

**COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE MEETING
NOVEMBER 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 lead the Salute to the Flag. The following statement was read by Township Administrator, Kathleen Capristo: "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 November 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. Lindsey indicated the following:

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

Also Present: Kathleen Capristo, Administrator, Municipal Clerk Trina Lindsey; and Township Counsel Meghan Ann Bennett, Esq.

Absent: None

- 1. APPROVAL OF MINUTES:** MEETING OF OCTOBER 23, 2019. Mayor Orgo asked for comments. Hearing none, Mayor Orgo called for a motion to approve. Committeeman Macnow made a motion to approve, seconded by Deputy Mayor Rizzuto and unanimously carried.

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Mayor Orgo			X			
Deputy Mayor Rizzuto		S	X			
Viola			X			
Macnow	M		X			
Bartolomeo			X			

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent

- 2. MAYOR'S PROCLAMATION:**
PROCLAMING DECEMBER 2019 AS NATIONAL DRUNK AND DRUGGED DRIVING (3D) PREVENTION MONTH WITHIN COLTS NECK TOWNSHIP

Committeeman Bartolomeo read the proclamation and presented it to Anita Dedalis.

- 3. RESOLUTION 2019-171:** CONFIRMING APPOINTMENT OF NICHOLAS STEELE TO THE RANK OF SPECIAL LAW ENFORCEMENT OFFICER CLASS II

Mayor Orgo asked for comments. Hearing none, Mayor Orgo called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola and a unanimous roll call vote, the resolution was adopted.

- 4. OATH OF OFFICE:** Police Chief Paul Santucci said a few words stating that Mr. Steele has worked in the Colts Neck School system as a security guard and will be a great addition to the police department. Committeeman Macnow read the oath.

- 5. RESOLUTION 2019-172:** AUTHORIZING AWARD OF CONTRACT REAL PROPERTY DATA COLLECTION AND VERIFICATION SERVICES. JANUARY 1, 2019 – DECEMBER 31, 2023

Mayor Orgo asked for comments. Administrator Capristo explained that this resolution is to renew the contract with Realty Data Services. As there were no further comments, Mayor Orgo called for a motion to approve. On a motion by Committeeman Macnow, seconded by Committeeman Viola and a unanimous roll call vote, the resolution was adopted.

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					

6. RESOLUTION 2019-173: AUTHORIZING THE SIGNING OF A NJPDES DGW PERMIT APPLICATION

Mayor Orgo asked for comments. Hearing none, Mayor Orgo called for a motion to approve. On a motion by Committeeman Macnow, seconded by Committeeman Bartolomeo and a unanimous roll call vote, the resolution was adopted.

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. RESOLUTION 2019-174: AUTHORIZING THE SIGNING OF A TWA APPLICATION

Mayor Orgo asked for comments. Hearing none, Mayor Orgo called for a motion to approve. On a motion by Committeeman Macnow, seconded by Committeeman Bartolomeo and a unanimous roll call vote, the resolution was adopted.

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 2019-175: RESOLUTION AUTHORIZING EXECUTION OF A-1 CONSENT FORM FOR NJDEP TREATMENT WORKS PERMIT FOR THE TEMPORARY DEWATERING TREATMENT SYSTEM BY NEW JERSEY AMERICAN WATER COMPANY, BLOCK 38, LOT 1

Mayor Orgo asked for comments. Hearing none, Mayor Orgo called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola and a unanimous roll call vote, the resolution was adopted.

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					

9. **RESOLUTION 2019-176:** RESOLUTION AUTHORIZING COLTS NECK TOWNSHIP TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

Mayor Orgo asked for comments. Hearing none, Mayor Orgo called for a motion to approve. On a motion by Committeeman Macnow, seconded by Deputy Mayor Rizzuto and a unanimous roll call vote, the resolution was adopted.

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

10. **RESOLUTION 2019-177:** AUTHORIZING THE EXERCISING OF SECOND YEAR OPTION CONTRACT FOR LAWN AND FIELD MAINTENANCE SERVICES

Mayor Orgo asked for comments. Hearing none, Mayor Orgo called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeeman Macnow and a unanimous roll call vote, the resolution was adopted.

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

11. **RESOLUTION 2019-178:** AUTHORIZING FORMAL TRANSFER OF FUNDS 2019 BUDGET

Mayor Orgo asked for comments. Hearing none, Mayor Orgo called for a motion to approve. On a motion by Committeeman Macnow, seconded by Deputy Mayor Rizzuto and a unanimous roll call vote, the resolution was adopted.

12. **RESOLUTION 2019-179:** AUTHORIZING AWARD OF CONTRACT, COLTS NECK RECYCLING SERVICES 2020-2021

Mayor Orgo asked for comments. Deputy Mayor Rizzuto noted that Sakoutis Brothers Disposal, Inc. was the only bid received. As there were no further comments, Mayor Orgo called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Deputy Mayor Rizzuto and a majority

roll call vote, the resolution was adopted. Committeeman Macnow recused from the vote.

