COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
MARCH 27, 2024, 7:00 P.M.
TOWN HALL

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1. Mayor Rizzuto called the meeting to order at 7:00 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 March 27, 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."

4. Roll call by Municipal Clerk Lindsey indicated the following:

Present:	Mayor Frank Rizzuto, Deputy Mayor Tara Torchia Buss, Committeeman Michael Viola, Committeeman J.P. Bartolomeo and Committeewoman Sue Fitzpatrick
Also Present:	Kathleen Capristo, Township Administrator, Trina Lindsey, Municipal Clerk and John Glynn, Township Counsel
Absent:	None

5. **Acknowledgment:**

   a. First Aid Squad Cadets
      - Arielle Ohana
      - Layla Haddad
      - Matthew Tso
      - Sophia Dietrich
      - Catherine Koutris

   Mayor Rizzuto read a letter of acknowledgement and presented the letter to each cadet in attendance. Mayor Rizzuto stated that the cadets are the junior members of the First Aid Squad. Mayor Rizzuto stated that the cadets drill and train twice a month, and once they hit the appropriate age mark, they can begin to prep to become an EMT. Mayor Rizzuto stated that the cadets are a great organization, and he is very proud to have them as members of the Colts Neck community.

6. **Proclamation(s):**

   a. National Alcohol Awareness Month – April 2024

   Deputy Mayor Buss read the proclamation and presented it to Anita Dedalis, Prevention Alliance.

   b. Child Abuse Prevention and Awareness month within Colts Neck Township – April 2024

   Mayor Rizzuto read the proclamation and presented it to Anita Dedalis, Prevention Alliance.

7. **Approval of minutes:**

   a. March 13, 2024 – Regular meeting

Mayor Rizzuto called for a motion to approve. On a motion by Deputy Mayor Buss, seconded by Committeewoman Fitzpatrick and a majority roll call vote, the minutes were approved as presented. Committeeman Bartolomeo abstained.

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

8. <u>Old business:</u>

a. Ordinance 2024-12: An ordinance to exceed the municipal budget appropriation limits and to establish a cap bank (N.J.S.A. 40A:4-45.14)

Mayor Rizzuto read the ordinance by title for second reading/public hearing. Mayor Rizzuto called for comments. Committeeman Viola stated that a cap bank is the differential amount of the ability to increase taxes. Committeeman Viola stated that adopting such ordinance is standard procedure. Hearing no further comments, Mayor Rizzuto called for a motion to open public comment. On a motion by Committeeman Viola, seconded by Committeeman Bartolomeo and a unanimous voice vote, public comment was open.

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

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

a. Ordinance 2024-13: An ordinance of Colts Neck Township, in the County of Monmouth, State of New Jersey, setting the salary and wage ranges for township employees

Mayor Rizzuto read the ordinance by title for first reading/introduction. Mayor Rizzuto called for comments. Administrator Capristo stated that this ordinance is routine during the budget process to memorialize minimum and maximum salary ranges. Hearing no further comments, 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 ordinance was approved for introduction. Mayor Rizzuto announced that the public hearing is scheduled for April 10, 2024.

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

b. Resolution 2024-62: Authorizing introduction of the 2024 municipal budget

Mayor Rizzuto called for comments. Mayor Rizzuto thanked Administrator Capristo, Chief Financial Officer, John Antonides and all of the department heads and volunteer departments for their work on the 2024 municipal budget. Committeeman Viola stated that the budget presented tonight for introduction is $18.195 million dollars including $481,573 in open space tax, $2.3 million in capital improvement funds, and leaves a balance of $2.2 million. Committeeman Viola stated the budget levy's a tax rate of .274 of a penny, which equates to an $8.99 increase on a home with an assessed value of $1,119,00.00. Committeeman Viola spoke about the capital improvement fund which allows the township to do projects without borrowing funds. Mayor Rizzuto thanked Committeeman Viola for his work as Finance Chairman. Hearing no further comments, Mayor Rizzuto 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					
	M S	Yes	No	NV	Ab
Mayor Rizzuto		X			
Deputy Mayor Buss		X			
Viola	M	X			
Bartolomeo	S	X			
Fitzpatrick		X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

c. Resolution 2024-63: Resolution in support of the New Jersey Department of Transportation project for the full replacement of the Route 34 Bridge over Big Brook (Structure No. 1308-154) within Colts Neck Township

Mayor Rizzuto called for comments. Administrator Capristo stated that this resolution is in connection with the bridge project that has been underway headed by the NJDOT. Administrator Capristo stated that part of the overall process is to memorialize via resolution Colts Neck Township's support of the project. Committeeman Viola reminded everyone that the NJDOT anticipates that construction on this project will begin in 2028. Hearing no further comments, 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					

d. Resolution 2024-64: Confirming hiring Colts Neck Township part time convenience center attendant for the Department of Public Works, Thomas E. Carpenter

Mayor Rizzuto called for comments. Hearing none, 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 resolution was adopted.

