COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
JANUARY 10, 2024, 6:30 P.M.
TOWN HALL

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1. Mayor Rizzuto called the meeting to order at 6:30 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 January 10, 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 January 8, 2024, noting the meeting time change from 7:00pm to 6:30pm".

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. Resolution 2024-31: Executive Session - Personnel

   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 resolution 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					

   After closed session, Mayor Rizzuto called for a motion to return to open session at 6:59pm. On a motion by Committeeman Bartolomeo, seconded by Deputy Mayor Buss and a unanimous voice vote, the meeting returned to open session.

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

   a. MonmouthNJ 250 – County Commissioner Director, Tom Arnone and Monmouth County Clerk, Christine Hanlon

   County Commissioner Director Tom Arnone and Monmouth County Clerk, Christine Hanlon reviewed a PowerPoint presentation stating that the 250th birthday celebration for America is July 4, 2026. Mr. Arnone and Ms. Hanlon stated that the County is creating a format in preparation for Monmouth County's very special celebration. Ms. Hanlon spoke about the Monmouth County's significance to the Revolutionary War and the Battle of Monmouth. Ms. Hanlon stated that the County has designed a slogan and a logo for the upcoming celebration of America's 250th birthday. Ms. Hanlon

stated that the slogan is "Freedom's Battleground". Ms. Hanlon stated that the County has hired Ted Maturo who is the Executive Director for the planning of the County's celebration in 2026. Ms. Hanlon and Mr. Arnone stated that they are visiting each municipality in Monmouth County and encouraging each town to have their own plan to celebrate as well as coordinate with the County. Ms. Hanlon and Mr. Arnone stated that the County would love for the municipality to adopt a resolution of support as well as appoint a township committee member as a liaison to the County's 250 Committee.

Mayor Rizzuto thanked the County Commissioner Director and the County Clerk for their attendance and presentation. Mayor Rizzuto stated that Colts Neck would be proud to appoint a liaison and an ad hoc committee to plan for the upcoming celebration. Mayor Rizzuto also stated that Colts Neck will post the County's video on the township website and will adopt a resolution of support at the next committee meeting.

7. **Approval of minutes:**

   a. December 13, 2023 – Executive session
   b. December 13, 2023 – Regular meeting

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

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					

8. **Old business:**
   None

9. **New business:**

   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 first reading/introduction. Mayor Rizzuto called for comments. Hearing none, 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 January 31, 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 2024-2: 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 first reading/introduction. Mayor Rizzuto called for comments. Hearing none, 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 January 31, 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					

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 first reading/introduction. Mayor Rizzuto called for comments. Hearing none, 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. Mayor Rizzuto announced that the public hearing is scheduled for January 31, 2024.

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. 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 first reading/introduction. Mayor Rizzuto called for comments. Administrator Capristo stated that this ordinance is to establish temporary laborer positions for the Department of Public Works. Administrator Capristo stated that the Township will look to bring in laborers with a specific skill set for the cupola at Town Hall Annex. 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 January 31, 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					

e. Ordinance 2024-5: An ordinance of Colts Neck Township, in the County of Monmouth, State of New Jersey repealing section 102-46.4 "Stormwater Control" and reestablishing new section 46.4 entitled "Stormwater Control" in Article VI, Chapter 102, Development Regulations of the code of Colts Neck Township

Mayor Rizzuto read the ordinance by title for first reading/introduction. Mayor Rizzuto called for comments. Hearing none, 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 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	S	X			
Viola		X			
Bartolomeo		X			
Fitzpatrick	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

f. 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 first reading/introduction. Mayor Rizzuto called for comments. Hearing none, 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. Mayor Rizzuto announced that the public hearing is scheduled for January 31, 2024.

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					

g. 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 first reading/introduction. Mayor Rizzuto called for comments. Hearing none, 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. Mayor Rizzuto announced that the public hearing is scheduled for January 31, 2024.