RECORD OF VOTE					
Committeeman	M S	Yes	No	NV	Ab
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					

13. ORDINANCE 2019-19: AN ORDINANCE AMENDING SECTIONS 120-1 AND 120-2 OF CHAPTER 120 "FIREARMS" OF THE CODE OF COLTS NECK TOWNSHIP

2ND READING

COMMENTS

MOTION TO OPEN PUBLIC HEARING, ALL IN FAVOR

MOTION TO CLOSE PUBLIC HEARING, ALL IN FAVOR

MOTION TO APPROVE

ROLL CALL

Mayor Orgo asked for comments. Hearing none, Mayor Orgo called for a motion to open the public hearing. On a motion by Committeeman Macnow, seconded by Committeeman Bartolomeo and a unanimous voice vote, the public hearing was opened.

Fulton Wilcox commented that the ordinance was not posted on the website with the agenda.

As there were no further comments from the public, Mayor Orgo called for a motion to close the public hearing. On a motion by Committeeman Viola, seconded by Committeeman Macnow and a unanimous voice vote, the public hearing was closed.

Mayor Orgo called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola and a unanimous roll call vote, the ordinance was adopted.

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					

14. ORDINANCE 2019-20: AN ORDINANCE AMENDING SECTIONS 79-22 AND 79-24 OF ARTICLE IV, "WILDLIFE FEEDING", OF THE CODE OF COLTS NECK TOWNSHIP

2ND READING

COMMENTS

MOTION TO OPEN PUBLIC HEARING, ALL IN FAVOR

MOTION TO CLOSE PUBLIC HEARING, ALL IN FAVOR

MOTION TO APPROVE

ROLL CALL

Mayor Orgo asked for comments. Committeeman Bartolomeo commented that the Committee battled hard on this ordinance because it is difficult to enforce; Committeeman Bartolomeo commented, however; with the deer issue in Colts Neck if we can deter just one person from feeding the deer then it's a step in the right direction. With no further comments, Mayor Orgo called for a motion to open the public hearing. On a motion by Committeeman Bartolomeo, seconded by Committeeman Macnow and a unanimous voice vote, the public hearing was opened.

Fulton Wilcox commented stating that the ordinance was not attached to the agenda on the website. Mr. Wilcox also commented that it is very awkward to pass laws that are hard to enforce. Mr. Wilcox stated that it brings the expectation that the law will be enforced when it won't be.

Deputy Mayor Rizzuto replied stating that this ordinance will be enforced by Code Enforcement. Mr. Rizzuto stated that enforcement can be done, and just because it may be difficult to enforce doesn't mean it shouldn't be on the books for Colts Neck. Mr. Rizzuto stated that he respectfully disagrees with Mr. Wilcox.

Donna Sikorkas commented that she has witnessed farmers feeding deer with the purpose of hunting them. Attorney Meghan Bennett stated that is baiting which is separate from this ordinance.

As there were no further comments, Mayor Orgo called for a motion to close the public hearing. On a motion by Committeeman Macnow, seconded by Committeeman Bartolomeo the public hearing was closed.

Mayor Orgo called for a motion to approve. On a motion by Committeeman Viola, seconded by Committeeman Bartolomeo and a majority roll call vote, the ordinance was adopted.

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

15. DISCUSSION:

- DECEMBER TOWNSHIP COMMITTEE MEETINGS

Mayor Orgo stated that he spoke with John Antonides of the Finance Department regarding having one meeting in December. Mayor Orgo announced that the Committee will only meet for the December 11, 2019 meeting and will cancel the December 18, 2019 meeting.

- LEAF COLLECTION SCHEDULE – COMMITTEEMAN JP BARTOLOMEO

Committeeman Bartolomeo discussed leaf and brush pick up according to the zone schedules and when residents can place their leaf piles and brush piles at the curb. Mr. Bartolomeo discussed the recent ordinance change that allows residents to place their leaf and brush piles curbside two weeks prior to the scheduled zone pick up. Mr. Bartolomeo discussed that there have been some issues with residents who have placed their leaf and/or brush piles curbside before their allotted two weeks prior to the pick up in that zone. Mr. Bartolomeo explained that once Code Enforcement gets a letter of violation to the resident in the mail and the violation is received, that resident is no longer in violation because it is now two weeks prior to

their scheduled zone pick up. Mr. Bartolomeo suggested that residents be able to place their leaf and brush piles curbside for the season instead of two weeks prior to their zone pick up.

