

**COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING
JUNE 12, 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 JUNE 12, 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 MAY 8 AND MAY 29, 2019

COMMENTS
MOTION TO APPROVE
ROLL CALL

2. **MAYOR’S PROCLAMATION:** COLTS NECK HIGH SCHOOL MOCK TRIAL TEAM

3. **DISCUSSION:**

ORDINANCE 2019- : AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY, ESTABLISHING A NEW CHAPTER OF THE CODE OF COLTS NECK TOWNSHIP ENTITLED “SMOKING PROHIBITED”

4. **ORDINANCE 2019-11:** AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING ORDINANCE 2019-8, AN ORDINANCE SETTING THE SALARY AND WAGE RANGES FOR TOWNSHIP EMPLOYEES

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

5. **ORDINANCE 2019-12:** AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY, AMENDING CHAPTER 168, PEDDLERS, CANVASSERS AND SOLICITORS OF THE CODE OF COLTS NECK TOWNSHIP

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

6. **ORDINANCE 2019-13:** AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 164, PEACE AND GOOD ORDER, ARTICLE I, SUBSECTION 9, ENTITLED, "LOITERING" OF THE CODE OF COLTS NECK TOWNSHIP

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

7. **RESOLUTION 2019-99:** RESOLUTION AUTHORIZING AWARD OF CONTRACT, BUCKS MILL PARK POLE STORAGE BUILDING

COMMENTS
MOTION TO APPROVE
ROLL CALL

8. **RESOLUTION 2019-100:** RESOLUTION AMENDING RESOLUTION 2019-76, "ESTABLISHING 2019 SALARIES AND WAGES FOR NON-UNION TOWNSHIP POSITIONS"

COMMENTS
MOTION TO APPROVE
ROLL CALL

9. **RESOLUTION 2019-101:** RESOLUTION CONFIRMING AND CERTIFYING LENGTH OF SERVICE AWARD PROGRAM (LOSAP) CREDITS FOR 2018 FOR COLTS NECK FIRST AID SQUAD

COMMENTS
MOTION TO APPROVE
ROLL CALL

10. **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 2019-102:** RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENT, BLOCK 38, LOT 15.01 (\$1,667.17)

***RESOLUTION 2019-103:** RESOLUTION AMENDING RESOLUTION 2019-91, "AUTHORIZING THE PURCHASE OF SHARP COPIER PRINTER NETWORK SCANNERS"

***RESOLUTION 2019-104:** RESOLUTION APPROVING INSERTION OF SPECIAL ITEM OF REVENUE, CLEAN COMMUNITIES GRANT (\$38,763.78)

***RESOLUTION 2019-105:** RESOLUTION ACCEPTING THE RESIGNATION OF TOWNSHIP EMPLOYEE, RONALD GOODSPEED

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 2019-106: EXECUTIVE SESSION

COMMENTS
MOTION TO APPROVE
VOICE VOTE

***THE NEXT REGULAR TOWNSHIP COMMITTEE MEETING IS
WEDNESDAY, JUNE 26, 2019, 7:30 P.M.
TOWN HALL, 124 CEDAR DRIVE, COLTS NECK, NJ***

ORDINANCE 2019-11

**AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE
COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING ORDINANCE 2019-8,
AN ORDINANCE SETTING THE SALARY AND WAGE RANGES
FOR TOWNSHIP EMPLOYEES**

BE IT ORDAINED by the Township Committee of Colts Neck Township, in the County of Monmouth, State of New Jersey that the purpose of this Ordinance is to set the salary and wage ranges paid within the Township as follows:

SECTION ONE: The salary to be paid to an employee encumbering the following position within Colts Neck Township, in the County of Monmouth, and the time for payment of same, is hereby fixed as follows:

Title	Minimum	Maximum
Technical Assistant to Construction Official Assistant	\$17/Hour	\$28/Hour

SECTION TWO: All ordinances or parts of ordinances in conflict with this ordinance or any part thereof are hereby repealed.

SECTION THREE: This ordinance shall take effect retroactively, as of May 1, 2019 after final passage and publication according to law.

