COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
JANUARY 31, 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 Captain Kevin Ketelson, Jr. to lead everyone in the salute to the flag.

3. Municipal Clerk, Trina Lindsey 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 January 31, 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:	Trina Lindsey, Municipal Clerk and Meghan Bennett, Township Counsel
Absent:	Kathleen Capristo, Township Administrator

5. Proclamation(s)

   a. 2024 National Wear Red Day for women within Colts Neck Township, February 2, 2024

Committeewoman Sue Fitzpatrick read the proclamation and presented it to Anita Dedalis, Colts Neck Prevention Alliance.

6. **Discussion Item(s):**

   a. 2023 Zoning Board of Adjustment annual report – Tim Anfuso

Township Planner, Tim Anfuso reviewed the annual Zoning Board of Adjustment report stating that in 2023 the board acted on a total of 22 applications, 20 applications were approved and 2 were dismissed without prejudice. Mr. Anfuso reported that the A-1 zone produced the most applications with seven applications. Mr. Anfuso stated that the A-1 Cluster Development produced the second most applications with four applications. Mr. Anfuso stated that additions were the most common type of application heard with patios and decks being the second most common. Mr. Anfuso stated that the board heard three use variance applications.

Committeeman Viola stated that the reason for the annual report is so that if the township is seeing a high number of zoning applications in one area the township can review the zoning ordinances for possible change.

7. **Approval of minutes:**

   a. January 6, 2024 – Reorganization meeting
   b. January 10, 2024 – Executive session
   c. January 10, 2024 – Regular meeting

Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeewoman Fitzpatrick 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		X			
Viola		X			
Bartolomeo	M	X			
Fitzpatrick	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

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

a. Ordinance 2024-1: Ordinance repealing § 164-3, § 164-4, § 164-5, § 164-9, § 164-10, § 164-11, § 164-12, § 164-13, § 164-14, § 164-15, § 164-17, § 164-20, and § 164-23 of Chapter 16 "Peace and Good Order" of the code of Colts Neck Township, County of Monmouth, and State of New Jersey

Mayor Rizzuto read the ordinance by title for second reading/public hearing. Mayor Rizzuto called for comments from the committee. Attorney Bennett explained that there are sections of this ordinance that are being repealed because of constitutional issues and sections that are preempted by state law. Committeeman Bartolomeo gave an example of a neighboring town who released a statement stating that the laws and ordinances of that township would correct the issues that are happening statewide with car thefts and car burglaries. Attorney Bennett stated that no township can have a law higher than state law. Hearing no further comments, Mayor Rizzuto called for a motion to open the public hearing. On a motion by Committeeman Viola, seconded by Committeeman Bartolomeo, the public hearing was opened.

Kevin O'Brien, resident, spoke about the loitering change in the law came after a case in New Brunswick back in 2014. Mr. O'Brien spoke about concerns from residents in regard to a gentleman that was sleeping in his vehicle in town and harassing people at the shopping center. Mr. O'Brien stated that he has asked for the monthly police report to be read publicly at the township committee meetings. Mr. O'Brien stated that he had two Latino men appear in his back yard and felt uncomfortable in that situation.

Attorney Bennett asked Mr. O'Brien to please discuss his comments in regard to this ordinance only.

Elaine Mann, resident, commented that in the NJ Register volume 58 under solicitation the first offense for prostitution is a disorderly persons offense, the second and any thereafter are a federal offense. Ms. Mann asked if solicitation would be a disorderly persons offense.

Attorney Bennett responded stating that the sections that are being removed from the township's ordinance are already governed by state law. Ms. Bennett gave an example stating that the township cannot adopt an ordinance stating that an establishment cannot serve alcohol to persons under 21 years of age because state law already governs that.

Attorney Bennett read the ordinance chapters that are being removed and what state statute preempts them.

Bill Tipton, resident, stated that he appreciates the clarification from the township attorney. Mr. Tipton asked if the township could put this information on the township websight prior to the public hearing to eliminate the questions from the residents. Mr. Tipton asked if the township will address the sections the ordinance that are unconstitutional.

