COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
OCTOBER 11, 2023, 7:00 P.M.
TOWN HALL

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1. Mayor Fitzpatrick called the meeting to order at 7:00 p.m.

2. Mayor Fitzpatrick asked everyone to join her in the salute to the flag.

3. Township Administrator, Kathleen 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 9, 2023, stating that a regular meeting of the Township Committee would be held on October 11, 2023, 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 Sue Fitzpatrick, Deputy Mayor Frank Rizzuto, Committeewoman Tara Torchia Buss, Committeeman Michael Viola, and Committeeman J.P. Bartolomeo
Also Present:	Kathleen Capristo, Township Administrator, Trina Lindsey, Municipal Clerk and Meghan Bennett, Township Counsel
Absent:	None

5. **Proclamation(s):**

   a. Red Ribbon Week within Colts Neck Township, October 23 – 31, 2023

   Mayor Fitzpatrick read the proclamation and presented it to Anita Dedalis of the Prevention Alliance.

6. **Approval of minutes:**

   a. September 26, 2023 – Special meeting
   b. September 26, 2023 – Executive session
   c. September 27, 2023 – Regular meeting
   d. September 27, 2023 – Executive session

   Mayor Fitzpatrick called for comments. Hearing none, Mayor Fitzpatrick called for a motion to approve the minutes. On a motion by Committeeman Bartolomeo, seconded by Committeewoman Buss and a unanimous roll call vote, the minutes were approved.

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

7. **Old business:**

   a. Ordinance 2023-18: An ordinance authorizing the Mayor to sign the deed of vacation of sight triangle easements on Block 48, Lot 6, commonly known as 297 Route 34

Mayor Fitzpatrick read the ordinance by title for second reading/public hearing. Mayor Fitzpatrick called for comments. Hearing none, Mayor Fitzpatrick called for a motion to open the public hearing. On a motion by Deputy Mayor Rizzuto, seconded by Committeewoman Buss, and a unanimous voice vote, the public hearing was opened. As there were no members of the public who wished to comment or question this ordinance, Mayor Fitzpatrick called for a motion to close the public hearing. On a motion by Deputy Mayor Rizzuto, seconded by Committeeman Bartolomeo and a unanimous voice vote, the public hearing was closed. Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Deputy Mayor Rizzuto and a unanimous roll call vote, the ordinance was adopted.

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

ORDINANCE 2023-18

AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN THE DEED OF VACATION OF SIGHT TRIANGLE EASEMENTS ON BLOCK 48, LOT 6, COMMONLY KNOWN AS 297 ROUTE 34

WHEREAS, Robert Vaccaro, aka Gindanna Corp. received Preliminary and Final Major Site Plan approval to construct an 11,538 square foot shopping center and 6,000 square foot office building on Block 48, Lot 6, commonly known as 297 Route 34, as part of Planning Board applications PB625B and PB640A; and

WHEREAS, in accordance with said approvals certain sight triangle easements were dedicated to Colts Neck Township and recorded on June 12, 2008, in the Monmouth County Clerk's Office in Deed Book OR-8726 on Page 8047, and recorded on March 30, 2010, in Deed Book OR-8825 on Page 7804; and

WHEREAS, the shopping center and office building have not been constructed and the Grantor has abandoned the project; and

WHEREAS, the Grantor of the sight triangle easements have received a subsequent approval from the Colts Neck Zoning Board to construct a self-service car wash with three full-service detail bays (ZB1093); and

WHEREAS, the sight triangle easements recorded in the Monmouth County Clerk's Office Deed Book OR-8826 on Page 8047, and Deed Book OR-8825 on Page 7804 are no longer needed to fulfill a public purpose and can be released by the Township of Colts Neck.

NOW, THEREFORE, BE IT ORDAINED by the Colts Neck Township Committee, in the County of Monmouth, and the State of New Jersey that it hereby approves and authorizes the Mayor to sign the Deed of Vacation of Sight Triangle Easements for Block 48, Lot 6.