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. 2019-11 was introduced at a duly convened meeting of the Township Committee on May 29, 2019, and adopted after public hearing at a duly convened meeting of the Township Committee on June 12, 2019.

Thomas Orgo, Mayor

Beth Kara, Municipal Clerk

RECORD OF VOTE												
	First Reading						Second Reading					
	May 29, 2019						June 12, 2019					
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Committeeman												
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												

ORDINANCE NO. 2019-12

**AN ORDINANCE AMENDING CHAPTER 168,
PEDDLERS, CANVASSERS, AND SOLICITORS
OF THE CODE OF COLTS NECK TOWNSHIP**

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

SECTION I: That Chapter 168 Peddlers, Canvassers and Solicitors of the Code of Colts Neck Township is amended and supplemented as follows: (additions to text indicated by underline, subtractions to text indicated by ~~strikeout~~).

Chapter 168 Peddlers, Canvassers and Solicitors

§168-1. License required.

It shall be unlawful for any peddlers, canvassers or solicitors, as defined in §168-2 of this chapter, to engage in any such business in Colts Neck Township without having first obtained a license therefore in compliance with the provisions of this chapter.

§168-2. Definitions.

When used in this chapter, the following terms shall have the following meanings:

CANVASSER OR SOLICITOR

Shall include any person, whether a resident of Colts Neck Township or not, who goes from house to house, from place to place or from street to street, soliciting or taking or attempting to take orders for sale of services, goods, wares or merchandise, including magazines, books, periodicals, photographs or personal property of any nature whatsoever for future delivery or for service to be performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such order or whether or not he or she is collecting advance payments on such orders. Such definition shall include any person who for himself or for another person, firm or corporation, hires, leases, uses or occupies any building, motor vehicle, trailer, structure, tent, railroad box car, boat, hotel, inn or motel room, lodging house, apartment, shop or other place in Colts Neck Township for the primary purpose of exhibiting samples and taking orders for future delivery.

PEDDLER

Shall include any person, whether a resident of Colts Neck Township or not, who goes from house to house, from place to place or from street to street, conveying or transporting goods, wares or merchandise or offering or exposing the same for sale, or making sales and delivering articles to purchasers.

§168-3. Exempted sales.

The terms of this chapter shall not be held to include the acts of persons selling personal property at wholesale to dealers in such articles, persons under the age of 16 years, persons distributing circulars or any other matter not relating or pertaining to commercial activities. Nothing contained in this chapter shall be held to prohibit any sale required by statute or by order of any court.

§168-4. Application information; investigation fee.

- A. Applicants for a peddlers, canvassers and solicitors license under this chapter must file with the Township Municipal Clerk a ~~sworn~~ notarized application, in writing which shall give the following information:
- (1) The name and physical description of the applicant.
 - (2) The complete permanent home and local address of the applicant.
 - (3) A brief description of the nature of the business and the goods to be sold
 - (4) If employed, the name and address of the employer, together with credentials therefrom establishing the exact relationship.
 - (5) The length of time for which the right to do business is desired.
 - (6) The source of supply of the goods or property proposed to be sold or orders taken for the sale thereof, where such goods or products are located at the time said application is filed and the proposed method of delivery.
 - (7) ~~A recent~~ Two passport quality photographs of the applicant, which picture shall be approximately two inches by two inches, showing the head and shoulders of the applicant in a clear and distinguishing manner.
 - (8) ~~Appropriate evidence as to the good character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and business responsibility.~~
 - (89) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, other than traffic violations, the nature of the offense and the punishment or penalty assessed therefor.
 - (910) The last municipalities, not to exceed three, where the applicant ~~carried on~~ conducted business immediately preceding the date of application, and the addresses from which such business was conducted in those municipalities.
- B. At the time of filing the application, a fee of \$100 shall be paid to the Township Municipal Clerk to cover the cost of investigation of the facts stated therein.

§ 168-5. Religious organization, etc., exempted; application; permit.

