COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
APRIL 24, 2024, 6:00 P.M.
TOWN HALL

---

1. Mayor Rizzuto called the meeting to order at 6:00 p.m.

2. Mayor Rizzuto asked everyone to join him in the salute to the flag.

3. Administrator Capristo read the following Sunshine Statement: "The notice requirements of the New Jersey Public Meetings Law have been satisfied by noticing the Asbury Park Press and the Two River Times on January 8, 2024, stating that a regular meeting of the Township Committee would be held on April 24, 2024, at 7:00 p.m., 1 Veterans Way, Colts Neck, NJ 07722, Town Hall. A copy is on file in the office of the Township Clerk."

   "Further notice was provided to the Asbury Park Press on April 11, 2024, noting the meeting time change from 7:00 p.m. to 6:00 p.m."

4. Roll call by Deputy Municipal Capristo indicated the following:

Present:	Mayor Frank Rizzuto, Deputy Mayor Tara Torchia Buss, Committeeman Michael Viola, Committeeman J.P. Bartolomeo (Arrived at 6:10 pm) and Committeewoman Sue Fitzpatrick
Also Present:	Kathleen Capristo, Township Administrator/Deputy Municipal Clerk, Meghan Bennett, Township Counsel (Arrived at 7:00 pm)
Absent:	Trina Lindsey, Municipal Clerk

5. Resolution 2024-71: Executive Session – Personnel

   Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Viola, seconded by Deputy Mayor Buss and a unanimous roll call vote, the resolution was adopted.

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

   After executive session, Mayor Rizzuto called for a motion to return to open session at 6:55 pm. On a motion by Committeeman Viola, seconded Committeewoman Fitzpatrick and a unanimous voice vote, the meeting was back in open session.

6. **Proclamation(s):**

   a. National Police Week, May 12 – 18, 2024

   Mayor Rizzuto read the proclamation and requested it be presented to the Police Department.

   b. National Foster Care Month – May, 2024

Mayor Rizzuto read the proclamation and requested it be presented to Ms. Anita Dedalis.

7. **Discussion Item**

a. 7 Yearling Path – Fence proposal in conservation easement – AJ Garito, Two River Engineering

Mayor Rizzuto reported that the item was being tabled as the presenter, Mr. Garito, was unavailable.

8. **Approval of minutes:**

a. April 10, 2024 – Executive Session
b. April 10, 2024 – Regular Meeting

Mayor Rizzuto called for a motion to approve. On a motion by Deputy Mayor Buss, seconded by Committeeman Viola and a unanimous roll call vote, the minutes were approved as presented.

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

9. **2024 Municipal Budget:**

Mayor Rizzuto invited Chief Financial Officer, John Antonides to comment. Mr. Antonides summarized the process for the annual budget then highlighted some key aspects. Mr. Antonides reported that the total 2024 budget is $18,195,250 and in compliance with state law is balanced and offset by anticipated revenues of an equal amount. Mr. Antonides added that this budget results in a 0.29% increase or approximately $8.99 on the average home assessed at $1,119,496. Mr. Antonides also noted some key challenges related to the preparation of the budget including cost increases associated with health insurance, workers compensation insurance, Public Employee Retirement Systems, Police and Firemen's Retirement System, and recycling collection and disposal. Finance Chair Michael Viola expressed his gratitude to CFO Antonides, the Administrator, and all department heads for their efforts in preparing the budget. Mr. Viola added that the budget reflects the use of $3.2 million in surplus and of that $2.3 million will be used for capital improvements including $1.6 million in road repairs. Mayor Rizzuto thanked Finance Chair Viola for his hard work in connection with the budget.

Mayor Rizzuto called for comments. Hearing none, Mayor Rizzuto called for a motion to open public comment. On a motion by Deputy Mayor Buss, seconded by Committeeman Viola and a unanimous voice vote, public comment was open.

Fulton Wilcox, resident, stated that to his knowledge the 2023 budget was not posted on the website and asked if the 2024 budget would be posted. Administrator Capristo advised that both budgets are on the website and offered to assist Mr. Wilcox in navigating to the correct location on the site.

Kathleen Foley, resident, asked if the CFO could expand on his comment related to increased costs associated with recycling. Mr. Antonides advised that recycling collection is state mandated and that the Township outsources the collection to a private contractor and the costs associated with this has increased 6%. Ms. Foley suggested the Township consider composting to help reduce this cost.

