COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
JULY 19, 2023, 6:30 P.M.
TOWN HALL

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1. Mayor Fitzpatrick called the meeting to order at 6:30 p.m.

2. Mayor Fitzpatrick asked everyone to join her and salute 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 July 19, 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."

   "Further notice was provided to the Asbury Park Press on July 11, 2023, noticing the time change from 7:00pm to 6:30pm"

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

Present:	Mayor Sue Fitzpatrick, Committeewoman Tara Torchia Buss, Committeeman Michael Viola, and Committeeman J.P. Bartolomeo
Also Present:	Kathleen Capristo, Township Administrator, Trina Lindsey, Municipal Clerk and David Clark, Township Counsel
Absent:	Deputy Mayor Frank Rizzuto, Attorney Meghan Bennett

5. **Resolution 2023-121:** Executive Session – Acquisition of real property

   Mayor Fitzpatrick called for comments. Hearing none, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola and a majority roll call vote, the resolution was adopted.

   The Governing Body went into Executive Session at 6:32pm.

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

   At 7:06pm Mayor Fitzpatrick called for a motion to return to open session. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola, the Governing Body returned to open session.

6. **Discussion:**

   a. Annual audit – John Antonides, Chief Financial Officer

   Mr. Antonides stated that the audit presented has a 2022 ending surplus balance of $ 4,316,611.47 compared to the 2021 ending balance of $ 3,486,403.44 an increase of $ 830,208.03. $ 1,950,000.00 of surplus was used in 2023's budget leaving a balance of $ 2,366,611.47 or an increase of $ 630,208.03 over the prior year. The % of collection was 98.76% in 2022. The average ratio of assessed to tax value of real property was 9.20%

Total debt as of 12/31/2022 was $ 30,958,843.38 or $ 3,109.25 per Capita. This is equal to $ 8,389.93 per parcel in Colts Neck.

Mr. Antonides discussed the summary of recommendations from the auditor stating that the comment received is the same comment the municipality receives every year, which involves segregation of duties with respect to recording and treasury functions. Mr. Antonides stated that for a municipality the size of Colts Neck there is not sufficient workload to constitute hiring an additional employee in the Finance Department.

Committeewoman Buss asked if a municipality has an employee dedicated to that task would that comment be in the audit.

Mr. Antonides stated that only the auditors could answer that question.

Committeeman Viola commented that the comment received from the auditor is not uncommon for a municipality of our size.

7. Approval of minutes:

a. June 28, 2023 – Regular meeting

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 majority 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					

8. Old business:

a. Ordinance 2023-15: Ordinance amending section 24 "Schedule II: No parking certain hours" of Chapter 222, "Vehicles and Traffic" of the code of Colts Neck Township, County of Monmouth, State of New Jersey

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 Committeeman Bartolomeo, seconded by Committeeman Viola and a majority voice vote, the public hearing was opened. As there were no comments or questions from the public, Mayor Fitzpatrick called for a motion to close the public hearing. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola and a majority voice vote, the public hearing was closed. Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola and a majority 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	S	X			
Bartolomeo	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab -					

Absent

9. New business:

a. Resolution 2023-120: Authorizing a cooperative project agreement with the County of Monmouth under its Municipal Land Preservation Incentive Program for the acquisition of real property known and designated as Block 41, Lot 29 (Five Points Road) on the official tax map of Colts Neck Township, Monmouth County, New Jersey

Mayor Fitzpatrick called for comments. Committeeman Viola stated that this is in regard to acquisition of real property that the Township has been working on for approximately two years. Administrator Capristo stated that this resolution authorizes the Township to enter into an agreement with the county for funding assistance in connection with the acquisition of the Maida property. Hearing no further comments, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola and a majority 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	S	X			
Bartolomeo	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

b. Resolution 2023-122: Corrective action plan for 2022 annual audit, Colts Neck Township

Mayor Fitzpatrick called for comments. Hearing none, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeewoman Buss, seconded by Committeeman Viola and a majority 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	S	X			
Bartolomeo		X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

c. Resolution 2023-123: Governing body certification of the annual audit

Mayor Fitzpatrick called for comments. Hearing none, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Viola, seconded by Committeeman Bartolomeo and a majority 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. Resolution 2023-124: Confirming hiring Colts Neck Township Department of Public Works employee, Ryan Amato

