COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
SEPTEMBER 13, 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. 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 September 13, 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 Administrator Capristo 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, and Meghan Bennett, Township Counsel
Absent:	Trina Lindsey, Municipal Clerk

5. **Proclamation(s):**

   a. Suicide Prevention week within Colts Neck Township, September 10 – 16, 2023

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

   b. Proclaiming September 2023 as Prostate Cancer Awareness month within Colts Neck Township

Committeeman Bartolomeo read the proclamation. Mayor Fitzpatrick encouraged everyone to take preventative measures to test for prostate cancer.

6. **Discussion:**

   a. Colts Neck Police Department – New Municipal Building

Police Chief, Paul Santucci provided an update to the status of the Police Department moving into the new building stating that the department continues to take positive steps forward with moving into the new municipal building. Chief Santucci explained required technology that the Police Department must have in order to move into the new municipal building and requirements by the Department of Corrections. Chief Santucci also explained the progress that is taking place in the current building to move forward with moving the First Aid Squad back into their building.

   b. Open space, farmland, and historic preservation referendum

Mayor Fitzpatrick encouraged residents to support the open space referendum and spoke about the importance of preserving land in Colts Neck.

7. **Approval of minutes:**

   a. August 9, 2023 – Regular 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 Deputy Mayor Rizzuto 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	S	X			
Torchia Buss		X			
Viola		X			
Bartolomeo	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

8. Old business:

a. Ordinance 2023-16: Ordinance authoring the lease of certain equipment by Colts Neck Township, New Jersey from Monmouth County Improvement Authority and the execution of a lease and agreement relating thereto

Mayor Fitzpatrick read the ordinance by title for second reading/public hearing. Mayor Fitzpatrick called for comments. Administrator Capristo stated that these are items that were approved in the 2023 budget, and it is in the best interest of the township to purchase through the Monmouth County Improvement Authority. Hearing no further questions, Mayor Fitzpatrick 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. 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 Committeeman Bartolomeo, seconded by Deputy Mayor Rizzuto and a unanimous voice vote, the public hearing was closed. Mayor Fitzpatrick 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 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					

ORDINANCE 2023-16

ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY COLTS NECK TOWNSHIP, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO

BE IT ORDAINED by the Township Committee of Colts Neck Township, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. Pursuant to Section 78 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44, et seq., Colts Neck Township (the "Municipality) is hereby authorized to unconditionally and irrevocably lease certain items of capital equipment from The Monmouth County Improvement Authority (the "Authority") pursuant to a Lease and Agreement, substantially in the form submitted to this meeting (the "Lease"), a copy of which is on file in the office of the Clerk to the Municipality. The Mayor is hereby

authorized to execute the Lease on behalf of the Municipality in substantially such form as submitted to this meeting and with such changes as may be approved by the Mayor, which approval shall be conclusively evidenced by the execution thereof, and the Clerk to the Municipality is hereby authorized to affix and attest the seal of the Municipality.

Section 2. The following additional matters are hereby determined, declared, recited, and stated:

(a) In recognition of the fact that the lease payment of the Municipality under the Lease will be based, in part, on the amount of bonds issued by the Authority to finance the acquisition of the leased equipment and the interest thereon, the maximum amount of bonds which the Authority shall issue to finance the acquisition of the equipment to be leased to the Municipality shall not exceed $863,000 and the interest rate on said bonds shall not exceed five and fifty hundredths percent (5.50%) per annum;

(b) The items to be leased from the Authority shall be as set forth in Schedule A hereto; provided that the Mayor or any authorized municipal representative (as defined in the Lease) may substitute or add items of equipment in accordance with the provisions of the Lease; and

(c) The lease term applicable to a particular item of leased equipment shall not exceed the useful life of such item.

Section 3. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by law.

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 9th day of August 2023. A public hearing will be held on September 13, 2023, 7:00 p.m. Town Hall, 1 Veterans Way.

Sue Fitzpatrick, Mayor

Trina Lindsey, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	August 9, 2023					September 13, 2023				
	M	S	Yes	No	NV	Ab	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												

9. New business:

a. Ordinance 2023-17: An ordinance granting municipal consent for the operation of a cablevision system within Colts Neck Township, New Jersey to Cablevision of Monmouth, LLC

Mayor Fitzpatrick read the ordinance by title for first reading/introduction. Mayor Fitzpatrick called for comments. Administrator Capristo stated that this is in connection with the renewal of the Township's franchise agreement with Cablevision. Administrator Capristo stated that the agreement is for a term of ten years and the

Township will receive a franchise fee equal to 2% of gross revenues. Hearing no further comments, 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 approved for introduction. Mayor Fitzpatrick stated that the public hearing is scheduled for September 27, 2023.