Attorney Bennett responded stating that loitering has been unconstitutional for many years and she doesn't believe she can touch the loitering ordinance.

Mayor Rizzuto spoke briefly about several laws that have been labeled as unconstitutional and gave a few examples such as police officers not being held responsible for deaths during a riot situation.

Sherry Calamusa, resident, spoke about having a business in town that has children present that are under the age of 18 years old. Ms. Calamusa spoke about an issue with a gentleman who loiters around her business area and the parents being concerned about this gentleman loitering around their children. Ms. Calamusa stated that she has called the police in the past, but they aren't able to do much to the person loitering. Ms. Calamusa asked if there is anything the town can do to help the situation.

Attorney Bennett responded stating that she is unable to provide legal advise, however, explained that Ms. Calamusa should contact the Colts Neck Police Department and discuss her options.

Marianne Cucolo, resident, asked if the township committee can come up with a plan that makes the residents more comfortable and safe.

Deputy Mayor Buss thanked Meghan for her leadership and knowledge.

Hearing no further comments from the public, Mayor Rizzuto asked for a motion to close the public hearing. On a motion by Committeewoman Fitzpatrick, seconded by Deputy Mayor Buss and a unanimous voice vote, the public hearing was closed. Mayor Rizzuto called for a motion to approve. On a motion by Committeewoman Fitzpatrick, 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		X			
Fitzpatrick	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

b. Ordinance 2024-2: An ordinance making the provisions of Subtitle I of Title 39 pursuant to N.J.S.A. 39:5A-1 of the revised statutes of New Jersey applicable to the Express Auto Spa, Block 48, Lot 6

Mayor Rizzuto read the ordinance by title for second reading/public hearing. Mayor Rizzuto called for comments from the committee. Township Planner, Tim Anfuso commented stating that this is in reference to a new car wash and 50,000 sq ft office building located on Route 34. Mr. Anfuso stated that this ordinance allows the Police Department to enforce parking laws on private property. Hearing no further comments, Mayor Rizzuto called for a motion to open the public hearing. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola and a unanimous voice vote, the public hearing was opened. Mayor Rizzuto called for comments from the public. Hearing no comments or questions from the public, Mayor Rizzuto called for a motion to close the public hearing. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola and a unanimous voice vote, the public hearing was closed. Mayor Rizzuto called for a motion to approve. On a motion by Committeewoman Fitzpatrick, seconded by Committeeman Bartolomeo 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		X			
Viola		X			
Bartolomeo	S	X			
Fitzpatrick	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

c. Ordinance 2024-3: Ordinance authorizing an easement vacation and swap involving Block 22, Lot 8 (f/k/a Lots 11, 12, 13, 14)

Mayor Rizzuto read the ordinance by title for second reading/public hearing. Mayor Rizzuto called for comments from the committee. Township Planner, Tim Anfuso explained that this ordinance is in reference to Colts Neck Manor on Route 537 at Five Points Road. Mr. Anfuso explained that there is an existing conservation easement and landscape easement. Mr. Anfuso stated that this ordinance vacates both of those easements and rededicates new more restrictive easements to replace them. Mr. Anfuso explained that the County is requiring a traffic light at the location which will be located in the township's landscape easement. Mr. Anfuso explained that the ordinance is vacating the 10 ft that the County is requiring and dedicating another 10 ft further into the property. Hearing no further comments, Mayor Rizzuto called for a motion to open the public hearing. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola and a unanimous voice vote, the public hearing was opened.

Kevin O'Brien, resident, commented that there is no clear indication through the title of the ordinance on the agenda that this is in reference to the Colts Neck Manor property. Mr. O'Brien thanked Mr. Anfuso for visiting with him in his office and sharing the maps with him to give clear clarification. Mr. O'Brien asked why the riparian buffer wasn't addressed in 2021.

Mr. Anfuso responded stating that the riparian buffer wasn't in place in 2021 and spoke about a C1 water body.