Mayor Fitzpatrick called for comments. Committeeman Bartolomeo stated that Mr. Amato will be a great addition to the department, which is led by a great Director. Committeeman Bartolomeo stated that this new hire is a part of the restructuring of the department which began a few years ago. Committeeman Viola commented about the department doing work ourselves instead of outsourcing certain jobs which will save the township money. Hearing no further comments, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola and a majority 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	S	X			
Bartolomeo	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

e. Resolution 2023-125: Authorizing purchase of 2023 Silverado 1500 crew cab 4WD for the Colts Neck Police Department, ESCNJ 20/21-09

Mayor Fitzpatrick called for comments. Hearing none, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola and a majority 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	S	X			
Bartolomeo	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

f. Resolution 2023-126: Authorizing the purchase of two vehicle installation packages for the Colts Neck Police Department, N.J. State Contract# 17-FLEET-00749, $49,213.30

Mayor Fitzpatrick called for comments. Hearing none, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola and a majority 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	S	X			
Bartolomeo	M	X			

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

g. Consent Agenda

a. Resolution 2023-127: Authorizing the acceptance of a performance guarantee and inspection fee for a street opening permit for Block 21.09, Lot 13 – 900 Lovett Road

b. Resolution 2023-128: Authorizing summer camp refund

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

h. Approval of Vouchers:

Committeeman Viola stated that he reviewed all of the vouchers and found all to be in order. Committeeman Viola noted that school taxes account for approximately 90% of the expenditures this bill list. 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 majority roll call vote, the bills list was approved.

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					

i. Administrator's report:
Administrator Capristo stated that she is in receipt of a request from a resident seeking approval from the Governing Body to consume alcohol at a private event at Bucks Mill Park. Administrator Capristo stated that the event is scheduled to take place on Saturday, August 19, 2023, from 5:00pm – 10:00pm with approximately 40 attendees. Administrator Capristo stated that the resident has received the proper special event permit from the Recreation Department.

The Governing Body approved the request to consume alcohol at the private event.

j. Township Committee reports:

Committeeman Viola

- Committeeman Viola stated that the CNBA Fireworks Display at Bucks Mill Park on July 3, 2023, was a great evening.
- Committeeman Viola stated that the Fire Department has a golf outing fundraiser on Friday, and he hopes it is a successful event with good weather.
- Committeeman Viola reported that no decision from the court has been received yet in relation to Affordable Housing.
- Committeeman Viola stated that when the Governing Body adopted the referendum resolution it was discussed that the approximate increase to a homeowner's tax bill with an assessed home value of $1 million plus would be approximately $51.00. Committeeman Viola stated that the County has since certified the tax rate, and the increase to a homeowner's tax bill with an assessed home value of $1 million plus will be $46.80.
- Committeeman Viola stated that the senior citizens club is doing well and has a lot of trips planned that are coming up.

Committeeman Bartolomeo

- Committeeman Bartolomeo stated that the Sports Foundation has donated substantial money back to the town and will continue to donate money to the town towards improvements to fields, etc.
- Committeeman Bartolomeo stated that he has a list of roads that will be paved which was provided by the Department of Public Works. Committeeman Bartolomeo stated that paving will begin soon.
- Committeeman Bartolomeo stated that the Department of Public Work's recycling yard is open on Saturday's and urged residents to check the website for information and hours of operation.
- Committeeman Bartolomeo also urged residents to utilize the Report a Concern feature on the Township's website to report potholes throughout the town.
- Committeeman Bartolomeo stated that Administration and the Court are moved into the new municipal building and functioning well. Committeeman Bartolomeo stated that the Police Department is awaiting certain approvals from the state and hope to be moved into the new building in late August or early September.
- Committeeman Bartolomeo spoke about a flyer that he received in the mail at his residence. Committeeman Bartolomeo stated that the flyer was asking for support for Colts Neck area police officers. Committeeman Bartolomeo stated that he visited the website of the company listed on the flyer and found a phone number on their website. Upon calling the phone number he spoke with a gentleman who disconnected the phone call when he was asked to provide the company's 501c3 number. Committeeman Bartolomeo stated that he gave the flyer to Detective Sergeant Morgan Savage who is investigating the company. Committeeman Bartolomeo urged residents to read carefully mail that they receive that could be potential scams for money. Committeeman Bartolomeo stated that the Colts Neck PBA does not send flyers in the mail of this sort to collect money to support the PBA.