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					

b. Resolution 2023-139: A resolution of Colts Neck Township, New Jersey approving the form and authorizing the execution and delivery of a letter of representation and a continuing disclosure agreement in connection with the issuance and delivery of the Monmouth County Improvement Authority's Capital Equipment pooled lease revenue bonds, series 2023 and authorizing an authorized municipal representative to do all other things deemed necessary or advisable in connection with the issuance, sale and delivery of such bonds

Mayor Fitzpatrick called for comments. Administrator Capristo stated that this resolution authorizes the Monmouth County Improvement Authority to represent Colts Neck Township for the financing and issuance of the bonds and for the Township's Chief Financial Officer to represent Colts Neck Township with the issuance, sale and deliver of such bonds. Hearing no further comments, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeewoman 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 Fitzpatrick		X			
Deputy Mayor Rizzuto		X			
Torchia Buss	M	X			
Viola		X			
Bartolomeo	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

c. Resolution 2023-140: Authoring rejection of bids for furnishing and delivering of leaf collection services

Mayor Fitzpatrick called for comments. Committeeman Bartolomeo stated that the specifications for the bid have particular requirements which cannot be deviated from. Hearing no further comments, Mayor Fitzpatrick 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 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					

d. Consent Agenda

a. Resolution 2023-141: Authorizing multiple refunds for Recreation Camp programs

Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeewoman Buss 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		X			
Torchia Buss	S	X			
Viola		X			
Bartolomeo	M	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 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 a request has been received by the Cystic Fibrosis Foundation for their annual Cycle for Life event which will take place on October 14, 2023. Administrator Capristo stated that the foundation is seeking Governing Body approval to traverse through Colts Neck and have provided details of all of the road in Colts Neck that will be a part of the route.

The Governing Body approves the request for the annual Cycle for Life event with the previous conditions to work with the Colts Neck Police Department to ensure the safety of their participants as well as motorists.

g. Township Committee reports:

Committeeman Viola

- Committeeman Viola stated that the Township has not received a decision from the court in connection with final compliance for affordable housing. Committeeman Viola stated that Round 3 obligations end June 30, 2025. July 1, 2025, will begin Round 4 and the Township will receive another obligation for Round 4.
- Committeeman Viola congratulated the Colts Neck Fire Department for finishing in second place at the firemen competition held at Fire Company #1 on August 12, 2023.
- Committeeman Viola stated that the Senior Citizen's Club has 270 members and has been active with trips this year.
- Committeeman Viola thanked the First Aid Squad for the invitation to the annual BBQ that was held with the Fire Department. Committeeman Viola stated that it was a very nice event.

Committeeman Bartolomeo

- Committeeman Bartolomeo reported that the Sports Foundation is in full swing, and Five Points Park has been active with sports activity. Committeeman Bartolomeo stated that the Sports Foundation made several donations to the Township this year, including the bleachers at Five Points Park and he will be working with them next year as well on donations to the township.
- Committeeman Bartolomeo reported that there is a lot of cosmetic work taking place around Town Hall seeding and topsoil now that the irrigation system has been installed.
- Committeeman Bartolomeo stated that roads are still being paved and should be completed in the next few weeks.
- Committeeman Bartolomeo stated that the Department of Public Works has completed brush pick up in Zones 1 and 2 this week.
- Committeeman Bartolomeo stated that the tennis courts at Laird Road park have been installed and the pickleball courts are being lined soon, which has been delayed due to the rain.
- Committeeman Bartolomeo urged residents to be mindful of older trees on their properties with the amount of rain we are seeing currently as the ground is very wet which can lead to down trees, power outages, etc.