- A. Exemption; application. Any organization, society, association or ~~corporation~~ business entity desiring to solicit or have solicited in its name money, donations of money or property, or financial assistance of any kind or desiring to sell or distribute any item of literature or merchandise for which a fee is charged or solicited from persons other than members of such organization upon the streets, in office or business buildings, by house-to-house canvass or in public places for a charitable, religious, patriotic or philanthropic purpose shall be exempt from the provisions of §168-4, 168-6, 168-7 and 168-8E of this chapter.

§ 168-6. Investigation; issuance of license and badge.

- A. Upon receipt of each application, it shall be referred to the Colts Neck Township Police, Colts Neck Township, New Jersey, which shall conduct such investigation of the applicant's business and moral character as it deems necessary for the protection of the public good, and shall endorse the application in the manner prescribed in this section after it has been filed by the applicant with the Township Municipal Clerk.
- B. Issuance.
- (1) If, as a result of such investigation, the applicant's ~~character or business responsibility~~ background investigation is found to be satisfactory, said Colts Neck Township Police Chief shall endorse on such application such finding and return the said application to the Township Municipal Clerk who shall, upon payment of the license fees as herein provided, issue the license, and shall at the same time issue a badge setting forth the words "~~Licensed Solicitor~~" "Colts Neck Township SOLICITOR", the period for

which the license is issued and the number thereof in letters and figures easily discernable.

- (2) If as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the Colts Neck Township Police, shall endorse on such application its finding, its reasons for the same and shall return the said application to the Township Municipal Clerk. The issuance of the license shall then be considered and determined by the Township Municipal Clerk in conjunction with the recommendation of the Chief of Police.
- (3) The SOLICITOR badge is the property of Colts Neck Township and shall be returned to the Municipal Clerk upon expiration of the permit or upon the request of the issuer.

C. Invitation or Barring of Solicitors

- (1) ~~It is hereby declared to be one of the policies of the Township of Colts Neck that the occupant or occupants of the residences or businesses in the Township shall have the right to make a determination of who shall or shall not be invited to their respective residence or business. If a determination has been made by an occupant of a residence or business that solicitors, peddlers and/or hawkers shall not be invited to their respective residence or business, notice of the determination by the occupant refusing to invite solicitors to any residence or business shall be given by notice posted on the premises, and/or by requesting to be maintained on the Township No Knock List in the following manner:~~
 - (a) ~~No Solicitors Invited. The sign shall be no larger than 1 foot by 1 foot and the letters shall be at least two inches in height and shall be displayed so that they can be clearly visible to any prospective solicitors, peddlers and/or hawkers. Signs which indicate "No Solicitors Invited" shall constitute sufficient notice to any solicitor of the determination by the occupant of the residence or business of the information contained thereon, and if the notice states "No Solicitors Invited," then the solicitor, hawker and/or peddler shall immediately and peacefully depart from the premises. Any solicitor, hawker and/or peddler who has gained entrance to any residence or business, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.~~
- (2) ~~No Knock List. The Municipal Clerk shall maintain a list of names and addresses of residents and businesses who have determined that solicitors, peddlers and/or hawkers shall not be invited to their respective residences or businesses. Any resident or business shall be included on such list upon submission of a written request to the Town Clerk. The list, containing addresses only, shall be distributed to applicants seeking a license for the purposes mentioned herein. The licensee shall not solicit, peddle or hawk at any residence or business on the list. Any solicitor, peddler or hawker who goes upon any premises or rings a doorbell upon or near any door or creates any sound in any manner calculated to attract the attention of the occupant of such residence or business, when such residence or business is on the list provided, shall be considered to be engaging in uninvited soliciting, and shall be subject to the penalties set forth in §1-9 of this Code.~~

C. "No Knock" Registry.

- (1) The Municipal Clerk shall prepare a list of addresses of those premises where the owner and/or occupant has notified the Municipal Clerk that peddler, canvassers and solicitors and door-to-door sales enterprises are

not permitted on the premises (hereinafter referred to as the “No Knock” Registry). Notification shall be completion of a form available at the Municipal Clerk’s office during normal business hours. The list shall be updated as needed and a copy provided to the Chief of Police.