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. Resolution 2024-32: Authorizing the purchase of two vehicle installation packages for the Colts Neck Police Department, $30,469.94

Mayor Rizzuto called for comments. Hearing none, 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 resolution 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					

i. Resolution 2024-33: Confirming appointment of township professional pursuant to N.J.S.A. 40A:11-5

Mayor Rizzuto called for comments. Hearing none, Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Viola, seconded by Committeewoman Fitzpatrick and a majority 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					

j. Resolution 2024-34: Confirming appointment to the Recreation Committee

Mayor Rizzuto called for comments. Hearing none, Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Viola, seconded by Committeewoman Fitzpatrick and a majority 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

k. Resolution 2024-35: Confirming appointment of Department of Public Works Foreman, Michael Shead

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					

l. Consent Agenda

a. Resolution 2024-36: Authorizing the renewal of a Shared Services Agreement between Colts Neck Township and the Township of Marlboro for use of the Marlboro Swim Club

b. Resolution 2024-37: Authorizing the Mayor and Municipal Clerk to execute shared services agreements between Colts Neck Township and the Township of Marlboro for the use of Colts Neck Township's firing range by the Township of Marlboro's Police Department and for decontamination services provided by the Township of Marlboro to the Colts Neck Township Police, Fire Department and First Aid Squad

c. Resolution 2024-38: Authorizing the acceptance of a performance guarantee reduction and cash guarantee reduction for Kling Clover Hill Road Preliminary and Final Major Subdivision, Block 7.02, Lots 34.01 and 34.12, PB740

d. Resolution 2024-39: Resolution authorizing Colts Neck Township through the Colts Neck Township Police Department to participate in the Defense Logistics Agency, Law Enforcement Support Office, 1033 program to enable the Colts Neck Township Police Department to request and acquire excess department of defense equipment

Mayor Rizzuto called for comments. Hearing none, 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 resolutions were 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					

m. Approval of Vouchers:

Committeeman Viola stated that he reviewed all of the vouchers and found all to be in order. Committeeman Viola pointed out a few invoices such as the second payment to Bennett Landscaping for the final leaf pick up, payments in connection with the restoring the First Aid Squad building and payments in connection with the cupola 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 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					

n. Administrator's report:

Administrator Capristo thanked the Office of Emergency Management (OEM), the Fire Department, the Police Department and the Department of Public Works for their hard work and efforts during the rainstorm. Administrator Capristo stated that the township dealt with down trees and road closures as well as 1,500 customers without power at peak. Administrator Capristo stated that JCP&L has the number of customers without power now down to 200 people and is continuing to work around the clock to get these resident's power restored.

Administrator Capristo reported that the budget process is underway and moving along according to plan.

o. Township Committee reports:

Committeeman Bartolomeo

- Committeeman Bartolomeo stated that he has nothing to report this meeting as he was sick with the flu. Committeeman Bartolomeo stated that he will have a report for the next meeting.

Committeewoman Fitzpatrick

- Committeewoman Fitzpatrick reported that the Farmland and Open Space meeting scheduled for Monday night was cancelled.
- Committeewoman Fitzpatrick reported that she attended the breakfast at the Colts Neck High School for the art students that participated in the Holiday Window Painting contest hosted by the Colts Neck Business Association in December. Committeewoman Fitzpatrick stated that the new CNBA President presented the checks to the winners. Committeewoman Fitzpatrick stated that it is a great contest, and the students look forward to it all year. Committeewoman Fitzpatrick stated that the Colts Neck High School art teacher, Lauren

Havemann said that the students start planning for it early in the year. Committeewoman Fitzpatrick stated that this year the CNBA hired a cleaning service to wash all of the windows which they are hoping will increase participation next year.

- Committeewoman Fitzpatrick stated that the CNBA has a networking event at The Colts Neck Pub on January 22, 2024, at 5:30pm which is free to members.
- Committeewoman Fitzpatrick also reminded everyone to mark their calendars for the CNBA luncheon at Trump National Golf which is scheduled for March 20, 2024.
- Committeewoman Fitzpatrick stated that the Long-Range Planning Committee met last night braving the wind and rain. Committeewoman Fitzpatrick stated that the committee has been reviewing the ordinances to firm up any discrepancies and make additions or changes that would better serve the town at this time. Committeewoman Fitzpatrick stated that firming up the town's ordinances makes the Code Enforcement Manager's job much easier to enforce and help educate the residents. Committeewoman Fitzpatrick stated that the committee is currently working on the standard for commercial and recreational vehicles.
- Committeewoman Fitzpatrick reported that she has no other meetings this week, however, she looks forward to swearing in new members on the various committees over the next few weeks.