Bill Tipton, resident, asked if the builder is able to put a septic system under the riparian buffer area.

Mr. Anfuso responded, no.

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

d. Ordinance 2024-4: An ordinance of Colts Neck Township in the County of Monmouth, State of New Jersey, amending Ordinance 2023-11, an ordinance setting the salary and wage ranges for township employees

Mayor Rizzuto read the ordinance by title for second reading/public hearing. Mayor Rizzuto called for comments from the committee. Hearing none, Mayor Rizzuto called for a motion to open the public hearing. On a motion by Committeeman Bartolomeo, seconded by Committeewoman Fitzpatrick and a unanimous voice vote, the public hearing was opened. Mayor Rizzuto called for a comments from the public. Hearing none, Mayor Rizzuto called for a motion to close public comment. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola 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 Committeewoman Fitzpatrick 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		X			
Viola		X			
Bartolomeo	M	X			
Fitzpatrick	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

e. Ordinance 2024-6: An ordinance of Colts Neck Township, in the County of Monmouth and the State of New Jersey amending and supplementing Chapter 87 of the code of Colts Neck Township entitled "Brush, weeds and plant life"

Mayor Rizzuto read the ordinance by title for second reading/public hearing. Mayor Rizzuto called for comments from the committee. Township Planner, Tim Anfuso stated that this ordinance is in reference to sight triangles at intersections. Mr. Anfuso explained that this ordinance allows the township to enforce clear passing at an intersection of 25 ft from the edge of pavement along the intersection. Mr. Anfuso explained that if the intersection is deemed to be in violation the property owner would have to maintain a clear line of sight for safety purposes. Hearing no further comments, Mayor Rizzuto called for a motion to open the public hearing. On a motion by Deputy Mayor Buss, seconded by Committeewoman Fitzpatrick and a unanimous voice vote, the public hearing was opened.

Melinda Martin, resident, stated that she spoke with Tim early in the day and he clarified her concerns which are that the ordinance states that a sizeable area of one's yard that has to be cleared for safety reasons. Ms. Martin spoke about the ordinance targeting specimen trees that have been along the street for 100 to 200 years. Ms. Martin stated that there are specimen trees along Heulitt Road that will be destroyed by this ordinance. Ms. Martin stated that she finds the ordinance environmentally offensive.

Christine Tipton, resident, asked if there has been an over abundance of accidents and stated that this ordinance could impose a financial burden on property owners. Ms. Tipton stated that part of the allure of Colts Neck are the trees and the vegetation. Ms. Tipton asked what is driving the township to adopt this ordinance.

Kevin O'Brien, resident, stated that he walks every morning and he appreciates the safety concern. Mr. O'Brien asked about a utility pole at an intersection that would be in the 25 ft area, and asked if the utility company would have to remove that pole.

Committeeman Bartolomeo stated that the issue with sight triangles not being cleared was brought to the Governing Body's attention. Committeeman Bartolomeo explained that when something is brought to the Governing Body's attention it is the Committee's responsibility to review the issue. Committeeman Bartolomeo stated that there is a lot of cause and effect as to why these things are put into place. Committeeman Bartolomeo stated that the Governing Body has a duty to review what is more important, a tree or public safety.

Melinda Martin, resident, stated that she is concerned that a lot of residents are unaware of this ordinance and asked that the Governing Body seek the opinion of

residents prior to voting. Ms. Martin spoke about motorists being on their cell phones and not paying attention to driving being the safety concern rather than line of sight at sight triangles. Ms. Martin also commented that she is concerned about the Code Enforcement Manager making these decisions as someone who is not a resident of Colts Neck.

Attorney Bennett explained to the residents the due process of going to court if the Code Enforcement Manager deems that a tree must be cleared and the homeowner disagrees with his findings.

Bill Tipton, resident, asked if this ordinance will be blanket across the entire township or will it only be enforced if someone complains about a specific area and the area is inspected and deemed to be an issue.