Hearing no further comments or questions from the public, Mayor Rizzuto called for a motion to close public comment. On a motion by Committeewoman Fitzpatrick, seconded by Deputy Mayor Buss and a unanimous voice vote, public comment was closed.

10. <u>New business:</u>

a. Ordinance 2024-14: An ordinance of Colts Neck Township, County of Monmouth, State of New Jersey, establishing a new chapter in Part II: General Legislation entitled "Fire Prevention – Outdoor Burning" of the code of Colts Neck Township

Mayor Rizzuto invited Township Planner, Tim Anfuso to comment. Mr. Anfuso gave an overview of the proposed ordinance. He noted that single family dwellings are currently exempt from state fire regulations and as such the Township's Fire Official and Fire Chief are hampered in controlling and regulating open burns on residential properties due to a lack of a local ordinance. Mr. Anfuso advised that this proposed ordinance establishes certain standards and regulations and detailed some of those standards.

Hearing no further comments, Mayor Rizzuto called for a motion to approve. On a motion by Deputy Mayor Buss, seconded by Committeewoman Fitzpatrick and a unanimous roll call vote, the ordinance was approved for introduction. Mayor Rizzuto announced that the public hearing is scheduled for May 8, 2024.

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

b. Resolution 2024-67: Confirming appointment of Township Professional pursuant to N.J.S.A. 40A:11-5, FSD Enterprises, LLC

Mayor Rizzuto stated that this is the professional who assists with the management of the Township's cell towers and called for comments. Hearing no comments, Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Viola, seconded by Committeewoman Fitzpatrick and a unanimous roll call vote, the resolution was adopted.

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

c. Resolution 2024-72: Authorizing adoption of the 2024 municipal budget

Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Viola, seconded by Committeewoman Fitzpatrick and a unanimous roll call vote, the resolution was adopted.

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

d. Resolution 2024-73: Establishing 2024 salaries and wages for non-union Township positions

Mayor Rizzuto called for comments. Administrator Capristo advised that this is routine after the budget adoption to memorialize salaries for non-union employees. Hearing no further comments, Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Deputy Mayor Buss and a unanimous roll call vote, the resolution was adopted.

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

e. Resolution 2024-74: Authorizing and approving execution of an employment agreement, Paul Santucci

Mayor Rizzuto stated that this resolution is in connection with Chief Santucci's employment agreement. Hearing no further comments, Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Viola, seconded by Committeewoman Fitzpatrick and a unanimous roll call vote, the resolution was adopted.

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

f. Resolution 2024-75: Resolution approving an agreement between Colts Neck Township and Chief of Police Paul Santucci regarding withdrawal of compensatory time from Chief Santucci's compensatory time bank

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

Absent

Mayor Rizzuto called for comments. Committeeman Bartolomeo stated that this resolution is in connection with Chief Santucci's payment of comp time that he has earned and banked and is requesting payment on. Hearing no further comments, Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Deputy Mayor Buss and a unanimous roll call vote, the resolution was adopted.

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

g. 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.

a. Resolution 2024-76: Authorizing acceptance of a performance guarantee and inspection fee for a street opening permit, Block 16, Lot 53.28 – 6 Old Stable Way, ZB2022

b. Resolution 2024-77: Authorizing sale of municipal personal property through on-line auction

c. Resolution 2024-78: Accepting the resignation of township employee, Matthew Tamaro

Mayor Rizzuto called for comments. Hearing no comments, Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Deputy Mayor Buss and a unanimous roll call vote, the resolution was adopted.

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

h. Approval of Vouchers

Committeeman Viola stated that he reviewed all of the vouchers and found all to be in order. He added that 90% of the monies to be disbursed will go to the Colts Neck Board of Education and Freehold Regional High School District. Committeeman Viola noted that there is one check that is being reissued as it was lost in the mail. Committeeman Viola made a motion to approve the bill list.

Mayor Rizzuto called for a second to Committeeman Viola's motion, seconded by Committeewoman Fitzpatrick and a unanimous roll call vote, the bills list was approved.

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

Mayor Rizzuto recuses from any bills/vouchers in connection with the Colts Neck Fire Department.

Deputy Mayor Buss recuses from any bills/vouchers in connection with the shared municipal court with Holmdel Township.