- (2) Any owner and/or occupant who has requested enlistment on the “No Knock” Registry pursuant to Subsection 1 herein shall be able to procure from the Municipal Clerk’s office a sticker for display at his/her/its premises indicating enlistment on the “No Knock” Registry. The first sticker shall be provided free of charge and may be picked up in person during regular business hours. If a replacement sticker is required, the individual may pick up a replacement at the Municipal Clerk’s office at no charge. A fee of \$1 must be paid to Colts Neck Township by any individual who desires to have the sticker mailed to him or her.
- (3) The Municipal Clerk shall distribute the current “No Knock” Registry to a licensee at the time of issuance of a peddler, canvasser, or solicitor license pursuant to the provisions of this chapter. The licensee shall not peddle, canvass, solicit or conduct door-to-door sales at any premises identified on the then current “No Knock” Registry.
- (4) Although the most current list of registrants on the “No Knock” Registry shall be provided by the Municipal Clerk, it is the responsibility of the peddler, canvasser or solicitor to have the most up-to-date list prior to performing their business.
- (5) Any peddler, canvasser or solicitor or owner or employee of a door-to-door sales enterprise who violates any provision of this section, if convicted, shall be:
- i Subject to a maximum ordinance violation fine of \$1,250.00 for
 - the first offense;
 - ii Subject to ninety (90) days in the county jail or in any place provided by the municipality for the detention of prisoners, for any term not exceeding 90 days for any offense thereafter; and
 - iii Subject to a permanent revocation of any license issued to the within chapter
- (6) Current “No Knock” Registrants are protected against the peddlers, canvassing or soliciting activities regulated by this article without having to register.

§ 168-7. License fees; veteran’s permit; interstate commerce; corporate employees.

- A. All licenses issued under this chapter shall run for consecutive days. Any individual or ~~corporation~~ business entity is required to have all employees intending to solicit, peddle or hawk obtain individual licenses. Every applicant for a license under this chapter shall pay \$5.00 a day.
- B. Any veteran who holds a special state license issued under the laws of the State of New Jersey shall be exempted from securing a license as provided herein, but shall be required to comply with §168-8, 168-9, 168-10, and 168-11 and 168-12 of this chapter and shall be required to procure from the Municipal Clerk a special veteran’s permit, which shall be issued by the Township Municipal Clerk upon proper identification.
- C. Any person engaged in interstate commerce shall be exempted from the payment of any application and license fees under this chapter; however, such persons shall be subject to all other provisions of this chapter and shall apply for and procure a

special permit from the Township Municipal Clerk upon proper identification and proof.

§168-8. Rules and regulations.

Every person to whom a license is issued under the terms of this chapter shall be governed by the following rules and regulations:

- A. All circulars, samples or other matter shall be handed to an occupant of the property and not left on or about the same.
- B. No person subject to the provisions of this chapter shall canvass, solicit or distribute circulars or other matter or call from house to house on any day later than 9:00 p.m. prevailing time.
- C. No person subject to the terms of this chapter shall enter or attempt to enter the house of any resident of Colts Neck Township without an express invitation from the occupant of the house.
- D. No person subject to this chapter shall conduct himself in such manner as to become objectionable to or annoy an occupant of any house.
- E. At all times that a person is engaged in the business licensed under the provisions of this chapter, the badge as provided for in §168-6B shall be conspicuously worn on the front of the licensee's outer garment.
- F. Ice cream vendors may park in a valid on-street parking area or public property while engaging in sales but shall not park in a stationary location for longer than ten minutes while performing a sale.

§168-9. Shouting wares; using noise making devices.

No licensee, nor any person in his or her behalf, shall shout, cry out, blow a horn, ring a bell or use any sound-amplifying device upon any of the streets, alleys, parks or other public places of the township or upon private premises where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, alleys, parks or other public places, for the purpose of attracting attention to any goods, wares or merchandise which such licensee proposes to sell.

§168-10. Interference with traffic.

No license shall have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location thereon, nor shall any be permitted to operate in a congested area where such operation might impede or inconvenience the public use of such streets. For the purpose of this chapter, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested and the public impeded or inconvenienced.

§168-11. Exhibiting license.

~~Licenses are required to exhibit their certificate of license at the request of any citizen or police officer.~~

Licenses are required to exhibit their Solicitor's License in plain sight at all times during the conduct of their authorized business within the Township.