Committeewoman Buss

- Committeewoman Buss stated that the Polo event hosted by the Colts Neck Business Association is scheduled for September 17, 2023, at Bucks Mill Park. Gates open at 12:00pm with a game start time of 2:00pm.
- Committeewoman Buss stated that the CNBA's annual pig roast will take place on October 12, 2023, at Huddy's Inn.
- Committeewoman Buss stated that the Architectural Review Committee met and reviewed two new projects. Committeewoman Buss stated that while these projects are small from a township perspective, these projects are always a great deal of work and effort from the homeowners, and we wish them luck.
- Committeewoman Buss congratulated Lysa Cook on her retirement. Committeewoman Buss stated that Ms. Cook served 23 years as a teacher and 5 years as a literacy coach. Committeewoman Buss also congratulated Miriam Teeter for 17 years of service as a bus driver and 26 years of service as a lunch recess aid. We wish them both good health and happiness in the future.
- Committeewoman Buss stated that the Board of Education will be applying for a grant for a summer bridge program.
- Committeewoman Buss stated that the Energy Savings Improvement Plan (ESIP) is underway. Committeewoman Buss stated that ultimately the Board of Education will have solar energy, a new HVAC system and several other efficiency upgrades and the work will be done next summer.
- Committeewoman Buss reported that Back to School Night is tonight for the Colts Neck Schools. Back to School Night for the Colts Neck High School is September 21, 2023.
- Committeewoman Buss reported that Dr. Garibay, Superintendent of the Colts Neck Schools is putting together a Parent Academy for the 2023-2024 school

year which will help parents get up to speed on issues related to the prevention of substance abuse.

- Committeewoman Buss reported that the Prevention Alliance is working on scheduling programs for the 2023-2024 school year with lots of great presentations lined up.
- Committeewoman Buss stated that the Prevention Alliance also has speakers lined up for mental health awareness month, which is in May.
- Committeewoman Buss stated that COVID cases have elevated slightly, and hospitalizations have been steady. Committeewoman Buss stated that boosters will be out soon covering the new variants.
- Committeewoman Buss reported that the Colts Neck Inn water treatment plant construction is underway.
- Committeewoman Buss reported that there is a flu clinic set up for October 4, 2023, at 10:00am during the Senior Citizens Club meeting at the Colts Neck Inn.
- Committeewoman Buss reported that the Colts Neck Car Wash located at 297 Route 34 presented a project. Water and septic designs were presented and reviewed by the Board of Health.
- Committeewoman Buss stated that the County Health Department has a quality improvement initiative with grand funding to look at enhancements for Colts Neck residents. Committeewoman Buss stated that the Board of Health stressed the importance of focusing on the township's seniors, providing slip and fall assessments of homes, and transportation issues, such as driving to appointments.
- Committeewoman Buss reported that the Friends of the Library are having a book sale on September 30, 2023, and October 1, 2023, from 10:00am – 4:00pm. Committeewoman Buss urged residents to come out and support this wonderful group and take home some books that you can enjoy for years to come.

Deputy Mayor Rizzuto:

- Deputy Mayor Rizzuto thanked Chief Santucci for his update on the Police Department's move into the new municipal building. Deputy Mayor Rizzuto noted that the Colts Neck Police Department is a fully accredited department which the Township is extremely proud of. Deputy Mayor Rizzuto stated that the Police Department operates off of the highest standards and practices. Deputy Mayor Rizzuto explained that there are multiple organizations that are involved with the final approval for the Police Department to move into the new building.
- Deputy Mayor Rizzuto stated that the annual BBQ for the First Aid Squad, Fire Department and Police was a very successful and well attended event.
- Deputy Mayor Rizzuto stated that the Office of Emergency Management continues to work on the emergency five-year plan as well as planning an emergency drill in Colts Neck.
- Deputy Mayor Rizzuto stated that the Planning Board met and reviewed one application.
- Deputy Mayor Rizzuto stated that the Halloween event hosted by the Historic Preservation Committee will be held at Fire Company #1 on October 21, 2023, with a rain date of October 22, 2023. Deputy Mayor Rizzuto stated that there will be a bon fire, hay rides, treats for purchase and the event will be cost friendly.

Mayor Fitzpatrick:

- Mayor Fitzpatrick stated that the summer concert series continues tomorrow night, September 14, 2023, with the Monmouth County Brass Band.
- Mayor Fitzpatrick stated that the Laird Road tennis/pickleball courts are moving along and she is looking forward to opening day.
- Mayor Fitzpatrick stated that she attended the Colts Neck Schools Teacher breakfast/orientation on September 5, 2023. Mayor Fitzpatrick stated that everyone was excited and looking forward to the new school year.
- Mayor Fitzpatrick stated that the PTO made a generous donation of $130,000 to establish a fund to be used for grants that the teachers can apply for when a need arises.