I, Trina Lindsey, hereby certify the Ordinance foregoing to be a true copy of an Ordinance introduced by the Township Committee of Colts Neck Township on the 27th day of September 2023. A public hearing will be held on October 11, 2023, 7:00 p.m. Town Hall, 1 Veterans Way.

Sue Fitzpatrick, Mayor

Trina Lindsey, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	September 27, 2023					October 11, 2023				
	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab

Mayor Fitzpatrick		X					X			
Deputy Mayor Rizzuto		X				S	X			
Torchia Buss		X					X			
Viola	M	X					X			
Bartolomeo	S	X				M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent										

8. New business:

a. Ordinance 2023-19: 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 Fitzpatrick read the ordinance by title for first reading/introduction. Mayor Fitzpatrick called for comments. Administrator Capristo stated that this ordinance is an amendment to the salary ordinance which establishes minimum and maximum salary ranges. Administrator Capristo stated that this amendment is to add a new position to the ordinance. Hearing no further comments, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeewoman Buss, seconded by Deputy Mayor Rizzuto and a unanimous roll call vote, the ordinance was approved for introduction. Mayor Fitzpatrick stated that the public hearing is scheduled for October 25, 2023.

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

b. Resolution 2023-150: Resolution to affirm civil rights policy of Colts Neck Township with respect to all officials, appointees, employees, prospective employees, volunteers, independent contractors, and members of the public that come into contact with municipal employees, officials and volunteers

Mayor Fitzpatrick called for comments. Administrator Capristo stated that this resolution is an annual resolution that reaffirms the Township's position with conforming to civil rights laws. Hearing no further comments, Mayor Fitzpatrick called for a motion to approve. On a motion by Deputy Mayor Rizzuto, seconded by Committeewoman Buss and a unanimous roll call vote, the resolution was adopted.

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

c. Resolution 2023-151: Confirming appointments to the Planning Board

Mayor Fitzpatrick called for comments. Hearing none, Mayor Fitzpatrick called for a motion to approve. On a motion by Deputy Mayor Rizzuto, seconded by Committeewoman Buss and a unanimous roll call vote, the resolution was adopted.

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

d. Consent Agenda

a. Resolution 2023-152: Resolution authorizing veteran allowances

b. Resolution 2023-153: Authorizing the release of a performance guarantee for a street opening permit for Block 7.02, Lot 3 – 16 Sycamore Place

Mayor Fitzpatrick called for a motion to approve. On a motion by Committeewoman Buss, seconded by Deputy Mayor Rizzuto and a unanimous roll call vote, the resolution on the consent agenda were adopted.

RECORD OF VOTE					
	M S	Yes	No	NV	Ab
Mayor Fitzpatrick		X			
Deputy Mayor Rizzuto	S	X			
Torchia Buss	M	X			
Viola		X			
Bartolomeo		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 several large items on the bill list such as school taxes, a payment to Black Rock Enterprises Inc., who is the contractor for the Capital Road Improvements, a payment for the software program for the township's Building Department. Committeeman Viola also pointed out two replacement checks. Committeeman Viola made a motion to approve the bill list.

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

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

Committeewoman 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 Fitzpatrick		X			
Deputy Mayor Rizzuto		X			
Torchia Buss		X			
Viola	M	X			

Bartolomeo		S	X			

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

f. Administrator's report:
Administrator Capristo stated that Black Rock Enterprises, Inc. is the contractor for the Capital Road Improvement Program, which is coming to an end. Administrator Capristo stated that Black Rock Enterprises has done excellent work and the project has gone very well.

Administrator Capristo stated that a pre-construction meeting is scheduled for next week for the Cedar Drive project.

Administrator Capristo stated that the final architectural plans for the recreation building at Five Points Park are expected to be received next week. Administrator Capristo stated that this is the building that will house restrooms and a recreation room. Administrator Capristo stated that the township received notification from Monmouth County that the township was approved for a $200,000 grant from the County for this project.

