RESOLUTION 2025-101

EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12(b), permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS the Colts Neck Township Committee finds that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Colts Neck Township Committee as follows:

1. The public shall be excluded from discussion of any action upon hereinafter specified subject matter;

2. The general nature of the subject matter to be discussed is as follows:

    a. Potential litigation confidential pursuant to N.J.S.A. 10:4-12(b)(7)
    b. Personnel confidential pursuant to N.J.S.A. 10:4-12(b)(8);

3. The Committee will not take action during closed executive session;

4. It is anticipated that the closed session will last approximately thirty (30) minutes;

5. It is anticipated at this time the above-stated subject matter(s) will be made public when the need for confidentiality no longer exists; and

6. This Resolution shall become effective immediately.

I, Trina Lindsey, 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 28th day of May 2025

_____

Trina Lindsey, Municipal Clerk

RECORD OF VOTE					
	M S	Yes	No	NV	Ab
Mayor Torchia Buss					
Deputy Mayor Viola					
Buzzetta					
Fitzpatrick					
Rizzuto					
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

RESOLUTION 2025-102

RESOLUTION OF COLTS NECK TOWNSHIP, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, REMOVING PLANNING BOARD MEMBER PURSUANT TO N.J.S.A. 40:55D-69

WHEREAS, pursuant to N.J.S.A. 40:55D-69, the Township Committee of Colts Neck Township has the authority to remove a member of the Planning Board for cause, after a hearing, if one is requested; and

WHEREAS, upon notification by the Planning Board Chairman of potential improper actions by Mr. Kris Lukowitz, a member of the Planning Board, the Township conducted an investigation into allegations that Mr. Lukowitz, violated the Township's Workplace Violence policy on November 20, 2024; and

WHEREAS, based upon the findings of the Township investigation, the governing body issued a notice to Mr. Kris Lukowitz that his removal would be considered by the governing body; and

WHEREAS, pursuant to N.J.S.A. 40:55D-69, Mr. Kris Lukowitz requested a public hearing before the governing body; and

WHEREAS, due to the fact that multiple governing body members were witnesses to the incident, the governing body appointed a neutral third-party hearing officer, Mr. Steven Secare, Esq. to oversee the hearing and issue a non-binding recommendation; and

WHEREAS, on April 1, 2025, a public hearing before the neutral third-party hearing officer was held at the Colts Neck Township Municipal Building at which Mr. Lukowitz and his legal counsel were given the opportunity to present evidence and/or witnesses, and to cross-examine the Township's witnesses; and

WHEREAS, on May 7, 2025, the Township Hearing Officer issued a decision finding that Mr. Kris Lukowitz violated the Township workplace violence policy with a recommendation for removal from his appointment on the Planning Board; and

WHEREAS, in order to act in this matter, the governing body must invoke the doctrine of necessity since a quorum of the governing body members has a conflict of interest because three governing body members were witnesses to Lukowitz's behavior on November 20, 2024 and testified at the Public Hearing; and

WHEREAS, pursuant to the doctrine of necessity, Mayor Tara Torchia Buss and Committeewoman Sue Fitzpatrick who were witnesses to the incident on November 20, 2024

and testified at the Public Hearing, must vote on the removal of Mr. Kris Lukowitz from the Planning Board to establish a quorum; and

WHEREAS, Deputy Mayor Micheal Viola, the third governing body member, has a more significant conflict than Mayor Buss and Committeewoman Fitzpatrick as he was the victim; therefore, he will not be voting in the matter; and

WHEREAS, pursuant to the recommendation from the Hearing Officer, Steven Secare, the governing body desires to remove Mr. Kris Lukowitz from his appointment as a Class IV member of the Colts Neck Planning Board.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Colts Neck, County of Monmouth, State of New Jersey as follows:

1. That pursuant to N.J.S.A. 40:55D-69, Mr. Kris Lukowitz is hereby removed from his appointment as a Class IV member of the Colts Neck Planning Board effective immediately with members of the current governing body, Mayor Tara Torchia Buss and Committeewoman Sue Fitzpatrick voting pursuant to the doctrine of necessity.

2. That a copy of this resolution shall be kept with the Hearing Officer's decision to memorialize the manner of approval.

3. A certified copy of this Resolution shall be provided to Mr. Kris Lukowitz and the Colts Neck Township Planning Board.

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of the Resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 28th day of May, 2025

_____

Trina Lindsey, Municipal Clerk

RECORD OF VOTE					
	M S	Yes	No	NV	Ab
Mayor Buss					
Deputy Mayor Viola					
Buzzetta					
Fitzpatrick					
Rizzuto					
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

RESOLUTION 2025-103

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2024 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

> R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Colts neck hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I, Trina Lindsey, 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 28th day of May, 2025

_____

Trina Lindsey, Municipal Clerk

RECORD OF VOTE					
	M S	Yes	No	NV	Ab
Mayor Buss					
Deputy Mayor Viola					
Buzzetta					
Fitzpatrick					
Rizzuto					
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT

GROUP AFFIDAVIT FORM

NO PHOTO COPIES OF SIGNATURES

STATE OF NEW JERSEY
COUNTY OF MONMOUTH

We, members of the governing body of Colts Neck Township, in the County of Monmouth, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Township Committee of Colts Neck Township in the county of Monmouth;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2024;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.) Tara Torchia Buss, Mayor	(L.S.)
(L.S.) Michael Viola, Deputy Mayor	(L.S.)
(L.S.) Dan Buzzetta, Committeeman	(L.S.)
(L.S.) Sue Fitzpatrick, Committeewoman	(L.S.)
(L.S.) Frank Rizzuto, Committeeman	(L.S.)