Committeeman Viola:

- Committeeman Viola stated that there were 20 roadways impacted by down trees during the storm and were cleared by the Department of Public Works. Committeeman Viola thanked everyone for their efforts during the storm.
- Committeeman Viola stated that the Department of Public Works were still picking up Christmas trees during the storm.
- Committeeman Viola stated that he attended a meeting today with the Department of Public Works, Administrator Capristo and NJDOT in connection with the Conover Road bridge. Committeeman Viola stated that the project has 5 phases, and the Department of Transportation is currently in phase 3 which is the final preliminary design.
- Committeeman Viola reported that no decision has been received from the court in regard to affordable housing. Committeeman Viola stated that a lot took place in December, A4 was introduced to rewrite the rules for the Round 4 obligation. Committeeman Viola stated that there is a hearing regarding this on January 19, 2024, and January 20, 2024. Committeeman Viola stated that we should expect a very busy year with the new rules.
- Committeeman Viola stated that the Recreation Committee meets next week therefore he will report on that at the next meeting.
- Committeeman Viola stated that the Senior Citizens Club met last week and installed their new leadership.

Deputy Mayor Buss:

- Deputy Mayor Buss reported that the Board of Education reorganization meeting occurred last week. A new President and all new slate of officers were elected, as well as an entire new slate of professionals were appointed to serve the Board. Deputy Mayor Buss stated that all committees were eliminated.
- Deputy Mayor Buss reported that a free rabies clinic is being offered on Saturday, January 20, 2024, at Fire Department #2 on Conover Road.
- Deputy Mayor Buss stated that the Board of Health discussed geese control in the township and obtained an estimate for using border collies to control the geese.
- Deputy Mayor Buss stated that the Board of Health discussed PFAS and wells stating that since 2016 Colts Neck Township has had 17 water wells monitored in the township per NJDEP requirements and over 400 well tests have been done. Deputy Mayor Buss stated that none have exceeded the DEP's maximum contaminated levels.
- Deputy Mayor Buss stated that since December of 2021 new water well testing regulations for new real estate transactions, transfers and rental properties went into effect. Deputy Mayor Buss stated that not one of these has come back positive for the maximum contaminated levels.

Mayor Rizzuto:

- Mayor Rizzuto thanked the Office of Emergency Management, the Department of Public Works, the Fire Department, Fire Police and the Police Department for their efforts during the storm. Mayor Rizzuto stated that the town is in connection with JCP&L and receiving updates on those still without power.
- Mayor Rizzuto stated that the Historic Preservation Committee will be very busy, and he is sure they will jump right into the MonmouthNJ 250 celebration planning.
- Mayor Rizzuto stated that the Planning Board had a standard reorganization meeting. John Tobia was elected as Chairman and Kris Lutkowitz as Vice Chairman.

10. Public Comment:

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

Kevin O'Brien, resident, stated that he noticed that the Mayor did not write down the concerns that he voiced at the Township Committee's reorganization meeting. Mr. O'Brien stated that if the Township chooses to continue not to respond he will continue to peacefully voice his concerns and state the statutes. Mr. O'Brien stated that in the previous town that he lived in the Chief of Police attended the committee meetings and read the monthly police report at the meeting. Mr. O'Brien asked why Colts Neck does not do that. Mr. O'Brien stated that the Police Chief in Colts Neck does not engage the public. Mr. O'Brien spoke about an incident where he found a vehicle parked facing the wrong direction in front of his house. Mr. O'Brien stated that the responding officer, Andy Kapp offered to write the vehicle a ticket. Mr. O'Brien stated that he spoke with Officer Kapp about the warning policy and asked why Colts Neck is not doing that.

Fulton Wilcox, resident, commented on invoices on the bills list that are in the category for the new municipal building and asked why there is so much money on a completed building. Mr. Wilcox asked if the Certificate of Occupancy has been received for the new municipal building. Mr. Wilcox stated that to his knowledge the cupola at Town Hall Annex was unmaintained and dead and is now a part of a $60,000 project.