Attorney Bennett explained that the Code Enforcement Manager may see an area in his travels and deem the area an issue an in violation. Attorney Bennett also explained that just because there is a tree in a sight triangle doesn't mean that the tree will be deemed an issue.

David Hauss, resident, asked if it would be possible to make an exception for 200 year old trees and possibly have signage warning drivers that there are blind spots in that area.

Attorney Bennett explained that this would not be possible due to the liability on the township stating that signage would not remediate the township from liability.

Fulton Wilcox, resident, stated that one of the problems is that the agenda is not clear and that the did not understand this specific ordinance.

Hearing no further comments or questions from the public, Mayor Rizzuto called for a motion to close the public hearing. On a motion by Committeeman Viola, seconded by Deputy Mayor Buss and a unanimous voice vote, the public hearing was closed. Mayor Rizzuto called for a motion to approve. On a motion by Committeewoman Fitzpatrick, 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		X			
Fitzpatrick	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

f. Ordinance 2024-7: Ordinance authorizing a partial drainage easement vacation and swap involving Block 7.02, Lot 35.05 commonly known as 3 Preakness Way

Mayor Rizzuto read the ordinance by title for second reading/public hearing. Mayor Rizzuto called for comments from the committee. Township Planner, Tim Anfuso stated that this ordinance is in reference to Clover Hill Estates subdivision and a drainage easement. Mr. Anfuso explained that this ordinance vacates the existing drainage easement and rededicates a new drainage easement. Hearing no further comments, Mayor Rizzuto called for a motion to open the public hearing. On a motion by Committeeman Viola, seconded by Committeewoman Fitzpatrick, and a unanimous voice vote, the public hearing was opened.

Kevin O'Brien, resident, stated that he sat with Tim Anfuso yesterday to review this ordinance and stated that he didn't realize that this had already been approved.

Hearing no further comments, 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, the public hearing was closed. Mayor Rizzuto called for a motion to approve. On a motion by Deputy Mayor Buss, seconded by Committeeman Bartolomeo 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	M	X			
Viola		X			
Bartolomeo	S	X			
Fitzpatrick		X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

9. **New business:**

a. Ordinance 2024-8: An ordinance of Colts Neck Township in the County of Monmouth and the State of New Jersey establishing new article V entitled "Privately-owned salt storage" of the code of Colts Neck Township

Mayor Rizzuto read the ordinance by title for first reading/introduction. Mayor Rizzuto called for comments. Township Planner, Tim Anfuso stated that the New Jersey Department of Environmental Protection (NJDEP) regulates the township's pollution elimination discharge permit. Mr. Anfuso explained that the NJDEP is constantly updating their ordinances with new minimum requirements. Mr. Anfuso stated that as part of the township's permit the township must adopt a privately-owned salt storage ordinance. Mr. Anfuso stated that this ordinance will apply to all private and commercial properties and is mandated by NJDEP. Hearing no further comments, Mayor Rizzuto called for a motion to approve. On a motion by Committeewoman Fitzpatrick, seconded by Committeeman Bartolomeo and a unanimous roll call vote, the resolution was adopted. Mayor Rizzuto announced that the public hearing is scheduled for February 14, 2024.

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

b. Ordinance 2024-9: An ordinance of Colts Neck Township in the County of Monmouth and the State of New Jersey amending and supplementing Chapter 102 of the code of Colts Neck Township entitled "Development Regulations" (Commercial Vehicles)

Mayor Rizzuto read the ordinance by title for first reading/introduction. Mayor Rizzuto called for comments. Township Planner, Tim Anfuso stated that this ordinance regulates commercial vehicles parked in residential zones. Mr. Anfuso explained the ordinance stating that there is a relaxation of no commercial vehicles parked overnight in the A2, A3 and A7 zones, and are allowed one commercial vehicle to be parked on the property. Mr. Anfuso stated that for properties in 10-acre zoning will be allowed to have two commercial vehicles on the property, however the front yard is prohibited. Hearing no further comments, Mayor Rizzuto called for a motion to approve. On a motion by Committeewoman Fitzpatrick, seconded by Committeeman Bartolomeo and a unanimous roll call vote, the resolution was adopted. Mayor Rizzuto announced that the public hearing is scheduled for February 14, 2024.

