COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE MEETING
DECEMBER 11, 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 December 11, 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

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1. **APPROVAL OF MINUTES:** MEETING OF NOVEMBER 13, 2019. Mayor Orgo asked for comments. Hearing none, Mayor Orgo called for a motion to approve. Committeeman Bartolomeo 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		X			
Bartolomeo	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

2. **RESOLUTION 2019-185:** CONFIRMING 2020 TOWNSHIP COMMITTEE MEETING SCHEDULE

   Mayor Orgo asked for comments, hearing none, Mayor Orgo called for a motion to approve. On a motion by Committeeman Viola, 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	M	X			
Macnow		X			
Bartolomeo	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

3. **RESOLUTION 2019-186:** 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 Viola, 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	M	X			
Macnow		X			
Bartolomeo	S	X			
M - Moved S - Seconded X - indicates vote	NV - Not Voting		Ab - Absent		

4. **RESOLUTION 2019-187:** AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT FOR MUNICIPAL COURT FACILITIES AND EQUIPMENT

Mayor Orgo called for comments. Administrator Capristo commented stating that Colts Neck Township agreed to enter into a shared service agreement with Freehold Borough for the use of their courtroom for the duration of time that the new municipal building is under construction. 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 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		X			
Bartolomeo	M	X			
M - Moved S - Seconded X - indicates vote	NV - Not Voting		Ab - Absent		

5. **RESOLUTION 2019-188:** 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

Mayor Orgo asked for comments. Administrator Capristo commented that this resolution is to appoint professional Steve Dnistrian to assist with communication efforts in connection with the new municipal building and our affordable housing obligation. As there were no further comments, Mayor Orgo called for a motion to approve. On a motion by Deputy Mayor Rizzuto, 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	M	X			
Viola	S	X			
Macnow		X			
Bartolomeo		X			
M - Moved S - Seconded X - indicates vote	NV - Not Voting		Ab - Absent		

6. **RESOLUTION 2019-189:** RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION ENTITLED MUHAMMAD ALI ABBAS v NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, et als, DOCKET NO. MON-C-9-19 AND AUTHORIZING THE MAYOR, TOWNSHIP ATTORNEY AND THEIR DESIGNEES TO SIGN SETTLEMENT AGREEMENT, CONSENT JUDGMENT A, DEED OF EASEMENT, AND ANY OTHER DOCUMENTS NECESSARY TO IMPLEMENT THIS SEETLEMENT

Mayor Orgo commented that this resolution is regarding a house that was purchased in the Clover Hill section of town. Mayor Orgo explained that the homeowner is unable to obtain a building permit to remodel the home. Mayor Orgo explained that the Township will give up the easement in order to allow the property owner to get on the property and remodel the home. With no further comments, Mayor Orgo called for a motion to approve. On a motion by Deputy Mayor Rizzuto, 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	M	X			
Viola	S	X			
Macnow		X			
Bartolomeo		X			
M - Moved S - Seconded X - indicates vote	NV - Not Voting		Ab - Absent		

7. **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 2019-190:** AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE AND ACCEPTING A TWO-YEAR MAINTENANCE GUARANTEE FOR GK DISTILLING, BLOCK 46, LOT 17.14, 304 ROUTE 34, ZB954

***RESOLUTION 2019-191:** AUTHORIZING CANCELLATION OF 2019 TAX DEBIT AND CREDIT BALANCES OF LESS THAN $5.00

***RESOLUTION 2019-192:** AUTHORIZING CANCELLATION OF MISCELLANEOUS CHARGES AND OUTSTANDING CHECKS

***RESOLUTION 2019-193:** ACCEPTING THE RESIGNATION OF TOWNSHIP EMPLOYEE STEPHANIE MANCINO

***RESOLUTION 2019-194:** AUTHORIZING CANCELLATION OF 2019 TAXES ASSESSED TO COLTS NECK TOWNSHIP

Mayor Orgo asked for comments. Hearing none, Mayor Orgo called for a motion to approve. On a motion by Committeeman Bartolomeo, 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		X			
Bartolomeo	M	X			
M - Moved S - Seconded X - indicates vote	NV - Not Voting		Ab - Absent		

8. **MAYOR'S END OF YEAR REMARKS:**
Mayor Orgo read his end of year remarks which included the following:

- Adopted 194 Resolutions and 20 Ordinances;
- Adopted a $12.8 million budget with no increase to the municipal purpose tax rate;
- Successfully completed the construction of a pole storage barn at Bucks Mill Park to house public works and park maintenance equipment and materials;
- In collaboration with the State and the County successfully purchased the development rights to the Druesne Farm and the DeGroot Farm which resulted in the preservation of approximately 60 acres farmland;
- Approved and endorsed the potential acquisition of development rights for the Mosely farm which would preserve an additional 26 acres of farmland;
- Successfully acquired approximately 7 acres of land known as the DeAngelis property situated at Five Points Park which will allow for future expansion of recreation facilities and parking;
- Advanced the New Municipal Building project including the coordination of temporary police operations and a shared services agreement for our municipal court;
- Facilitated road re-paving and improvements for 14,465 linear feet of roads and 525 linear feet of curb replacement;
- Successfully applied for and was granted a total of $620,000 from the NJ Department of Transportation 2019/2020 Municipal Aid Program for improvements to Bucks Mill and Heulitt Roads, these grants will cover approximately 63% of the estimated costs, work to begin in Spring of 2020;
- Implemented a reorganization plan for the Department of Public Works resulting reduced costs and significantly improved services to the community;
- Amended the Township's "Property Maintenance" ordinance establishing a landscaper registration process to help ensure compliance with the Township's policies and schedules related to snow removal and leaf and brush;
- Amended the Township's "Peddlers, Canvassers and Solicitors" code establishing a "No Knock" Registry;
- Amended the Township's "Peace and Good Order" ordinance providing clarification of the Township's policies related to loitering in public places;
- In an effort to address the overpopulation of deer in the community, amended the Township's code prohibiting the feeding of white-tail deer and updated the Township's No Discharge of Firearms Area Map.
- Established a new chapter of the code of Colts Neck prohibiting smoking of tobacco products and the use of electronic smoking devices at all indoor public places, work places and Township properties and buildings;
- Established a new chapter of the code of Colts Neck to clarify permissible activities associated with mobile retail food establishments (food trucks) in order strike a balance of uses among the food truck industry and "brick and mortar" restaurants;
- Continued to work diligently with the Township's team of legal professionals and experts to vigorously defend the Township's zoning laws from forced high density development;

9. **ANNOUNCEMENTS:**
Mayor Orgo announced that the December 18, 2019 Township Committee meeting will be cancelled. Mayor Orgo also announced that the Reorganization meeting is scheduled for January 4, 2020 at 4:00 p.m. at the court.

10. **MOTION TO APPROVE VOUCHERS:**
Committeeman Viola stated that he reviewed all vouchers and invoices and found all to be in order for payment.

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.

Mayor Orgo noted that he recuses from any vouchers involving Sakoutis Brothers Disposal, Inc., Best Horticultural Services and Pine Tree Landscaping

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		

11. **ADMINISTRATOR'S REPORT:**
Administrator Capristo reported that the budget process is moving forward. The budget workshop is scheduled for Saturday, February 29, 2020 from 8:00 a.m. – 3:00 p.m.

12. **TOWNSHIP COMMITTEE REPORTS:**
COMMITTEEMAN MACNOW
- Committeeman Macnow commented that Committeeman Viola will take over affordable housing. Committeeman Macnow explained to the public that the affordable housing litigation is not quite at the end of the road yet. Committeeman Macnow commented that the Governing Body hopes to be in a position next year to hold a public presentation.
- Committeeman Macnow thanked the members of the public who come out to participate and commented that public participation is very important.
- Committeeman Macnow mentioned the employees of the town and thanked all the volunteers that give their own time for various departments and boards.

COMMITTEEMAN BARTOLOMEO
- Committeeman Bartolomeo reported that the Gala for the Senior Citizens is next Wednesday and is currently sold out.
- Committeeman Bartolomeo reported that the Planning Board is beginning to finalize the master plan revisions which is required every ten years.
- Committeeman Bartolomeo commented that last weekend was a great weekend in Colts Neck with various events taking place such as, Frosty Saturday, the fir farm did a fabulous job collecting donations for trees for troops, the tree lighting ceremony, Country Christmas at Montrose School, and window painting. Committeeman Bartolomeo wished everyone a Merry Christmas and mentioned that decorations have been added to Town Hall and there will be more added over the years.