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					

e. Approval of Vouchers:

Committeeman Viola stated that he reviewed all of the vouchers and found all to be in order. Committeeman Viola noted invoices on the bill list in connection with the cupola project at Town Hall Annex. Committeeman Viola made a motion to approve the bill list.

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

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.

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					

f. Administrator's Report
None

g. Township Committee reports:

Committeeman Bartolomeo

- Committeeman Bartolomeo stated that the Shade Tree Commission met and discussed the annual sapling giveaway. Committeeman Bartolomeo stated that the state is not providing the saplings this year, therefore the Shade Tree Commission, in particular, Commissioner Stivala is working with Bartlett Tree Experts who has offered to provide the saplings at no charge. Committeeman Bartolomeo stated that Commissioner Stivala is working hard to have the

saplings ready to host the giveaway on April 27, 2024, at the Recreation Center. Committeeman Bartolomeo stated that the Shade Tree Commission also discussed doing an analysis of the township owned greenways and right of ways to document the amount of tree death there is in those areas. Committeeman Bartolomeo stated that the Commission is looking into possible grants to fund the analysis. Committeeman Bartolomeo stated that the Commission also discussed conducting controlled burns, if possible, in certain areas. Committeeman Bartolomeo stated that the Commission also discussed the Ash Borer trees on Heritage Lane and feel that treatment for these trees should continue. Committeeman Bartolomeo stated that the Commission is looking into raising funds privately for the treatment of the trees and would like to know if the Governing Body has any objection to them raising funds privately to continue the treatment of the trees. The Governing Body had no objection to the Commission raising funds privately. Administrator Capristo stated that a resolution would be passed to accept the monies as a donation to treat the trees.

Committeewoman Fitzpatrick

- Committeewoman Fitzpatrick reported that the Green Team and Environmental Commission met on Tuesday, March 26, 2024, at 6:30pm and 7:30pm respectively. Committeewoman Fitzpatrick stated that the boards are in the process of finalizing the Environmental Resource Inventory and about 80% complete. Committeewoman Fitzpatrick stated that the goal is t have the edited project to the Planning Board for their July meeting, if not before the July meeting. Committeewoman Fitzpatrick thanked Tim Anfuso, Township Planner, for his help and advice in finalizing the chapters and to the Green Team and Environmental Commission members for their diligence to finish this daunting project.
- Committeewoman Fitzpatrick stated that the Colts Neck Business Association's 14th annual luncheon at Trump National Golf was a great success and well attended. Committeewoman Fitzpatrick stated that Glen Dalakian was honored for his many years of service to the CNBA and the community. Committeewoman Fitzpatrick stated that the CNBA's next event is April 9, 2024, at 5:30pm which is a networking event hosted by CSAV Systems and a ribbon cutting for their new office space.

Committeeman Viola:

- Committeeman Viola stated that no decision has been received from the court in regard to affordable housing. Committeeman Viola stated that the new legislation which abolishes COAH has passed. Committeeman Viola stated that Round 4 planning continues, and the state is looking for age restricted housing, housing for families with children, rental housing, very low income and low-income housing, and transitional housing for developmentally challenged individuals. Committeeman Viola stated that there will be a 1,000 unit maximum that could be imposed on a municipality as their obligation. Committeeman Viola told the residents to stay tuned as there will be a lot more information forthcoming.
- Committeeman Viola stated that the annual Easter Egg Hunt was very successful and had 70 kids in attendance. Committeeman Viola thanked the Recreation Director, Colby Marques as well as Fire Company #1 for hosting.
- Committeeman Viola stated that the Farmhouse 5K is coming back and urged residents to stay tuned for more information on that.
- Committeeman Viola stated that the first concert in the park will be scheduled for June 6, 2024, and told residents to stay tuned for more information to follow.
- Committeeman Viola stated that brush pick up will start on Monday in Zone 1. Committeeman Viola urged residents to report potholes via the Township's website using Report a Concern.
- Committeeman Viola urged residents to sign up for news and notifications on the township's website and showed the residents a new QR code that they can use their phones to scan and sign up for news and notifications.