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

c. Ordinance 2024-10: An ordinance of Colts Neck Township in the County of Monmouth and the State of New Jersey amending and supplementing Chapter 102 of the code of Colts Neck Township entitled "Development Regulations" (Trailers, Campers, Boats)

Mayor Rizzuto read the ordinance by title for first reading/introduction. Mayor Rizzuto called for comments. Township Planner, Tim Anfuso stated that this ordinance is both a relaxation and tightening of the current ordinance. Mr. Anfuso stated that under the current ordinance residents can have unlimited trailers, boats, etc. but they must be screened. Mr. Anfuso stated that this ordinance will now cap the number of trailers, boats and watercraft to a maximum of two and they must have a valid registration and must be owned by the property owner. 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 resolution was adopted. Mayor Rizzuto announced that the public hearing is scheduled for February 14, 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					

d. Resolution 2024-40: A resolution consenting to the proposed Monmouth County Water Quality Management (WQM) Plan Amendment – proposed amendment to the Monmouth County Water Quality Management Plan for Charleston Meadows

Mayor Rizzuto called for comments. Township Planner, Tim Anfuso stated that this is in reference to the 68 unit affordable housing development along Stone Hill Road. Mr. Anfuso explained that the project is planned to be serviced by public sewer and water. Mr. Anfuso stated that this resolution authorizes the consent of the amendment to the County's sanitary sewer plan to include this property, and the area designated is limited to the areas of those streets and where the project is proposed. Hearing no further comments, 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. Resolution 2024-41: Confirming hiring Colts Neck Township temporary laborer for the Department of Public Works, Dave Paulson

Mayor Rizzuto called for comments. Committeeman Viola stated that this and the two resolutions following this one are in regard to the cupola at Town Hall Annex. Hearing no further comments, Mayor Rizzuto 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					
	M S	Yes	No	NV	Ab
Mayor Rizzuto		X			
Deputy Mayor Buss		X			
Viola	S	X			
Bartolomeo	M	X			
Fitzpatrick		X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

f. Resolution 2024-42: Confirming hiring Colts Neck Township temporary laborer for the Department of Public Works, Sean Flood

Mayor Rizzuto called for comments. Hearing none, 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					

e. Resolution 2024-43: Confirming hiring Colts Neck Township temporary laborer for the Department of Public Works, Nadim Martinez Lavariega

Mayor Rizzuto called for comments. Hearing none, Mayor Rizzuto 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					
	M S	Yes	No	NV	Ab
Mayor Rizzuto		X			
Deputy Mayor Buss		X			
Viola	S	X			
Bartolomeo	M	X			
Fitzpatrick		X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

a. Resolution 2024-44: Confirming hiring of part-time Fire Inspector, Matthew Young

Mayor Rizzuto called for comments. Hearing none, Mayor Rizzuto 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					
	M S	Yes	No	NV	Ab
Mayor Rizzuto		X			
Deputy Mayor Buss		X			
Viola	S	X			
Bartolomeo		X			
Fitzpatrick	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

b. Resolution 2024-45: Authorizing formal transfer of funds, 2023 budget

Mayor Rizzuto called for comments. Hearing none, 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					

c. Resolution 2024-46: Authorizing the execution of jurisdictional agreement #4961 Route 34 and County Route 537 intersection improvements Colts Neck Township in Monmouth County

Mayor Rizzuto called for comments. Committeeman Viola stated that this is in connection with the Route 34 bridge widening, adding a bike lane and a traffic light. Committeeman Viola explained the steps of the project and stated that each step takes approximately two years. Committeeman Viola stated that construction is tentatively scheduled for 2028. 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					

d. Consent Agenda

a. Resolution 2024-47: A resolution of Colts Neck Township, County of Monmouth, New Jersey in support of RevolutionNJ and MonmouthNJ 250

b. Resolution 2024-48: Authorizing the County of Monmouth Mosquito Control Division to conduct aerial mosquito control operations within Colts Neck Township

Mayor Rizzuto called for comments. Hearing none, 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 resolutions were 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					

e. Approval of Vouchers:

Committeeman Viola stated that he reviewed all of the vouchers and found all to be in order. Committeeman Viola pointed out several large tax items such as Feehold Regional School, Colts Neck Board of Education and Colts Neck Board of Education debt service, as well as one check for Graphic Solutions which he stated is a replacement check. 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.