168-12. Record of licenses and violations.

The Municipal Court Clerk shall report to the Township Municipal Clerk all convictions for violation of this chapter, and the Township Municipal Clerk shall maintain a record for each license issued and record the reports of violation therein.

§168-13. Revocation of license; hearing, notice.

- A. Licenses issued under the provisions of this chapter may be revoked by the Township Committee of Colts Neck Township, after notice and hearing, for any of the following causes:
- (1) Fraud, misrepresentation or a material incorrect statement contained in the application for license.
 - (2) Fraud, misrepresentation or a material incorrect statement made in the course of carrying on his or her business as solicitor, canvasser, or peddler.
 - (3) Any violation of this chapter.
 - (4) Conviction of any crime or misdemeanor.
 - (5) Conducting the business of peddler, canvassers, or solicitors, as the case may be, in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
- B. Notice of the hearing for revocation of a license shall be given by the Township Municipal Clerk, in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his or her last known address at least five days prior to the date set for hearing or shall be delivered by a police officer in the same manner as a summons at least three days prior to the date set for hearing.

§168-14. Expiration of license.

All annual licenses issued under the provisions of this chapter shall expire at 12:00 midnight the 31st day of December in the year when issued. Other than annual licenses shall expire at 12:00 midnight on the date specified in the license.

§168-15. Violations and penalties.

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

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

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

I, Beth Kara, Municipal Clerk, Colts Neck Township, County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2019-12, introduced at a duly convened meeting of the Township Committee on the 29th day of May, 2019, and was adopted after public

hearing at a duly convened meeting of the Township Committee on the 12th day of June, 2019.

Thomas Orgo, Mayor

Beth Kara, Municipal Clerk

RECORD OF VOTE												
	First Reading					Second Reading						
	May 29, 2019					June 12, 2019						
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Committeeman												
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												

ORDINANCE NO. 2019-13

**AN ORDINANCE OF COLTS NECK TOWNSHIP, IN THE COUNTY OF MONMOUTH AND
THE STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING
CHAPTER 164, PEACE AND GOOD ORDER, ARTICLE I, SUBSECTION 9
ENTITLED “LOITERING” OF THE CODE OF COLTS NECK**

BE IT ORDAINED by the Township Committee of Colts Neck Township, County of Monmouth, State of New Jersey that Chapter 164 “Peace and Good Order” Article I, subsection 9 Loitering; improper language; interfering with passerby 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 164-9 Loitering; improper Language; interfering with passerby is hereby repealed in its entirety and shall be supplemented in its entirety to read as follows:

§164-9 Loitering; Improper Language; Interfering With Passerby

A. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

Loitering – remaining idle or walking aimlessly about in essentially one location

Parent or Guardian – includes any adult person having care or custody of a minor, whether by reason of blood relationship, the order of any court or otherwise.

Public Place – A place to which the public has access and shall include any public building and grounds, street, highway, road, alley or sidewalk. It shall also include the front or the neighborhood of a store, shop, restaurant, tavern or other place of business, and public grounds, areas and parks, as well as parking lots or other vacant private property not owned by or under the control of the person charged with violating this chapter or, in the case of a minor, not owned or under the control of his parents or guardian.

B. Certain types of loitering prohibited.

No person shall loiter in a public place in such a manner as to:

1. Create or cause to be created a danger of a breach of the peace
2. Create or cause to be created any disturbance or annoyance to the comfort and repose of any person
3. Obstruct the free passage of pedestrians or vehicles
4. Obstruct, molest or interfere with any person lawfully in a public place. This subsection shall include the making of unsolicited remarks of an offensive, disgusting or insulting nature or which are calculated to annoy or disturb the person to whom, or in whose hearing, they are made.

C. Throwing objects.

In addition to the conduct described §164-9B the throwing of stones, snowballs or other objects at any person or vehicle shall be deemed to be a violation of this chapter.

D. Failure to obey order to move.

Any person violating the provisions of §164-9 shall be ordered to move on by a police officer. Any person who fails to move on after being ordered to do so shall be guilty of a violation of this chapter.