Marianne Cucolo, resident, asked in regard to Ordinance 2024-1 is there a state ordinance that is superseding the town's ordinance or are they just not actionable any longer. Ms. Cucolo stated that she has started attending the Board of Education meetings and the board added only one new professional, Ms. Cucolo stated that Mr. Cowers is still there.

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

11. Discussion of Public Comment:

Mayor Rizzuto responded to Ms. Cucolo in regard to Ordinance 2024-1 stating that some do not pass constitutional muster anymore and some are no longer enforceable.

Mayor Rizzuto responded to Mr. Wilcox stating that the current cupola at Town Hall Annex is made out of wood and has deteriorated. The new cupola will be made of modern material and will last many years.

Mayor Rizzuto responded to Mr. O'Brien stating that he has not forgotten about exploring possible warnings for the Police Department and Code Enforcement Manger to issue and that he will be discussing this with the Township Attorney.

Administrator Capristo responded to Mr. Wilcox stating that the Township does have the Certificate of Occupancy for the new municipal building.

Committeeman Viola responded to Mr. Wilcox explaining that some of the charges seen on the bill list that are under the new police building are actually for the

restoration of the First Aid Squad building and the work it is taking to bring their building back to what they need.

Deputy Mayor Buss responded to Ms. Cucolo stating that there are big changes happening at the Board of Education meetings and she feels the residents should attend and educate themselves. Deputy Mayor Buss apologized if her comments were taken the wrong way.

12. <u>Adjournment</u>:

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 8:08 p.m.

Trina Lindsey, RMC
Municipal Clerk

APPROVED: 01/31/24

RESOLUTION 2024-31

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. 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 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 10th day of January 2024

Trina Lindsey, Municipal Clerk

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	

RESOLUTION 2024-32

AUTHORIZING THE PURCHASE OF
TWO VEHICLE INSTALLATION PACKAGES
FOR THE COLTS NECK POLICE DEPARTMENT
N.J. STATE CONTRACT # 17-FLEET-00749
$30,469.94

BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby authorizes the purchase of two vehicle installation packages for the Colts Neck Police Department, as follows:

STATE CONTRACT# 17-FLEET-00749

VENDOR: Elite Vehicle Solutions
1000 Bennett Boulevard
Suite 6
Lakewood, NJ 08701

PURCHASE: Two (2) Vehicle Installation Packages

AMOUNT: $ 30,469.94

BE IT FURTHER RESOLVED AND CERTIFIED by John Antonides, Chief Financial Officer that funds for this purpose are provided through the Capital Ordinance # 2022-7, Capital Budget Account # C-02—075-258; 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. Paul Santucci, Chief of Police; and
2. John Antonides, Chief Financial Officer.

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 10th day of January 2024.

Trina Lindsey, Municipal Clerk

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

RESOLUTION 2024-33

CONFIRMING APPOINTMENT OF TOWNSHIP PROFESSIONALS PURSUANT TO N.J.S.A. 40A:11-5

WHEREAS, there exists a need for specialized professional services for various services provided to Colts Neck Township; and

WHEREAS, appointments in this regard can be made without the need of competitive bidding and public advertising pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, proposed contracts for said services for the year 2024 are on file and available for public inspection in the office of the Township Clerk; and

WHEREAS, appointments in this regard and contracts with all professionals so named by this resolution are contingent upon and will not be executed unless and until all provisions of N.J.S.A. 19:44A-20.8 are fully complied with; and

WHEREAS, funds for said services will be provided in the 2024 Municipal Budget;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby appoints the following for the year 2024:

1. John Cantalupo, Archer & Greiner, P.C., Bond Counsel

BE IT FURTHER RESOLVED that a copy of this Resolution be published in full in the Asbury Park Press; and

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

1. All professionals so appointed; and
2. John Antonides, Chief Financial Officer.

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 10th day of January 2024

Trina Lindsey, Municipal Clerk

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

RESOLUTION 2024-34

CONFIRMING APPOINTMENT TO
THE RECREATION COMMITTEE

BE IT RESOLVED by the Township Committee of Colts Neck Township that pursuant to Chapter 57 of the Code of Colts Neck Township that the following appointments are confirmed to the Recreation Committee:

JOHN CANTALUPO TERM EXPIRES 12/31/26

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

1. All members so appointed;
2. Colby Marques; Director, Recreation and Parks; and
3. Recreation Committee

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 10th day of January 2024

Trina Lindsey, Municipal Clerk

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

RESOLUTION 2024-35

CONFIRMING APPOINTMENT OF
DEPARTMENT OF PUBLIC WORKS FOREMAN
MICHAEL SHEAD

BE IT RESOLVED by the Township Committee of the Township of Colts Neck that it hereby confirms the appointment of Mr. Michael Shead as Department of Public Works Foreman, at an annual salary of $97,000.00, effective January 1, 2024.

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

1. Mr. Michael Shead, Department of Public Works Foreman;
2. Lou Bader, Department of Public Works Director;
3. John Antonides, Chief Financial Officer; and
4. Kathleen Capristo, Township Administrator

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 10th day of January 2024.

Trina Lindsey, Municipal Clerk

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

RESOLUTION 2024-36

AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT BETWEEN COLTS NECK TOWNSHIP AND THE TOWNSHIP OF MARLBORO FOR USE OF THE MARLBORO SWIM CLUB

WHEREAS, N.J.S.A. 40A:65-1 et. seq. authorizes the Township of Marlboro and Colts Neck Township to enter into a shared services agreement provided that a resolution is adopted by both the Township of Marlboro and Colts Neck Township authorizing the shared services agreement; and

WHEREAS, Colts Neck Township and the Township of Marlboro entered into a shared services agreement for the use of the Marlboro Swim Club by Colts Neck residents in 2012 and amended said agreement in 2016, 2020, 2021 and 2022; and

WHEREAS, Colts Neck Township and the Township of Marlboro desire to renew the shared services agreement whereby Colts Neck Township's residents can avail themselves of the Marlboro Swim Club.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township that:

1. The fees to be charged to Colts Neck residents for membership at the Marlboro Swim Club are set forth in "Exhibit A" of the renewal agreement; and

2. The Mayor and Township Clerk are hereby authorized to execute , seal and deliver the shared services agreement on behalf of, and in the name of Colts Neck Township annexed hereto as "EXHIBIT A"; and

3. The shared services agreement renewal shall take effect upon the adoption of a resolution by both parties to the shared services agreement, and execution of the shared services agreement contemplated herein.

4. A copy of this shared services agreement renewal shall be open to public inspection in the Clerk's Office immediately after passage of this resolution to become a party to a shared services agreement.

5. A certified copy of this resolution shall be provided to each of the following:

   a. Marlboro Mayor, Jonathan Hornik;
   b. Suzanne Branagan, Township Clerk; and
   c. Marlboro Swim Club

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 10th day of January 2024

Trina Lindsey, Municipal Clerk

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

RESOLUTION 2024-37

AUTHORIZING THE MAYOR AND MUNICPAL CLERK TO EXECUTE SHARED SERVICES AGREEMENTS BETWEEN COLTS NECK TOWNSHIP AND THE TOWNSHIP OF MARLBORO FOR THE USE OF COLTS NECK TOWNSHIP'S FIRING RANGE BY THE TOWNSHIP OF MARLBORO'S POLICE DEPARTMENT AND FOR DECONTAMINATION SERVICES PROVIDED BY THE TOWNSHIP OF MARLBORO TO THE COLTS NECK TOWNSHIP POLICE, FIRE DEPARTMENT AND FIRST AID SQUAD

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. Seq. permits municipalities and other local units to enter into Shared Services Agreements with other governmental units by adoption of a Resolution authorizing such shared services; and

WHEREAS, Colts Neck Township and the Township of Marlboro are local units defined by N.J.S.A. 40A:65-3; and

WHEREAS, Colts Neck Township and the Township of Marlboro are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey Law to enter into a Shared Service Agreement pursuant to the Act; and

WHEREAS, Colts Neck Township operates and maintains a Police Firearms Training Facility located at 231-A Route 34, Colts Neck, NJ 07722; and

WHEREAS, the Township of Marlboro Office of Emergency Management (OEM) operates and maintains a Decontamination Facility located at 1979 Township Drive, Marlboro, NJ 07746; and

WHEREAS, the Township of Marlboro has requested to utilize the Firearms Training Facility operated and maintained by Colts Neck Township; and

WHEREAS, Colts Neck Township and the Township of Marlboro have found it beneficial to enter into Shared Service Agreements for the above-mentioned uses; and

WHEREAS, the Chief of Police of Colts Neck Township has recommended that the Shared Service Agreements with the Township of Marlboro be extended through December 31, 2024.