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

f. Administrator's report:

Committeeman Viola reported on behalf of Administrator Capristo in regard to the annual E. Todd Murray half marathon that runs through a portion of Colts Neck. Committeeman Viola stated that the Chief of Police has reviewed the route and has no issues. Committeeman Viola stated that the organization will continue to work with the police department to ensure the safety of their participants as well as motorists in Colts Neck.

The Governing Body has no objection to the event.

g. Township Committee reports:

Committeeman Bartolomeo

- Committeeman Bartolomeo stated that the Sports Foundation is getting ready for the annual Father/Daughter dance. Committeeman Bartolomeo stated that the Sports Foundation plans to give back to the township and the schools as it has done in the past with projects such as Laird Road park, bleachers to the school, etc.
- Committeeman Bartolomeo thanked everyone who came to the meeting tonight and advised the residents to feel free to ask questions of the Township Administrator and the Township Planner.

Committeewoman Fitzpatrick

- Committeewoman Fitzpatrick reported that she attended the Colts Neck Business Association (CNBA) networking event at the Colts Neck Pub on Monday, January 22, 2024.
- Committeewoman Fitzpatrick reported that the Green Team Advisory Committee and Environmental Commission met and is in the process of finalizing the Environmental Resource Inventory. Committeewoman Fitzpatrick stated that she asked each member to choose a chapter of interest to review and report back on next month. Committeewoman Fitzpatrick stated that while a professional company was hired through a grant to help with this task she feels it is important for the members of the boards to have a part in the review before it is presented to the Township Committee for approval and then adopted into the master plan. Committeewoman Fitzpatrick stated that the Green Team and Environmental Commission will work together sharing and collaborating to achieve the final draft.
- Committeewoman Fitzpatrick stated that she attended and judged the annual chili cookoff at the Colts Neck Community Church on Sunday, January 28, 2024. Committeewoman Fitzpatrick stated that she always enjoys this event with great company and great food. Committeewoman Fitzpatrick stated that she was joined by Deputy Mayor Buss, Committeeman Bartolomeo, Captain Smith and his wife Nikki of Naval Weapons Station Earle and Assemblyman Gerry Schafenberger.
- Committeewoman Fitzpatrick spoke about two Zoom forums, one being affordable housing bill, assembly A-4 and Senate S-50 with proposals for the upcoming obligations for Round 4 obligations. Committeewoman Fitzpatrick stated that there are concerns about the formula used to assess quotas. The reaction has been too late and after the fact.
- Committeewoman Fitzpatrick stated that the second is BPU has approved two areas for wind turbines, one of which is in Sea Girt. Committeewoman Fitzpatrick stated that there is concern on the effect of the neighborhoods and tourism.
- Committeewoman Fitzpatrick stated that the First Aid Squad graciously invited the Governing Body to their dinner this Saturday night and she will be attending.

Committeeman Viola:

- Committeeman Viola stated that the Recreation Committee held their reorganization meeting on January 16, 2024. Committeeman Viola told the residents to save the date for the upcoming annual Easter Egg Hunt on March 16, 2024.
- Committeeman Viola stated that the budget process is under development and the budget workshop meeting will take place on Saturday, February 24, 2024.
- Committeeman Viola stated that the Department of Public Works is continuing to work on potholes throughout the township and urged residents to use Report a Concern on the township's website if they see a pothole in town.
- Committeeman Viola stated that in connection with affordable housing A4 bill was pulled due to Senate interference, stating that we will go from bad to worse if it stays the way it is. Committeeman Viola stated that he will keep the public informed stating that if new legislation is adopted the township will hold a public meeting and have the affordable housing professionals explain the new legislation and requirements to the public.