E. Loitering by minors.

No parent or guardian of a minor under the age of 18 years shall knowingly permit that minor to loiter in violation of this chapter. Whenever any minor under the age of 18 years is charged with a violation of this chapter, his parent or guardian shall be notified of this fact by the ranking police official or any other person designated by the Chief of Police to give such notice. If at any time within 30 days following the giving of notice the minor to whom such notice relates again violates this chapter, it shall be presumed in the absence of evidence to the contrary that the minor did so with the knowledge and permission of his parent or guardian.

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

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

I, Beth Kara, Municipal Clerk, Colts Neck Township, County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2019-13, introduced at a duly convened meeting of the Township Committee on the 29th day of May, 2019, and adopted after public hearing at a duly convened meeting of the Township Committee on the 12th day of June, 2019.

Thomas Orgo, Mayor

Beth Kara, Municipal Clerk

RECORD OF VOTE												
	First Reading					Second Reading						
	May 29, 2019					June 12, 2019						
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Committeeman												
Mayor Orgo			X									
Deputy Mayor Rizzuto		S	X									
Viola			X									
Macnow			X									
Bartolomeo	M		X									
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												

RESOLUTION 2019-99

**AUTHORIZING AWARD OF CONTRACT
BUCKS MILL PARK POLE STORAGE BUILDING**

WHEREAS, bids for the Bucks Mill Park Pole Storage Building have been duly advertised and publicly read pursuant to law; and

WHEREAS, the Township Attorney's review of the bid found it to be acceptable to award.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby awards a bid in this regard as follows:

Vendor: Dutchman Contracting LLC
278 N. Ridge Road
Reinholds, PA 17569

Amount: \$117,180.00

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute all documents in this regard; and

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

1. Dutchman Contracting LLC, Vendor;
2. Louis Bader, Public Works Director;
3. Thomas Hennessey, Jr., Recreation and Parks Director;
4. John Antonides, Chief Financial Officer; and
5. Meghan Bennett Clark, Esq., 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 12th day of June 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						

POLE STORAGE BUILDING
BID OPENING - THURSDAY, JUNE 6, 2019, 10:00 A.M.

VENDOR		BID
Dutchman Contracting LLC 278 N. Ridge Road Reinholds, PA 17569		\$117,180.00
Conestoga Construction (CB Structures, Inc.) 202 Orlan Road New Holland, PA 17757		\$143,795.00
George Koustas Painting & Construction LLC 70 Beechwood Avenue W. Long Branch, NJ 07764		\$198,000.00
Dodge Data & Analytics 300 American Metro Blvd Ste. 185 Hamilton, NJ 08619		NO BID
ConstructConnect, Inc. 3825 Edwards Rd., Ste 800 Cincinnati, OH 45209		NO BID

The apparent low bidder is Dutchman Contracting, LLC
The bid package will undergo Attorney review, and if all appears in order, the Township Committee meeting agenda will include a resolution to authorize the award of contract at the June 12, 2019 meeting.

Township Attendees at Bid Opening:
John Antonides, Qualified Purchasing Agent
Louis Bader, DPW Director
Beth Kara, Municipal Clerk

RESOLUTION 2019-100

AMENDING RESOLUTION 2019-76, "ESTABLISHING 2019 SALARIES AND WAGES FOR NON-UNION TOWNSHIP POSITIONS"

NOW, THEREFORE, BE IT RESOLVED that Resolution 2019-76 be amended as follows for the non-contractual individual listed to be paid the regular hourly wage for the year 2019, effective May 1, 2019, for services to Colts Neck Township in the designated position:

Title	Name	2019 Salary
Technical Assistant to Construction Officer Assistant	Linda Stagliano	\$25.10/hour

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 12th day of June 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 2019-101

**CONFIRMING AND CERTIFYING
LENGTH OF SERVICE AWARD PROGRAM (LOSAP)
CREDITS FOR 2018 FOR
COLTS NECK FIRST AID SQUAD**

WHEREAS, a Length of Service Award Program (LOSAP) was approved by voter referendum in 2003; and

WHEREAS, said LOSAP became effective for eligible First Aid and Fire Department volunteers as of January 1, 2004; and