Administrator Capristo stated that the Laird Road tennis/pickleball courts are officially complete and have passed all inspections.

g. Township Committee reports:

Committeeman Viola

- Committeeman Viola stated that the Senior Citizens Club has 277 members currently. Committeeman Viola stated that 60 flu shots were administered at last week's meeting. Committeeman Viola thanked the Colts Neck Pharmacy for administering the flu shots and for township staff members, Christine Eschert, Cheryl Houss and Tom Frank for their assistance and efforts.
- Committeeman Viola spoke about fire prevention week outlining various ways to take precautions.
- Committeeman Viola stated that the Long-Range Planning Committee postponed their meeting until next week and he will report on that at the next meeting.
- Committeeman Viola stated that no decision has been received from the court in connection with affordable housing.

Committeeman Bartolomeo

- Committeeman Bartolomeo reported that the Shade Tree Commission is looking for volunteers. Committeeman Bartolomeo stated that he is filling in as Interim Chairman until the Commission chooses a Chairman.
- Committeeman Bartolomeo stated that beginning November 6, 2023, the Recycling Center at the Department of Public Works yard will be closed on Tuesday's, Thursday's and Saturday's. Committeeman Bartolomeo stated that Saturday hours will resume in April 2024. Committeeman Bartolomeo stated that residents are welcome to bring brush to the recycling yard during their operating hours.
- Committeeman Bartolomeo asked everyone to be on the look out for a fundraiser that may be held for the family of Colleen Wilcox, who is an active volunteer in the community through the Sports Foundation as well as the school PTO. Committeeman Bartolomeo stated that the Wilcox family has received devastating news and one of their children is battling an illness.

Committeewoman Buss

- Committeewoman Buss encouraged residents to consider volunteering for the various boards, committees and commissions. Committeewoman Buss stated that any resident wishing to volunteer should submit a Citizen Leadership form to the Municipal Clerk, Trina Lindsey.
- Committeewoman Buss stated that the Pig Roast hosted by the Colts Neck Business Association (CNBA) is scheduled for tomorrow, October 12, 2023, at 5:30pm at Huddy's Inn.

- Committeewoman Buss extended a huge congratulations to the Friends of the Library for a successful book sale that raised over $2,000 in funds.
- Committeewoman Buss stated that the Board of Education is hosting several Meet the Candidates dates and encouraged residents to attend and to also attend the Board of Education meetings and get involved.

Deputy Mayor Rizzuto:

- Deputy Mayor Rizzuto reported that OEM had to postpone a scheduled drill due to the weather. Deputy Mayor Rizzuto stated that OEM also continues to work on the five-year plan that will be submitted to Monmouth County for approval and ultimately the State.
- Deputy Mayor Rizzuto stated that the Police Department continues to work on their move into the new building which should take place very soon. Deputy Mayor Rizzuto stated that the Department of Corrections came to inspect the holding cell in the Police Department and made some adjustments which had to be taken care of. Deputy Mayor Rizzuto stated that the requirements from the Department of Corrections are unavoidable and mandatory.
- Deputy Mayor Rizzuto stated that the First Aid Squad is recruiting volunteers and will soon launch a campaign to recruit volunteers.
- Deputy Mayor Rizzuto reminded residents to utilize the Report a Concern feature on the township's website and stated that the new Code Enforcement Manager is active in the community and doing a great job.
- Deputy Mayor Rizzuto stated that the Historic Preservation Committee is hosting a Halloween event on Saturday, October 21st at Fire Company #1, with a rain date of Sunday, October 22nd. Deputy Mayor Rizzuto stated that the event will have a haunted hayride, treats, etc. and will be cost friendly for families to attend. Deputy Mayor Rizzuto stated that more information can be found on the township's website. Deputy Mayor Rizzuto stated that if anyone knows of any high school kids that would like to volunteer to dress up as goblins and ghouls, please have them contact the Historic Preservation Committee or him directly.