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 Shared Service Agreements between Colts Neck Township and the Township of Marlboro for the use of Colts Neck Township's firing range by the Township of Marlboro's Police Department and for decontamination services provided by the Township of Marlboro to the Colts Neck Township Police, Fire Department and First Aid Squad.

NOW, THEREFORE, BE IT FURTHER RESOLVED, a copy of this resolution will be provided to the following.

a. Township of Marlboro;
b. Paul Santucci, Chief of Police, Colts Neck Township;
c. John Antonides, Chief Financial Officer, Colts Neck Township; and
d. Meghan Bennett, Township Attorney, Colts Neck Township

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 10th day of January 2024

Trina Lindsey, Municipal Clerk

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

RESOLUTION 2024-38

AUTHORIZING ACCEPTANCE OF
A PERFORMANCE GUARANTEE REDUCTION
AND CASH GUARANTEE REDUCTION
FOR KLING CLOVER HILL ROAD PRELIMINARY
AND FINAL MAJOR SUBDIVISION
BLOCK 7.02, LOTS 34.01 AND 34.12
PB740

WHEREAS, on October 21, 2021, the Township Committee adopted Resolution 2021-187 accepting the performance guarantee in the amount of $952,948.80 and a cash guarantee in the amount of $105,883.20; and

WHEREAS, on December 4, 2023, Township Engineer, Glenn Gerken issued a memo addressed to Tim Anfuso, Township Planner, recommending a reduction to the performance guarantee and cash guarantee; and

WHEREAS, Township Planner, Timothy Anfuso collected Bond Rider# CIC1911854 from Capitol Indemnity Corporation reducing the original bond to $285,885.00. Mr. Anfuso issued a memo dated December 14, 2023 to the Municipal Clerk requesting a resolution of the Township Committee to accept the performance guarantee reduction from $952,948.80 to $285,885.00 and the cash performance guarantee reduction from $105,883.20 to $31,765.00.

NOW THEREFORE BE IT RESOLVED by the Township Committee of Colts Neck Township that pursuant to the recommendation of the Township Planner that it hereby authorizes the following for Block 7.02, Lots 34.01 and 34.12, PB740:

6. Acceptance of a Performance Surety Guarantee Bond Rider from Capitol Indemnity Corporation, Bond# CIC1911854 in the amount of $285,885.00.
7. Acceptance of a Cash Performance Guarantee reduction from $105,883.20 to $31,765.00.

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

1. Timothy Anfuso, Township Planner; and
2. Glenn Gerken, Township Engineer; and
3. John Antonides, Chief Financial Officer

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 10th day of January 2024

Trina Lindsey, Municipal Clerk

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

RESOLUTION 2024-39

RESOLUTION AUTHORIZING COLTS NECK TOWNSHIP THROUGH THE COLTS NECK TOWNSHIP POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE COLTS NECK TOWNSHIP POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, THE United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of Colts Neck Township that the Colts Neck Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from January 1, 2024 to December 31, 2024; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Colts Neck Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A", which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, vehicles parts, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, clothing, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Colts Neck Police Department, without restriction; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Colts Neck Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes: 15 aimpoint reflex sights, 1IR laser illuminator, MRAP Spare Parts; and

BE IT FURTHER RESOLVED, that the Colts Neck Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED, that the Colts Neck Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from January 1, 2024 to December 31, 2024.

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

1. Paul Santucci, Chief of Police;
2. Tyler Badarracco, OEM Coordinator;
3. John Antonides, Chief Financial Officer; and
4. Meghan Ann Bennett, Esq., Township Counsel.

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 10th day of January 2024

Trina Lindsey, Municipal Clerk

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