Sworn to and subscribed before me this
_____day of _____
Notary Public of New Jersey

_____
Clerk

The Municipal Clerk shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

RESOLUTION 2025-104

APPROVING AND AUTHORIZING THE EXECUTION OF A QUALIFIED PUBLIC COMMUNITY SERVICE AGREEMENT BETWEEN COLTS NECK TOWNSHIP AND THE GRANDE AT COLTS NECK CONDOMINIUM ASSOCIATES, INC.

WHEREAS, N.J.S.A. 40:67-23.3, as amended (hereinafter referred to as the "Act"), requires every municipality to either reimburse "Qualified Private communities" for certain services at a monetary level or rate consistent with the costs the municipality incurs providing the same services for public roads and streets, or to provide certain services to "Qualified Private Communities" in the same fashion as the municipality provides certain services on public roads and streets; and

WHEREAS the Township Committee of Colts Neck Township has determined that The Grande at Colts Neck Condominium Associates, Inc. is a "Qualified Private Community" as defined by the Act.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of Colts Neck Township that it hereby approves and authorizes the Mayor and Clerk to execute a Qualified Public Community Service Agreement between Colts Neck Township and The Grande at Colts Neck Condominium Associates, Inc. for the period ending December 31, 2027.

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of the Resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 28th day of May, 2025

_____

Trina Lindsey, Municipal Clerk

RECORD OF VOTE					
	M S	Yes	No	NV	Ab
Mayor Buss					
Deputy Mayor Viola					
Buzzetta					
Fitzpatrick					
Rizzuto					
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

RESOLUTION 2025-105

AUTHORIZING THE PURCHASE OF
TWO COMPUTER TABLETS WITH DOCKING STATIONS
AND INSTALLATION
FOR THE COLTS NECK FIRE DEPARTMENT
NJ STATE CONTRACT # 17-FLEET-00744
$11,530.00

BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby authorizes the purchase of two computer tablets with docking stations and installation for the Colts Neck Fire Department, as follows:

VENDOR: ITS Island Tech Services
980 S 2nd St.
Ronkonkoma, NY 11779

PURCHASE: Two computer tablets with docking stations and installation (F110G7-17-1355U Processor, Windows Hello webcam, Windows 11+ 16GB RAM, 256GB PC)

AMOUNT: $ 11,530.00

BE IT FURTHER RESOLVED AND CERTIFIED by John Antonides, Chief Financial Officer, that funds for this purpose are provided through the Capital Ordinance 2025-10, Capital Budget Account # C-02—078-299; 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. Kathleen Capristo, Administrator;
2. John Antonides, Chief Financial Officer; and
3. John Sauter, Chief, Colts Neck Fire Department

I, Trina Lindsey, 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 the regular meeting held on the 28th day of May, 2025

_____
Trina Lindsey, Municipal Clerk

RECORD OF VOTE					
	M S	Yes	No	NV	Ab
Mayor Torchia Buss					
Deputy Mayor Viola					
Buzzetta					
Fitzpatrick					
Rizzuto					
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

RESOLUTION 2025-106

AUTHORIZING FIREWORKS
DISPLAY ON JULY 3, 2025
AT BUCKS MILL PARK
COLTS NECK BUSINESS ASSOCIATION

BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby approves the following fireworks display for the Colts Neck Business Association:

July 3, 2025 at Bucks Mill Park, 137 Bucks Mill Road, Colts Neck.

BE IT FURTHER RESOLVED that said approval is contingent upon the acquisition of any and all permits as required by the Township and the Township's Fire Official; and;

BE IT FURTHER RESOLVED that said approval is contingent upon the Colts Neck Township being named as an additional insured on a Certificate of Insurance demonstrating sufficient insurance coverage for any and all property damage and/or personal injury claims arising from the fireworks display; and

BE IT FURTHER RESOLVED that said approval is contingent upon the compliance with all applicable federal, state, and local statutes, laws, regulatory guidance, and ordinances regarding the use of pyrotechnics and fire protection; and;

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

1. Daniel DeVito, Chief of Police;
2. John Sauter, Colts Neck Fire Chief;
3. Martha Leonhardt, First Aid Squad President;
4. Phil Engel, Fire Official;
5. Colby Marques, Recreation and Parks Director; and
6. Colts Neck Business Association.

I, Trina Lindsey, 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 28th day of May 2025

Trina Lindsey, Municipal Clerk

RECORD OF VOTE					
	M S	Yes	No	NV	Ab
Mayor Torchia Buss					
Deputy Mayor Viola					
Buzzetta					
Fitzpatrick					
Rizzuto					
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					