- Committeeman Viola stated that the Lion's Club Kentucky Derby will be held on May 4, 2024, at Bucks Mill Park and tickets can be purchased through the Lion's Club website.

Deputy Mayor Buss:

- Deputy Mayor Buss stated that she met with the Executive Fire Council President, the Chief and Deputy Chief of the Fire Department as well as Fire Company #1 and #2 Presidents. Deputy Mayor Buss stated that she had a great conversation with the group who helped her to understand how the fire companies work, their budgeting process and operations. Deputy Mayor Buss stated that they also spoke about volunteer incentives such as LOSAP contributions and the examination of possibly increasing the contribution amounts, and the group spoke about neighboring towns and how they are incenting their local volunteer department members. Deputy Mayor Buss stated that she is truly appreciative of the tremendous amount of time that the first responders give in responding to emergencies, keeping the community safe, and their efforts to raise awareness in the community. Deputy Mayor Buss stated that on March 18, 2024, Bill S2435 was passed revising the eligibility criteria for reimbursements from the EMT Training fund, which will allow for entities to receive reimbursements more easily.
- Deputy Mayor Buss stated that the Board of Education held a special meeting to introduce the tentative budget. Deputy Mayor Buss stated that the Board of Education will hold a public hearing on May 7, 2024, at 6:30pm for the 2024-2025 budget. Deputy Mayor Buss stated that the next regular meeting for the Board of Education is scheduled for April 10, 2024.
- Deputy Mayor Buss stated that the Prevention Alliance has hosted speakers who are running programs at the high school which is going very well. Deputy Mayor Buss stated that April is Child Abuse Prevention month – Pinwheels for Prevention. Deputy Mayor Buss stated that pinwheels are a national symbol of prevention exemplifying the happy, healthy and safe childhoods of all children. Deputy Mayor Buss stated that the high school guidance counselor spoke about the increased use of Zyns, which are nicotine pouches that are a discreet way to have nicotine without smoke or tobacco chew. Deputy Mayor Buss stated that the levels of nicotine are much higher than that of cigarettes and have serious health consequences.
- Deputy Mayor Buss stated that the Friends of the Library are taking book donations until March 31, 2024. The Book Fair is scheduled for Saturday, April 27, 2024, from 10:00am – 4:00pm and Sunday, April 28, 2024, from 10:00am – 3:00pm.

Mayor Rizzuto:

- Mayor Rizzuto stated that the First Aid Squad is eagerly awaiting restoration of their building, which is in the process of continued renovations and improvements. Mayor Rizzuto thanked the First Aid Squad for their patience.
- Mayor Rizzuto stated that there are no updates for the Office of Emergency Management (OEM), they continue to work on the five-year plan.
- Mayor Rizzuto stated that the Chief of Police, Paul Santucci, has announced his retirement. Mayor Rizzuto stated that the township will be conducting interviews of the three Lieutenants for the position of Chief of Police, and then conducting interviews of the Sergeants for the position of Lieutenant, and then conducting interviews of qualifying officers for the position of Sergeant.
- Mayor Rizzuto stated that the Historic Preservation Committee will be conducting a presentation at the Montrose School for the elementary school. Mayor Rizzuto stated that the Historic Preservation Committee is looking to have cosmetic repairs done on the Montrose School and will be looking into possible grant funds for the bigger portion of the restoration. Mayor Rizzuto stated that the Historic Preservation Committee endorsed a letter of support for Laird Road Distillery to be registered as a national historic structure. Mayor Rizzuto stated that the Historic Preservation Committee also endorsed a letter of support for the historic structures on the Laird property. Mayor Rizzuto stated that the distillery is looking to open a visiting center and a tasting room as well as a place where people can hold events. Mayor Rizzuto stated that the Historic Preservation Committee supports their application.

10. Public Comment:

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 opened.