Committeewoman Buss

- Committeewoman Buss gave a big shout out to the CNBA for a wonderful fireworks display at Bucks Mill Park on July 3, 2023. Committeewoman Buss stated that there were over 5,000 cars with an estimation of over 20,000 people. Committeewoman Buss stated that everything went smoothly and there were no incidents. Committeewoman Buss stated that the Colts Neck Community Band did a wonderful job. Naval Weapons Station Earle Captain "Brewski" Smith as well as retired Captain Callahan attended the event. Committeewoman Buss stated that the Colts Neck Community Church sold hamburgers and hot dogs.
- Committeewoman Buss stated that the Board of Education is meeting tonight and has tabled the policy discussion regarding transgender students pending legal outcomes from neighboring towns.
- Committeewoman Buss reported that the Friends of the Library are accepting book donations in good condition during open hours in the lower level of the

Colts Neck Library foyer. Committeewoman Buss stated that library hours are Monday & Wednesday 9:00am – 5:00pm, Tuesday & Thursday from 1:00pm – 9:00pm, Friday 1:00pm – 5:00pm, and Saturday 9:00am – 1:00pm. Closed on July 4, 2023. Committeewoman Buss stated that the Friends of the Library will have a book sale on September 30, 2023, and October 1, 2023, from 10:00am – 4:00pm.

- ACCEPTABLE:
- Books in good condition and better
- Books that you would read in bed
- All kinds of FICTION
- MOST Non-Fiction categories; please note Unacceptable categories below
- Travel Guides Dated 2018 and after
- CD Audiobooks and viewable DVDs in good condition
- UNACCEPTABLE:
- No Books in poor, torn, or damaged condition
- No Books with mildew, mold, water, or other stains
- No Books with wrinkled, or marked or highlighted pages
- No Books that you would NOT read in bed or give to family
- No VERY old books with BROWNED or black spotted edges on pages
- NO Encyclopedias, Textbooks, Reference, Reader's Digest
- No Dated Non-Fiction 2018 or prior
- No VHS tapes or audio books on cassettes

Mayor Fitzpatrick:

- Mayor Fitzpatrick stated that the summer concert series continues. Mayor Fitzpatrick stated that the last concert on July 13, 2023, had a great turn out. Mayor Fitzpatrick thanked the Department of Public Works for setting up and taking down the concert. Mayor Fitzpatrick stated that next up is Colts Neck's Got Talent on August 10, 2023.
- Mayor Fitzpatrick stated that the Five Points Ad Hoc Committee is moving along.
- Mayor Fitzpatrick stated that the Green Team Advisory Committee met and is continuing to work on ideas for public education.
- Mayor Fitzpatrick stated thanked the CNBA for a wonderful fireworks display on July 3, 2023, and also thanked the volunteer first responders for directing traffic and attending the event to keep everyone safe.
- Mayor Fitzpatrick urged residents to visit the township's website and to sign up for news and notifications to stay up to date on current happenings and news in the township.

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

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

Kevin O'Brien, resident, thanked Mayor Fitzpatrick for sending a note to JCP&L in regard to dead tree that was eventually removed. Mr. O'Brien stated that he was in contact with JCP&L for six weeks attempting to get the tree removed which was hanging on power lines. Mr. O'Brien also commented that he had an interaction with the Department of Public Works and sent in a thank you note to the department. Mr. O'Brien stated that he wanted to recognize the department for their work. Mr. O'Brien

stated that this is his first time being in the new municipal building and the building looks great. Mr. O'Brien stated that the township should look into the whistling noise in the meeting room from a fan for the air conditioning as it makes it difficult for residents in attendance to hear the Governing Body. Mr. O'Brien also suggested that the Governing Body look into streaming the Township Committee meetings for those residents who are unable to attend the nightly meetings.

Elaine Mann, resident, asked the attorney if the meeting is legal because the flag salute was not done at the beginning of the meeting.

Attorney David Clark responded to Ms. Mann stating that the meeting began at 6:30pm this evening and the flag salute was done at the beginning of the meeting.

Ms. Mann noted several bills on the bills list in relation to the new municipal building, the irrigation system, etc. and asked if the township received bids for the irrigation. Ms. Mann noted that the parking lot has 44 spaces that are striped for police parking. Ms. Mann asked how many employees work in the Department of Public Works now. Ms. Mann asked what signs are being paid for out of the Clean Communities grant funds. Ms. Mann asked what meeting Lou Bader, Department of Public Works Director, is attending where he has to buy lunch and be reimbursed by the Township. Ms. Mann stated that the meeting room microphones need to be operational for the public to hear the Governing Body.

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 Committeeman Viola and a majority voice vote, public comment was closed.

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

Committeeman Viola stated that the Director of the Department of Public Works holds training for the staff members of the department.

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 majority voice vote, the meeting adjourned at 7:39 p.m.

Trina Lindsey, RMC
Municipal Clerk

APPROVED: 08/09/23