Mayor Fitzpatrick:

- Mayor Fitzpatrick stated that she had a light few weeks. Mayor Fitzpatrick stated that the Township Committee is planning to have a Ribbon Cutting ceremony on Saturday, October 28, 2023, at the Laird Road tennis/pickleball courts.
- Mayor Fitzpatrick reminded residents that she has office hours every Tuesday and Thursday morning from 8:00am – 10:00am.

9. **Public Comment:**

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

Elaine Mann, resident, thanked Chief of Police, Paul Santucci for his efforts in doing research for three passage handles for the new municipal building and for finding the best possible pricing. Ms. Mann stated that the company the Chief found with the best pricing would not accept a purchase order, therefore he paid for the items out of pocket and was reimbursed by the township. Ms. Mann questioned several items on the bill list such as the plaid shirts for band members who performed at a Sounds of Summer Concert series concert, invoices in connection with the irrigation system at the new municipal building, invoices in connection with the cupola replacement at Town Hall Annex, and an irrigation class at Rutgers for two Department of Public Works employees.

Kevin O'Brien, resident, thanked Committeewoman Buss for her comments at the last Township Committee meeting in regard to video recording the committee meetings. Mr. O'Brien explained that his request to record the meetings would be a camera in the back of the meeting room that would record the meetings to have them posted on the township website. Mr. O'Brien spoke about several homes within the township who have code violations that he has reported numerous times such as boats, trailers, etc. and how long it took to resolve the violations. Mr. O'Brien stated that he questions why all residents are not treated fairly. Mr. O'Brien commented that the Department of

Public Works were active throughout the township prior to the rain storms we have experienced. Mr. O'Brien stated that he had the pleasure of speaking with one of the employees and the Department of Public Works has been great. Mr. O'Brien spoke about a residence on The Enclosure who is requesting to put a septic system on a steep slope. Mr. O'Brien spoke about the Engineer's report which highlights concerns regarding seepage and stated that he raised the same concern twice and has not received a response to his concerns.

Fulton Wilcox, resident, noted payments on the bill list for engineering that total approximately $9,000 in connection with the cupola at Town Hall Annex. Mr. Wilcox stated that $9,000 is a lot of money for the cupola which has been neglected over many years and referred to Town Hall Annex as a sunshine project. Mr. Wilcox also noted that there are approximately $13,000 in payments for engineering services in connection with the new municipal building and no explanation from the township committee.

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

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

Mayor Fitzpatrick responded to Ms. Mann stating that the band members present a fee for performance, etc. and were paid. Mayor Fitzpatrick noted that 3 of the 5 band members were paid for The Plaid Shirts.

Deputy Mayor Rizzuto responded to Mr. O'Brien stating that his comments in regard to various code violations are duly noted. Deputy Mayor Rizzuto stated that the new Code Enforcement Manager reviews every report a concern and is active in the township resolving code violations.

Deputy Mayor Rizzuto responded to Mr. Wilcox stating that the Township Committee receives criticism for neglecting the cupola over many years and is now addressing the issue of fixing it and is also receiving criticism for fixing the issue with a new cupola that will be made of different material and will be durable and will not show sign of degrading as the current cupola has now.

Committeeman Viola responded to Mr. Wilcox stating that the Griffin Engineering invoice is from June or July. Committeeman Viola also stated that Town Hall Annex will be used for office staff and storage.

11. <u>Adjournment</u>:

As there was no further business, Mayor Fitzpatrick called for a motion to adjourn. On a motion by Committeeman Bartolomeo, seconded by Deputy Mayor Rizzuto and a unanimous voice vote, the meeting adjourned at 7:34 p.m.

Trina Lindsey, RMC
Municipal Clerk

APPROVED: 10/25/23