Committeeman Viola recuses from any bills/vouchers in connection with Best Horticultural and Joleen Landscaping.

i. Administrator's Report
None

j. Township Committee Reports

Committeeman Bartolomeo

- Committeeman Bartolomeo announced that the Shade Tree Commission Sapling Giveaway is scheduled for Saturday, April 27, 2024 from 9:00 am to 10:30 am at the Community Center at Bucks Mill Park. Mr. Bartolomeo added that the saplings are being donated by Bartlett Tree Experts and there will also be a tutorial on composting.

Committeewoman Fitzpatrick

- Committeewoman Fitzpatrick reported that the Environment Commission and Green Team, in celebration of Earth Week, did a clean-up around Town Hall. Ms. Fitzpatrick was happy to report that there was very little debris collected.
- Committeewoman Fitzpatrick announced that they will be giving away seed packets at the Sapling Giveaway and that Charlene Kiley will be hosting a compost demonstration which will start at 9:30 am.
- Committeewoman Fitzpatrick reported that the Environmental Commission and Green Team is working on finalizing the Environmental Resources Report with an eye toward getting it to the Long-Range Planning Committee in May.
- Committeewoman Fitzpatrick stated that the Colts Neck Business Association will be hosting a networking event on Thursday, May 16, 2024 at Robert DeFalco Realty in the Orchards Plaza, Colts Neck.
- Committeewoman Fitzpatrick reported that there were two fires in town recently and extended her appreciation and gratitude for all the first responders.

Committeeman Viola:

- Committeeman Viola reported that the annual Clean-up Day is Saturday, May 4, 2024, from 7 am to 1 pm at Mazza in Eatontown.
- Committeeman Viola stated that the Department of Public Works is wrapping up brush collection in Zone 4.
- Committeeman Viola reported that seniors interested in a bulk pick-up must make a reservation no later than May 2, 2024 at 3 pm by calling 732-462-7998.
- Committeeman Viola reminded residents to utilize the Report a Concern feature on the township's website to report potholes throughout the township.
- Committeeman Viola stated that the Seniors have a sold-out trip next month to Atlantic City and a scheduled trip in June to see a musical.

- Committeeman Viola reported that there has been no decision made in connection with the round three affordable housing application and reminded the public that there will be a public presentation on May 22, 2024 at 7 pm at Conover Road Primary School.
- Committeeman Viola announced the Farmhouse 5K fun run will take place at the Municipal Complex on Sunday, May 19, 2024 at 8 am.
- Committeeman Viola announced the Memorial Day Parade will be Monday, May 27, 2024, at 10 am and will featuring a bicycle decorating contest, a ceremony at Memorial Park, and hotdogs and Birch Beer soda at Firehouse #2. Committeeman Viola thanked the members of Firehouse #2 for hosting and the family for the generous donation.
- Committeeman Viola reported that the summer camp preparation and enrollment is in full swing and progressing nicely.
- Committeeman Viola reported that the recreation subcommittee continues to evaluate field usage, maintenance, and fees noting that this is a big undertaking.

Deputy Mayor Buss:

- Deputy Mayor Buss echoed Committeewoman Fitzpatrick's gratitude to the first responders in connection with the two recent fires. Deputy Mayor Buss specifically recognized Mike Cusate, Kevin Ketelsen, Dave Paulsen, Kevin Knecht, Fernando Pinguelo, Dave Mann, and Dan Buzzetta for their efforts.
- Deputy Mayor Buss also spoke to the challenges the fire department is experiencing with fundraising noting that donations are down significantly for all first responders. Deputy Mayor Buss noted that they are looking for new and creative ways to support the departments and are also looking for more grant opportunities. Finally, Deputy Mayor Buss reported that the departments are looking for ways to enhance their training efforts including joint programs with JCP&L, NJNG and other municipalities.
- Deputy Mayor Buss reported that the annual Book Fair is this weekend, Saturday, 10 – 4 pm and Sunday, 10 – 3 pm, and thanked the Friends of the Library and the volunteers for their hard work in connection with this event.
- Deputy Mayor Buss reminded everyone that April is the Month of the Military Child which spotlights the importance of the role children play in the armed forces community.
- Deputy Mayor Buss expressed great appreciation and gratitude for Mrs. Lorraine Garrido who is retiring after over 20 years of service to the Colts Neck school district and wished her well.
- Deputy Mayor Buss announced that the Board of Education will be holding their budget hearing at 6:30 pm on May 7, 2024.