- Committeeman Bartolomeo thanked Committeeman Macnow for being his mentor during his time on the Governing Body and for his service to Colts Neck Township.

COMMITTEEMAN VIOLA

- Committeeman Viola thanked Committeeman Macnow for his service on the Governing Body and for his guidance over the years.
- Committeeman Viola reported that the Drug Alliance has applied for a grant for next year. Committeeman Viola reported that Officer Molinelli will be the drug officer for the school.
- Committeeman Viola reported that the rabies clinic will be held on January 18, 2020 from 9:00 a.m. – 10:30 a.m. at the Colts Neck Fire Company #2 on Conover Rd.
- Committeeman Viola thanked all the stakeholders who made Country Christmas a success.

DEPUTY MAYOR RIZZUTO

- Deputy Mayor Rizzuto commented that the Building Committee has met twice since last reported and have reviewed minor aesthetic changes such as windows, etc. to the new municipal building. Deputy Mayor Rizzuto stated that the Governing Body is still shooting for late January for a public presentation regarding the new municipal building.
- Deputy Mayor Rizzuto thanked all who came out for Country Christmas and thanked Atlantic Farm and Fir Farm for donating trees.
- Deputy Mayor Rizzuto commented that March is the anniversary month for the library so keep your eyes out for upcoming events.
- Deputy Mayor Rizzuto thanked Committeeman Macnow for being a part of Deputy Mayor Rizzuto being appointed to the Governing Body. Deputy Mayor Rizzuto stated that Committeeman Macnow does a great deal of work behind the scenes and thanked him for his dedication to emergency service personnel.

MAYOR ORGO

- Mayor Orgo commented that there were several strategic personnel changes within the police department in 2019. Mayor Orgo commented that the Police Department is a happy and thriving group now. Mayor Orgo also commented that the PBA was very generous with the toy drive for children.
- Mayor Orgo thanked Committeeman Macnow for his service to the Governing Body and the residents of Colts Neck Township.

13. **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.

Jim Schatzle commented that he couldn't let tonight pass without seeing Committeeman Macnow at the table. Mr. Schatzle commented that Committeeman Macnow was instrumental during several severe weather events and that Colts Neck is a better place because of Committeeman Macnow's service and dedication.

Judy Laufer commented that she appreciated Committeeman Macnow during Superstorm Sandy when he went around the town checking on senior citizens to make sure everyone was ok.

Kevin O'Brien commented that he moved to Colts Neck two years ago. Mr. O'Brien stated that the last Township Committee meeting he attended was a bit uncomfortable, but he has since met with Committeeman Macnow and Committeeman Viola and thanked them for meeting with him. Mr. O'Brien mentioned continuous issues with storm drains around town as well as the storm drain on his street. Mr. O'Brien commented that he is thankful that Colts Neck has adopted a no smoking policy on public properties and would like to see the Township reach out to the county to discuss the county adopting a no smoking

policy in public parks as well. Mr. O'Brien asked the Governing Body to consider a video feed for Township meetings to have more public involvement. Mr. O'Brien stated that he sent a letter to the Mayor and Governing Body regarding an issue he is having with a neighbor regarding a noisy pool pump.

Township Attorney Meghan Bennet replied to Mr. O'Brien as the Township Prosecutor and discussed that action to be taken by Mr. O'Brien if the issue continues by calling the Colts Neck Police.

Fulton Wilcox commented that it was good that each resolution was on the Township website prior to the meeting, however he would have liked to see the attachment for the resolution for the shared service for the municipal court with the Borough of Freehold. Mr. Wilcox commented that the public needs to be more informed in the new year. Mr. Wilcox commented that the police will be moving out of their building and questioned how long the department will be relocated. Mr. Wilcox stated that given the emphasis on shared service, the court may never return to Colts Neck.

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.

14. **MOTION TO ADJOURN:** As there was no further business, Mayor Orgo called for a motion to adjourn. On a motion by Deputy Mayor Rizzuto, seconded by Committeeman Macnow and a unanimous voice vote, the meeting adjourned at 8:07 p.m. Mayor Orgo announced that the next Township Committee meeting will be the Reorganization meeting on January 4, 2020 at 4:00 p.m. at the court.

Trina Lindsey, RMC
Municipal Clerk

APPROVED: 01/08/20