- Mayor Fitzpatrick thanked the First Aid Squad for the invitation to attend the annual BBQ for first responders. Mayor Fitzpatrick stated that it was a very nice evening.
- Mayor Fitzpatrick stated that the 9/11 memorial service was held at 6:00pm at the Memorial Garden and was well attended by residents and our first responders. Mayor Fitzpatrick stated that there was a moment of silence as each of the Township Committee members read a name of our Colts Neck residents who died on that tragic day. Mayor Fitzpatrick read the names: Dennis Michael Cook, Paul James Furmato, James Patrick Ladley, John Joseph "Jack" Murray, John Casazza. Mayor Fitzpatrick stated that Mrs. Sheri Ladley-Calamuso, widow of James Ladley attended with their children Elizabeth and James and thanked the township for continuing to observe the day and asked that the township continue to honor the memory of those lost. Mayor Fitzpatrick stated that Meredith Geneve spontaneously asked to sing at the event and sang God Bless America. Mayor Fitzpatrick stated that Reverend Brown also made a spontaneous request to lead in prayer. Mayor Fitzpatrick thanked Anita Dedalis for her loving dedication to maintaining the memorial benches and to the Department of Public Works for maintaining the garden that looked so lovely. We will never forget!
- Mayor Fitzpatrick stated that she has office hours every Tuesday and Thursday morning from 8:00am – 10:00am on the second floor in Town Hall.
- Mayor Fitzpatrick urged residents to sign up for news and notices on the township website to find out all of the current happenings.

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

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

Linda Pardee, resident, stated that she and her husband have lived on Gaitway Drive for 30 years. Ms. Pardee stated that she is present to speak about the new no parking ordinance that was adopted for her street. Ms. Pardee stated that she never received the notice of the public hearing for the ordinance and only received the notice stating that the ordinance had been passed. Ms. Pardee stated that she and her husband would like to have the no parking restriction removed for their side of the street. Ms. Pardee stated that her family likes to entertain, and they have already had two visitors who were ticketed for parking in front of her home. Ms. Pardee proposed three recommendations:

1. Remove the no parking restriction on her side of the street. Ms. Pardee explained that her house is the only house on that side of the street.
2. Change the hours no parking from 7:00am – 1:00pm or 2:00pm.
3. Provide residential parking permits where residents can park on the street without being ticketed.

Fulton Wilcox, resident, spoke about the police department not occupying the new municipal building yet. Mr. Wilcox stated that when the Township Committee presented the new municipal building project in 2019 the cost was $3,000,000 which rose to $12,000,000. Mr. Wilcox stated that the Governing Body created a huge problem by putting the police department in temporary housing in the First Aid Squad trailer for the past few years. Mr. Wilcox stated that an end date for the project needs to be made for the police to move into the new building.

Elaine Mann, resident, spoke about Bill S2802 passed on September 7, 2023. Ms. Mann stated that this bill protects residents to exercise their freedom of speech without fear of interruption. Ms. Mann thanked the Township Committee and Police Chief Santucci for installing 15 mph speed limit signs on Heritage Lane. Ms. Mann inquired about the Overbrook Farm property asking if the Township acquired that property for $731,000 and also asked where that property is located and what it will be used for. Ms. Mann noted several bills on the bill list in connection with the DeAngelis acquisition and asked if these bills are a part of the process for the grant funds that Attorney Bennett stated are being sought. Ms. Mann suggested that the Township pass an ordinance for homeowners and landscapers prohibited clippings being blown into the roadways.

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

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

Deputy Mayor Rizzuto responded to Mr. Wilcox stating that the items being worked on for the police department in the new municipal building are not punch list items and are things that involve required technology for the police department to operate in the new municipal building. Deputy Mayor Rizzuto also commented stating that the police department was happy to leave their old headquarters which was mold infested and had flooding issues.

Committeeman Bartolomeo responded to Mr. Wilcox stating that the number $3,000,000 has not been said by anyone on this Township Committee in connection with the new municipal building project. Committeeman Bartolomeo stated that when the discussion first took place back in 2015 by former Mayor and Committeeman Russell Macnow, the projected cost was $5,000,000. Committeeman Bartolomeo stated that costs rose over that period of time and the project has come in under budget. Committeeman Bartolomeo stated that every member of the Governing Body watches every penny spent.

12. <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 Committeeman Viola and a unanimous voice vote, the meeting adjourned at 8:10 p.m.

Trina Lindsey, RMC
Municipal Clerk

APPROVED: 09/27/23