The Committee discussed educating the residents on how to properly place the leaves and brush curbside. JP showed picture examples of leaves placed properly curbside and leaves not placed properly at the curbside. Committeeman Macnow stated that the only issue he sees is that it is an esthetic issue. Committeeman Viola cautioned the Committee to set a specific range of dates rather than to use the word "season". The Committee will take feedback from the public during the public comment section of the agenda and will discuss the options with Long Range Planning.

- NJDOT – ROUTE 34 OVER BIG BROOK PROJECT – PUBLIC INFORMATION SESSION

Mayor Orgo informed the public that the NJDOT will hold an information session on December 11, 2019 from 4:00 p.m. – 7:00 p.m. regarding the Route 34 over Big Brook project. All are welcome to attend.

16. 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 2019-180:** AUTHORIZING THE ACCEPTANCE OF AN INSPECTION FEE FOR HUDDY'S INN DEVIATION. BLOCK 48, LOT 19

***RESOLUTION 2019-181:** RESOLUTION AUTHORIZING GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2020 – JUNE 2025

***RESOLUTION 2019-182:** AUTHORIZING THE ACCEPTANCE OF A PERFORMANCE GUARANTEE AND AN INSPECTION FEE FOR NEW JERSEY AMERICAN WATER, BLOCK 38, LOT 1, PB724

***RESOLUTION 2019-183:** AUTHORIZING VETERAN'S ALLOWANCE IN THE TOTAL AMOUNT OF \$1000.00

Mayor Orgo asked for comments. Hearing none, Mayor Orgo called for a motion to approve. On a motion by Committeeman Macnow, seconded by Deputy Mayor Rizzuto and a unanimous roll call vote, the resolutions on the consent agenda were approved.

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

17. MOTION TO APPROVE VOUCHERS:

Committeeman Viola stated that he reviewed all vouchers and invoices and found all to be in order for payment. Committeeman Viola stated that there was one late change to the bills list which totaled a sum of \$18,000 to move the trailer.

Mayor Orgo called for further comments, hearing none, Mayor Orgo called for a motion to approve the bills list. On a motion by Committeeman Viola, seconded by Deputy Mayor Rizzuto and a unanimous roll call vote, the bills list was approved, and all vouchers were approved for payment.

Committeeman Macnow noted that he recuses from any vouchers involving Sakoutis Brothers Disposal, Inc.

Deputy Mayor Rizzuto noted that he recuses from any vouchers involving the Colts Neck Fire Companies.

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						

18. ADMINISTRATOR'S REPORT:

Administrator Capristo reported that the Colts Neck High School National Honor Society would like to host a 5K for the Make A Wish Foundation as well as other fundraisers who will benefit from the proceeds of the 5K. Administrator Capristo stated that the 5K will take place on December 14, 2019. Administrator Capristo stated that the 5K will require closing a portion of Five Points Road and Mathews Road. Administrator Capristo reported that the organizer, Dave Niemierowski has been working with Lueitenant DeVito of the Colts Neck Police Department. The Committee approved the event.

Administrator Capristo reported that the Township Engineer began road assessments last week and will be assessing roads and curbs over the next several weeks. Administrator Capristo stated that she will have a report once it is completed by the Engineer's office.

19. TOWNSHIP COMMITTEE REPORTS:

COMMITTEEMAN MACNOW – Nothing to report

COMMITTEEMAN BARTOLOMEO

- Committeeman Bartolomeo reported that Christmas in Colts Neck event will take place on Saturday, December 8, 2019. Mr. Bartolomeo stated that if the weather is inclement the rain date will be Sunday. Mr. Bartolomeo stated that the lighting of the Christmas tree will take place, there will be dancers and the more the merrier.
- Committeeman Bartolomeo stated that the soccer season is just about done, and basketball will start. Mr. Bartolomeo reported that the lower school as well as the high school has used the multipurpose field, and he will be working on a shared agreement for 2020.

DEPUTY MAYOR RIZZUTO

- Deputy Mayor Rizzuto reported that Country Christmas at Montrose School is on December 8, 2019 and Santa Claus will be there. There will be refreshments as well.
- Deputy Mayor Rizzuto reported that the Historic Preservation Committee is moving forward with the booklet. The Committee has applied for several grants which will assist with the printing of the booklets.
- Deputy Mayor Rizzuto stated that the Historic Preservation Committee has agreed to use \$2,500 for the restoration of the George Washington portrait and the town will fund the remainder. The restoration project will cost approximately \$5,000.
- Deputy Mayor Rizzuto stated that Betsy Ross reenactment was a success. Mr. Rizzuto stated that the fees for the actors is paid out of the Historic Preservation Trust.
- Deputy Mayor Rizzuto reported that The Grande is working on smart speed signs and will work with the Colts Neck Police Department to purchase them under state contract.

- Deputy Mayor Rizzuto reported that the police department dealt with a few vehicle burglaries. Deputy Mayor Rizzuto urged residents to keep their car doors locked, and do not leave the key fob in the vehicle.