WHEREAS, pursuant to NJSA 40A:14-191, emergency organizations participating in a LOSAP shall annually certify to the Township a list of all volunteers who have qualified for credit under a LOSAP; and

WHEREAS; the Colts Neck First Aid Squad has provided said list of eligible volunteers to the Township; and

WHEREAS, the Township Committee of Colts Neck Township has reviewed said list and has found same to be acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby approves and confirms the attached list of eligible volunteers from the Colts Neck First Aid Squad and hereby deems said eligible volunteers qualified for LOSAP credit for the year 2018; and

BE IT FURTHER RESOLVED that a copy of this resolution and said list be posted at Town Hall as well as forwarded to the Colts Neck First Aid Squad for posting for a period of 30 days pursuant to law; and

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

1. Alex Pridmore, Captain, First Aid Squad;
2. John Antonides, Chief Financial Officer; and
3. Meghan Ann Bennett, Esq., 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 12th day of June 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						



Total Day/Night Calls:	452 Day/274 Night
Total Calls:	726
Total Meetings:	12
Total Drills:	10

Member Statistics

From the Period of 1/1/2018 to 12/31/2018

Member Name	Calls	%	Mtgs	%	Drills	%	Special Points	Training Points	LOSAP Points	Contribution
Alaimo, Matthew	31	4%	10	83%	10	100%	24	25	79	\$400.00
Alaimo, Steven	24	3%	11	92%	9	90%	17	25	71	\$400.00
Bender, Ruth	167	23%	10	83%	9	90%	25	25	118	\$1,255.00
Callahan, Stephanie	31	4%	4	33%	3	30%	4		14	\$0.00
Davis, Emily	78	11%	4	33%	3	30%	25	25	80	\$750.00
Dedalis, Emory							0		0	\$0.00
Delle Donne, Frank	3	0%	11	92%	6	60%	0		38	\$0.00
Evankow, Debbie	81	11%	10	83%	10	100%	25	25	100	\$1,255.00
Feury, Brian	21	3%	1	8%	1	10%	11	3	17	\$0.00
Fredda, Chuck	580	80%	12	100%	8	80%	25	3	131	\$1,255.00
Furie, Brian	29	4%	1	8%			0	15	16	\$0.00
Hamlin, Dalton	49	7%	4	33%	2	20%	3	25	36	\$0.00
Hempstead, Elaine	250	34%	12	100%	9	90%	25	25	145	\$1,255.00
Horneck, Denise	371	51%	11	92%	9	90%	25	17	146	\$1,255.00
Ierardi, Dominic	90	12%	7	58%	3	30%	16		49	\$0.00
Innucci, Carla	32	4%	4	33%	5	50%	3		17	\$0.00
Jones, Olivia	11	2%					3		3	\$0.00
Kalisz, Michal	34	5%	6	50%	3	30%	6	15	33	\$0.00
Kopko, Jon	186	26%	9	75%	6	60%	19	25	105	\$1,255.00
Leber, Jim	174	24%	10	83%	7	70%	20	25	124	\$1,255.00
Leonhardt, Martha	168	23%	11	92%	9	90%	25	18	127	\$1,255.00
Luo, Alexander	23	3%	1	8%			5		6	\$0.00
Maida, Phil	59	8%	9	75%	7	70%	18	21	62	\$400.00
Nuzzo, Nick	83	11%	11	92%	8	80%	21	25	93	\$750.00
Petrillo Jr, Dan	47	6%	11	92%	8	80%	25	3	55	\$0.00
Pridmore, Alex	246	34%	12	100%	9	90%	25	25	145	\$1,255.00
Pridmore, Jessica	80	11%	9	75%	6	60%	17	25	83	\$750.00
Raynor, Ariana	40	6%	6	50%	3	30%	12	3	27	\$0.00
Santoro, Joseph	237	33%	10	83%	4	40%	13	24	105	\$1,255.00
Santoro, Mario	199	27%	12	100%	6	60%	16	25	105	\$1,255.00
Schatzle, Jim	10	1%	1	8%	6	60%	1		14	\$0.00
Sherman, Craig	137	19%	6	50%	4	40%	25	25	84	\$750.00
Sherman, Vicki	107	15%	12	100%	8	80%	25	25	98	\$750.00
Simon, Steven	2	0%					1		1	\$0.00
Spagnola, Danielle	28	4%	5	42%	4	40%	7	25	45	\$0.00
Spinella, Michael	183	25%	7	58%	5	50%	25	24	121	\$1,255.00
Ventrone, Thomas	10	1%					4		4	\$0.00
Williams, Greg	132	18%	12	100%	7	70%	25	3	89	\$750.00

