.m. to 2:00 p.m., at Mazza Recycling, 3230 Shafto Road, Tinton Falls. A newsletter is being finalized and will be mailed to residents and posted on the website shortly.

Mayor Orgo reported starting March 11, brush can be brought the DPW yard by residents (Monday through Friday, 8 a.m. – 3 p.m., and Saturday, 9 a.m. – 3 p.m.). Landscapers bringing brush from Township residences can purchase a permit (\$20 for 2019) and bring Township brush Tuesdays and Saturdays, 9 a.m. – 3 p.m..

Mayor Orgo advised Spring leaf collection is scheduled for April 8 to April 12. Leaves may be placed curbside between April 1 and April 7. Residents are urged to view the website for particulars on this one-week collection of leaves.

Mr. Rizzuto reminded residents the Police Department has a drop box in the Police lobby (pond side) for prescription and over-the-counter medications no longer needed or expired. Mr. Bartolomeo advised that based on Ms. Laufer's suggestion, the Police Department will bring a mobile medications drop box to the Senior Citizens monthly meeting.

16. COMMENTS FROM THE PUBLIC

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

Ms. Elaine Mann, resident questioned if the Township was still in litigation with Kevin Sauter, to which Mr. Macnow responded no, the litigation has been resolved. Ms. Mann questioned if the surface of the entry road in Five Point Park would be re-surfaced, and was advised that it will remain crushed stone. Ms. Mann spoke of where Township vehicle registrations were made, questioned the cost of tree removal (4 days at the Town Hall core site complex), DPW equipment being thrown out, and the replacement of gutters and slate on the roof of the current Police building. Mr. Macnow advised the buildings have been maintained; however, roof and gutter repairs to a building that will be replaced soon are not being scheduled.

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

11. **RESOLUTION 2019-61:** EXECUTIVE SESSION. Mayor Orgo called for a motion. Mr. Viola made a motion, seconded by Mr. Rizzuto and unanimously carried by voice vote.

RECORD OF VOTE						
Committeeman	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						

Counsel Clark advised the Township Committee will not be returning this evening for formal action.

Meeting adjourned at 8:20 p.m.

Motion by Mr. Viola, seconded by Mr. Rizzuto and unanimously carried by voice vote to adjourn Closed Session and reconvene in public session at 9:53 p.m.

Motion by Mr. Bartolomeo, seconded by Mr. Rizzuto and unanimously carried to adjourn meeting.

Meeting adjourned 9:54 p.m.


 Beth Kara, RMC/CMC
 Municipal Clerk