Deputy Mayor Buss:

- Deputy Mayor Buss reported that she appreciated the warm welcome from the Executive Fire Council stating that she also got an opportunity to tour Firehouse #2 bays and equipment. Deputy Mayor Buss stated that it was helpful to her as the newest committee member as the next budget session approaches to have a better understanding of the process and the equipment in place.
- Deputy Mayor Buss reported that the Fire Department responded to over 400 calls in 2023.
- Deputy Mayor Buss stated that the Colts Neck Fire Official attended the meeting and gave a little background on the state's life hazard fee that is mandatory to all non-township owned businesses.
- Deputy Mayor Buss stated that the new fire truck is expected for a March delivery date and will hopefully be in service for April.
- Deputy Mayor Buss reported that for the Board of Education district representatives from the NJ School Boards Association came to present to the Board on the School Ethics Act and the Code of Ethics.
- Deputy Mayor Buss stated that Kathleen Holland, the Transportation Coordinator is retiring from the Cols Neck Schools after 7 years of wonderful service.
- Deputy Mayor Buss reported that the Prevention Alliance has had speakers running programs at the high school and there are 3 more scheduled for the rest of the year.

Mayor Rizzuto:

- Mayor Rizzuto reported that the Office of Emergency Management (OEM) is still planning to host an emergency drill.
- Mayor Rizzuto stated that he has a budget meeting scheduled with the First Aid Squad tomorrow.
- Mayor Rizzuto stated that he also has a budget meeting scheduled with the Police Department.
- Mayor Rizzuto stated that the Chief of Police, Paul Santucci, has announced his retirement as of June 30, 2024. The township will begin the selection process for the next chief.
- Mayor Rizzuto stated that the Historic Preservation Committee is planning to work with the County on the celebration of America's 250th Birthday. Mayor Rizzuto stated that the Colts Neck Business Association will join in the planning efforts as well.

f. **Public Comment:**

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 opened.

John Camera, resident, stated that he is the liaison between the township and the Colts Neck Board of Education. Mr. Camera stated that he wanted to introduce himself to the Township Committee and offer for the committee to reach out to him any time.

Allan Ryan, resident, stated that he is a 31-year member of the Colts Neck Fire Department #2 and stated that there are firemen in the room that have had a rough year responding to bad accidents. Mr. Ryan stated that it is important for everyone to know what these volunteers do and what they see. Ms. Mann stated that she feels the Governing Body members should resign from their positions since they are not upholding their duties as committee members.

Elaine Mann, resident, thanked the Governing Body for their concern of public safety. Ms. Mann asked why the roads were not plowed during the last storm. Ms. Mann spoke about a reimbursement on the bill list for food for the Department of Public Works during the last storm. Ms. Mann questioned why the township hired Dave Paulson at $200/hour while the other two temporary laborers were hired at $75/hour and asked the Governing Body to explain Mr. Paulson's responsibilities. Ms. Mann stated that Administrator Capristo misled the public in regard to the maintenance on the

septic system for the new municipal building. Ms. Mann commented that she feels the Governing Body members should resign from their positions as committee members.

Christine Tipton, resident, commented that she is concerned with the issues at the shopping plaza regarding the loitering issue. Ms. Tipton stated that she is curious if the police have at their disposal other options for arresting a loitering person. Ms. Tipton stated that she is afraid of a "move along" mentality. Ms. Tipton also commented that she loves the new municipal building.

Doug Latrenta, resident, commented that he has lived in Colts Neck since 1990. Mr. Latrenta complimented the Department of Public Works employees who pick up brush stating they do a great job. Mr. Latrenta asked if these are the same employees who plow snow. Mr. Latrenta commented that during the last storm some of the side streets were very dangerous therefore the township should review the 3 inches of snow mandate in order to plow. Mr. Latrenta spoke about dead trees throughout the township and stated that a dead tree came down on power lines on Dutch Lane and the issue took three days to resolve.