RESOLUTION 2019-102

**AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENT
BLOCK 38, LOT 15.01
(\$1,667.17)**

BE IT RESOLVED by the Township Committee of the Township of Colts Neck that pursuant to the recommendation of the Chief Financial Officer, that it hereby authorizes the refund for overpayment of property taxes for Block 38, Lot 15.01, as follows:

<u>APPLICANT</u>	<u>AMOUNT</u>
Janice Egeland	\$1,667.17

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

1. Applicant, Janice Egeland;
2. John Antonides, Chief Financial Officer; and
3. Meghan Ann Bennett, Esq., 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 12th day of June 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 2019-103

AMENDING RESOLUTION 2019-91, "AUTHORIZING PURCHASE OF SHARP COPIER-PRINT-NETWORK SCANNERS"

SOURCEWELL CONTRACT #083116-SEC"

BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby amends and supersedes Resolution 2019-91 to revise the pricing of Model No. MX 6070, and authorizes the purchase of three (3) **SHARP COPIER-PRINT-NETWORK SCANS**, as follows:

SOURCEWELL CONTRACT #: 083116-SEC

VENDOR: Shore Business Solutions
1720 Rt. 34
P.O. Box 2428
Farmingdale, NJ 07727

ITEM: **SHARP COPIER-PRINT-NETWORK SCAN**

<u>MODEL #</u>	<u>AMOUNT</u>
MX-4070	\$5,103.00
MX-5070	\$5,643.00
MX-6070	\$7,715.00

BE IT FURTHER RESOLVED AND CERTIFIED that funds for this purpose are provided through Capital Ordinance No. 2019-9; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute any documents in this regard; and

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

1. Vendor, Shore Business Solutions;
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 12th day of June 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 2019-104

**APPROVING INSERTION OF SPECIAL ITEM OF REVENUE -
CLEAN COMMUNITIES GRANT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Colts Neck Township has received a grant of \$ 38,763.78 from the State of New Jersey and wishes to amend its 2019 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of Colts Neck Township hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$ 38,763.78 which is now available as a revenue from:

MISCELLANEOUS REVENUES

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

State and Federal Revenues Off-Set with Appropriations:

Clean Communities Grant

pursuant to provisions of Statute, and

BE IT FURTHER RESOLVED that a like sum of \$ 38,763.78 be and the same is hereby appropriated under the caption of:

GENERAL APPROPRIATIONS

(a) Operations Excluded from 5% CAPS

State and Federal Programs Off-Set by Revenues:

Clean Communities Grant -

Other Expenses

BE IT FURTHER RESOLVED that the Chief Financial Officer electronically file this resolution with the Director of Local Government 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 12th day of June 2019.

Beth Kara, Municipal Clerk

RECORD OF VOTE						
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Mayor Orgo						
Deputy Mayor Rizzuto						
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M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

RESOLUTION 2019-105

**ACCEPTING THE RESIGNATION OF
TOWNSHIP EMPLOYEE
RONALD GOODSPEED**

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 Ronald Goodspeed, effective July 1, 2019.

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

1. Ronald Goodspeed; 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 12th day of June 2019.

Beth Kara, Municipal Clerk

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Mayor Orgo						
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RESOLUTION 2019-106

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 litigation and property acquisition; and

NOW, THEREFORE, BE IT RESOLVED by the Colts Neck Township Committee that it go into an Executive Session to discuss litigation and property acquisition; 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 12th day of June 2019.

Beth Kara, Municipal Clerk

RECORD OF VOTE						
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Deputy Mayor Rizzuto						
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Bartolomeo						
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