COMMITTEEMAN VIOLA

- Committeeman Viola reported that the fir farm is sponsoring their 6th annual Trees for the Troops. Committeeman Viola stated that for \$30 the fir farm will pack and ship a Christmas tree to an active service persons family.
- Committeeman Viola stated that anyone attending the tree lighting can bring an ornament for the tree.
- Committeeman Viola reported that the Alliance held vaping seminars for the 7th and 8th graders as well as having a presentation for the parents.
- Committeeman Viola stated that the Wildlife Committee received reports that there have been coyote in town.
- Committeeman Viola stated that he attended the Veteran's Day memorial at Cedar Drive School, Mr. Viola stated that the kids did a fabulous job.
- Committeeman Viola stated that he attended the County Symposium on understanding plastics and provided a brochure for anyone in the public who may be interested in reading the brochure.
- Committeeman Viola discussed the Spotted Lanternfly stating that this insect is highly destructive and urged residents if you find one to act on it immediately. Mr. Viola provided a brochure with information on the Spotted Lanternfly for anyone in the public interested in reading it.

MAYOR ORGO

- Mayor Orgo introduced Sue Fitzpatrick as the new Township Committeewoman elect.

20. COMMENTS FROM THE PUBLIC:

Mayor Orgo called for a motion to open comments from the public. On a motion by Committeeman Bartolomeo, seconded by Deputy Mayor Rizzuto and a unanimous voice vote, comments from the public was opened.

Fulton Wilcox stated that the public is in grave need of information regarding affordable housing. Mr. Wilcox stated that he encountered a rumor that a developer made a spot buy in the Clover Hill section of town.

Committeeman Macnow responded stating that nothing in Clover Hill was purchased or discussed. Mr. Macnow explained to Mr. Wilcox again that the Committee is still in litigation on this matter and therefore cannot give the public any information. Mr. Macnow explained that the Committee cannot provide information to the public which may end up not being accurate once the litigation process concludes.

Melinda Martin spoke to the matter of leaf pick up stating that residents had their leaves out a day or two after they had been picked up in the zone. Ms. Martin stated that she spoke with several neighbors of hers and no one has a problem with the leaves being out for the season if the piles do not interfere with traffic.

Debbie Evankow asked who oversees catch basins. Ms. Evankow explained that she put in a Report A Concern several months ago and five days later received a reply that the concern was closed. Ms. Evankow stated that she has pictures of the catch basin that is constantly full of debris.

Fulton Wilcox stated that the public needs to be better informed. Mr. Wilcox referenced a bill that was paid on the bills list. Mr. Wilcox stated that there was no information for this to the public. Mr. Wilcox asked who Griffin Engineering is. Mayor Orgo replied stating that he is the consultant for the new municipal building. Committeeman Viola stated that the bill for Griffin Engineering was for a five-month period.

Sue Fitzpatrick commented that she attended the Betsy Ross reenactment at the Cedar Drive School. Ms. Fitzpatrick stated that the reenactor was very good, and the kids were very interactive with her. Ms. Fitzpatrick also stated that she attended the Veteran's Day event, the Colts Neck High School and the Cedar Drive School worked well together. Ms. Fitzpatrick stated that Delicious Orchards is donating cider and donuts for the tree lighting. Ms. Fitzpatrick also commented on leaf pick up stating that it is very frustrating when neighbors have their leaves out too long and they end up blowing onto her yard. Ms. Fitzpatrick stated that the piles of leaves become an eyesore.

Judy Laufer stated that this years Veteran's Day event is the first she has missed in 25 years. Ms. Laufer stated that 25 years ago there was virtually no one coming in to Town Hall to get on the tax roll or attending the Veteran's Day event. Ms. Laufer commented that the event has grown and grown.

Rob Mahoney commended the Committee for continued efforts to pass the wildlife feeding ordinance.

With no further comments from the public Mayor Orgo called for a motion to close public comments. On a motion by Committeeman Bartolomeo, seconded by Deputy Mayor Rizzuto and a unanimous voice vote, public comments were closed.

21. RESOLUTION 2019-184: EXECUTIVE SESSION

Mayor Orgo read the resolution to the public.

- 22. MOTION TO ADJOURN:** As there was no further business, Mayor Orgo called for a motion to adjourn. On a motion by Committeeman Macnow, seconded by Deputy Mayor Rizzuto and a unanimous voice vote, the meeting adjourned at 8:44pm to go into Executive Session. Mayor Orgo announced that the next Township Committee Meeting will be on Wednesday, December 11, 2019 at 7:30pm, Town Hall. The public session reconvened at 8:52pm, and on a motion by Committeeman Macnow, seconded by Committeeman Bartolomeo and a unanimous voice vote the meeting adjourned at 8:53pm.



Trina Lindsey, RMC
Municipal Clerk

APPROVED: 12/11/19