Mayor Rizzuto:

- Mayor Rizzuto reported that OEM will be working with the County on various projects and drills.
- Mayor Rizzuto reported that the First Aid Squad continues to work on their re-entry to the First Aid Squad building.
- Mayor Rizzuto stated the succession planning for the Chief of Police position is on-going.
- Mayor Rizzuto reported that the Historic Preservation Committee conducted some minor repairs to the Montrose School House.
- Mayor Rizzuto reported that they held a mock classroom session at the Montrose School which was well received and enjoyed by the kids that participated. Mayor Rizzuto expressed thanks to the Fire Police who provided assistance with traffic control.

11. <u>Public Comment:</u>

Mayor Rizzuto called for a motion to open public comment. On a motion by Deputy Mayor Buss, seconded by Committeeman Bartolomeo and a unanimous voice vote, public comment was opened.

Kevin O'Brien, resident, spoke to the agenda item involving 7 Yearling Path that was tabled questioning the intent of the presentation and characterizing it as a "charade". Mr. O'Brien voiced concern over the public's inability to comment on a similar

presentation presented by the same individual. Mr. O'Brien further opined that an application of this nature requires DEP consideration and approval. In connection with the Ordinance introduced related to open burning, Mr. O'Brien voiced support. Mr. O'Brien inquired as to the topic of the Executive Session.

Melinda Martin, resident, reported that there was damage to the curbs as a result of leaf collection and requested details regarding the guidelines for placement of leaves and brush. Ms. Martin asked that the flyer sent to residents be reviewed to ensure its accuracy.

Elaine Mann, resident, questioned the accuracy of the 20:1 acre swap necessary in connection with the new building. Ms. Mann suggested that the public was misled regarding a pipe repair in the new building. Ms. Mann again questioned why the Township continued to pay for legal services related to the DeAngelis property acquisition. Ms. Mann encouraged everyone to sign a petition in connection with support for the first responders.

Kathleen Foley, resident, expressed concern about the previous member of the public's report of damage to curbs. Ms. Foley voiced concern about dog walkers who fail to pick up dog feces and the impact this has to the streams. Ms. Foley questioned why there was no longer a music festival in town and suggested more effort be placed on the arts in Colts Neck. Ms. Foley asked if the township has a senior center and suggested that classes and Zumba would be nice. Ms. Foley opined that the convenience center is a "joke". Ms. Foley stated that the Report A Concern portal is ineffective when there is an emergency stating that no one gets back to her. Ms. Foley voiced concern that there is no one to contact at American Water regarding concerns about the reservoir.

Tom Orgo, resident, reported that the Township passed an ordinance that requires all leaves and brush to be placed one foot off the curb.

As there were no further comments and/or questions from the public, Mayor Rizzuto called for a motion to close public comment. On a motion by Committeeman Viola, seconded by Committeeman Bartolomeo and a unanimous voice vote, public comment was closed.

12. <u>Discussion of Public Comment:</u>

Township Attorney Bennett advised that the Executive Session topic was a personnel matter and the continued billing in connection with the DeAngelis property is in connection with the efforts to obtain grant funding to offset the purchase price.

Committeeman Viola responded to Ms. Martin stating that the brush/leaf collection flyer will be updated to reflect the accuracy of the township ordinance regarding same. Committeeman Viola advised Ms. Foley that there is a Community Center at Bucks Mill Park which is used for a number of activities as well as the Recreation Department's Studio on Heyers Mill Road which has a variety of dance and fitness activities and that there will be eleven concerts this summer at the Municipal Complex.

Committeewoman Fitzpatrick responded to Ms. Foley advising that the Seniors meet every month at the Colts Neck Inn, participate in several trips throughout the year, and participate in many activities. Committeewoman Fitzpatrick further stated that it is her understanding that the seniors do not want a club house preferring not to be burdened by the maintenance and upkeep.

Mayor Rizzuto added that there are approximately 280 seniors in the Seniors Club who enjoy several activities and thanked Committeeman Bartolomeo who started the Music in the Park which is now an annual part of the Township's summer activities.

13. <u>Adjournment</u>:

As there was no further business, Mayor Rizzuto called for a motion to adjourn. On a motion by Deputy Mayor Buss, seconded by Committeeman Bartolomeo and a unanimous voice vote, the meeting adjourned at 7:50 p.m.

Kathleen Capristo, RMC
Deputy Municipal Clerk

APPROVED: 05/08/24