Bill Tipton, resident, stated that he attended the County Architectural Review Committee meeting and the County Planning Board meeting in regard to the Colts Neck Manor project. Mr. Tipton stated that the County Planning Board had an open discussion where they expressed their frustration in regard to helping the residents due to jurisdictional limitations. Mr. Tipton stated that after the County Planning Board meeting, he was able to speak with one of the Planning Board members who stated that these concerns should have been addressed at the township level. Mr. Tipton asked how the township allowed the treatment plant plan to be approved. Mr. Tipton spoke about the treatment plant having a life expectancy and asked if the township conducted any studies or hired the appropriate professionals. Mr. Tipton stated the system as it is designed has never been utilized and the township is taking a chance putting this in an area of a reservoir that feeds drinking water. Mr. Tipton asked what protocols the township will have in place when the system fails. Mr. Tipton stated that he is very frustrated and stated that the township could have approved the development plan, but not the water treatment plan. Mr. Tipton stated that the Homeowner's Association for the 360-unit development will go bankrupt when this system fails, and the burden will be on the taxpayers.

Christine Tipton, resident, asked if the township can utilize surplus funds to hire the appropriate engineers for the Colts Neck Manor project. Ms. Tipton stated that she was surprised at the amount money the township has in surplus. Ms. Tipton spoke about 17 towns who came together to fight against COAH stating that although they lost at least they tried. Ms. Tipton stated that she was in attendance at the Planning Board meeting which was held via Zoom when the Colts Neck Manor developer stated that he would not post a bond for the possible failure of the water treatment plant.

Allan Ryan, resident, stated that he is a lifetime member of the Colts Neck Fire Company #2. Mr. Ryan spoke about an incident that occurred on St. Patrick's Day and commended his fellow volunteer fire department members who did a tremendous job responding to the incident.

Fulton Wilcox, resident, stated that long ago he spoke of finding a non-profit agency to build the required amount of affordable housing units. Mr. Wilcox shared his own personal story of being a living being of an affordable housing complex in Portland, Maine and noted that the affordable housing complex in Maine is still standing today.

Christine Tipton, resident, asked if the Naval Weapons Station Earle area is a part of the affordable housing plan and asked if the town could cut them loose because it's land that cannot be built on.

Melinda Martin, resident, spoke about there being a lot of dead trees in Colts Neck and most of them being the Emerald Ash Borer trees. Ms. Martin stated that the only Emerald Ash Borer trees alive in Colts Neck are the ones on Heritage Lane that have been treated. Ms. Martin spoke about a seminar she attended and provided a handout to the Governing Body. Ms. Martin stated that at this seminar the professors spoke about utilizing foreign organisms such as a parasitic wasp. Ms. Martin stated that if something is not done to save the trees they will be completely wiped out, which is the same thing that happened 100 years ago with the Chestnut tree. Ms. Martin stated that four to five years of research has been conducted before bringing the parasitic wasp to the United States.

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 Deputy Mayor Buss, seconded by Committeeman Viola and a unanimous voice vote, public comment was closed.

11. Discussion of Public Comment:

Mayor Rizzuto thanked Ms. Martin for her comments and advised that she attend the Shade Tree Commission meeting.

Mayor Rizzuto responded to Mr. and Mrs. Tipton stating that the Township has held three Town Hall meetings strictly to educate the public on affordable housing and the obligation for Colts Neck Township. Mayor Rizzuto stated that the Township has hired the best professionals in the state for affordable housing. Mayor Rizzuto stated that every angle has been explored and every angle will continue to be explored.

Committeeman Viola responded to Mr. Wilcox stating that the type of housing built is limited to a certain percent. Committeeman Viola stated that affordable housing units are limited to 15 percent for this round of obligations.

Committeeman Viola responded to Mr. and Mrs. Tipton stating that the two biggest issues for the Colts Neck Planning Board with the Colts Neck Manor application was the highway management plan and the wastewater treatment plan. Committeeman Viola stated that the Colts Neck Planning Board had no jurisdiction over those two plans, the County is responsible for the Highway Safety Plan (ingress/egress), and the NJDEP is responsible for the Wastewater Treatment Plan.

Committeeman Viola and Committeeman Bartolomeo gave a history of the affordable housing requirements to Mr. and Mrs. Tipton dating back to 2015 when the township held their first Town Hall meeting for the public to discuss the affordable housing requirements and what those requirements were back then, how the metrics changed and the history of the Kushner property.

12. Adjournment:

As there was no further business, Mayor Rizzuto called for a motion to adjourn. On a motion by Committeeman Viola, seconded by Deputy Mayor Buss and a unanimous voice vote, the meeting adjourned at 8:42 p.m.

Trina Lindsey, RMC
Municipal Clerk

APPROVED: 04/10/24