Elizabeth Wilcox, resident, thanked the Governing Body for speaking more loudly into the microphones and stated that she was able to hear everyone clearly during the meeting. Ms. Wilcox thanked the Governing Body for having the Township Planner, Tim Anfuso at the meeting. Ms. Wilcox stated that she agrees with Mr. Latrenta in regard to dead trees throughout the township and stated the dead trees are very dangerous.

Kathleen Foley, resident, asked the Township Committee if residents walking their dogs must have a bag available to pick up their dog's waste. Ms. Foley commented that she has recognized this as an issue with dog walkers who do not have bags present while walking their dog.

Kevin O'Brien, resident, thanked Attorney Bennett for her explanation in regard to Ordinance 2024-1. Mr. O'Brien addressed Committeeman Viola and stated that when speaking to him in the parking lot after a township committee meeting Committeeman Viola pointed to the second floor of the municipal building and instructed Mr. O'Brien to speak with the Mayor. Mr. O'Brien stated that he sent several emails and placed phone calls to the Township Administrator and did not receive a response. Mr. O'Brien stated that he contacted the Monmouth County Clerk in regard to the planning of America's 250th birthday and recommended a band that plays patriotic music.

Melinda Marin, resident, asked if the meeting room has the capability of streaming the committee meetings on Zoom. Ms. Martin stated that she asks this question because the committee meetings have low attendance numbers from the residents and there is low contact from the residents on the township's website. Ms. Martin stated that many residents have young children and may not want to pay a babysitter to attend the township committee meetings. Ms. Martin asked if the Governing Body has a plan to make the meetings more available to the public.

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.

g. **Discussion of Public Comment:**

Committeeman Viola explained to everyone how to access the Snow and Ice Control plan that is on the township website under the Department of Public Work's page. Committeeman Viola stated that the snow and ice control plan has been the same for many years and explained that 70% of the township is plowed by a contractor and the other 30% is plowed by the Department of Public Works. Committeeman Viola urged the public to please review the plan and educate themselves.

Committeeman Bartolomeo stated that a lot of due diligence is done prior to a storm. Committeeman Bartolomeo stated that Lou Bader, the Director of Public Works is in contact with the County, with news stations, etc. prior to a storm. Committeeman Bartolomeo spoke about the problem areas of ice during the last storm and stated that

those areas were salted by the evening. Committeeman Bartolomeo stated that the Department of Public Works was on site around the clock during both storms. Committeeman Bartolomeo spoke about the contractor who plows 70% of the township and that contractor is Tom Orgo. Committeeman Bartolomeo stated that Mr. Orgo is the only contractor who bid during the bidding process, the township did not receive any other bids from any other companies.

Committeeman Bartolomeo responded to Ms. Mann in regard to the septic system for the new municipal building stating that the township has requirements from the state for mandated maintenance. Committeeman Bartolomeo spoke about the municipal building being open to the public and there was an unfortunate situation where the system got backed up with paper towels and that had to be taken care of. Committeeman Bartolomeo stated that when constructing the new municipal building the township committee did not originally want to install hand dryers because they felt the public and employees would prefer paper towels to dry their hands in the restrooms, however, after the unfortunate situation with the septic system, hand dryers have now been installed in each bathroom. Committeeman Bartolomeo stated that the township committee always does what they feel is best for the town as well as the tax payers.

Deputy Mayor Buss thanked everyone for being in attendance and urged residents to utilize Report a Concern on the township's website.

h. **Adjournment:**

As there was no further business, Mayor Rizzuto called for a motion to adjourn. On a motion by Committeewoman Fitzpatrick, seconded by Deputy Mayor Buss and a unanimous voice vote, the meeting adjourned at 9:24 p.m.

Trina Lindsey, RMC
Municipal Clerk

APPROVED: 02/14/24