COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
MAY 10, 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 Mr. Allan Ryan to lead everyone 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 May 10, 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, Trina 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:**

   a. Mental Health Awareness Month within Colts Neck Township – May 2023

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

6. **Approval of minutes:**

   a. April 26, 2023 – Executive session
   b. April 26, 2023 – Regular meeting

   Mayor Fitzpatrick called for comments. Committeeman Bartolomeo noted that his report is missing from the minutes. Clerk Lindsey stated that she would correct that. Hearing no further comments, Mayor Fitzpatrick called for a motion to approve the minutes as corrected. 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 2023-7: An ordinance of Colts Neck Township, County of Monmouth, State of New Jersey amending and supplementing Chapter 102, "Development Regulations", Article IV, "Administrative Provisions" subsection 11 "Conditional Uses" of the code of Colts Neck Township

Mayor Fitzpatrick read the ordinance by title for second reading/public hearing. Mayor Fitzpatrick called for comments from the committee, 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 unanimous voice vote, the public hearing was opened. Mayor Fitzpatrick called for questions and/or comments from the public. Hearing none, 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 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	M	X			
Bartolomeo		X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

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

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

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

a. Resolution 2023-81: Accepting the resignation of Township employee, Matthew McGrady

Mayor Fitzpatrick called for comments. Deputy Mayor Rizzuto wished Mr. McGrady the best in his future as a Police Officer and thanked him for his time with Colts Neck. 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 resolution 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					

b. Resolution 2023-82: Confirming hiring Colts Neck Township Planning Board and Board of Adjustment Secretary, Kelly J. Kastritsios

Mayor Fitzpatrick called for comments. Hearing none, 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 resolution 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					

c. Resolution 2023-83: Confirming hiring Colts Neck Township Violations Clerk, Shawna Garcia

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

d. Resolution 2023-84: Establishing 2023 salaries and wages for non-union township positions

Mayor Fitzpatrick called for comments. Hearing none, Mayor Fitzpatrick called for a motion to approve. On a motion by Deputy Mayor Rizzuto, 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	M	X			
Torchia Buss		X			
Viola		X			
Bartolomeo	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

e. Resolution 2023-85: Authorizing purchase of Motorola Portable Radios for the Colts Neck Police Department, NJ State Contract# 83909, $21,882.00

Mayor Fitzpatrick called for comments. Hearing none, 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 was 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					

f. Resolution 2023-86: Resolution authorizing the Mayor and Municipal Clerk to execute the FY2024-FY2026 Revised Amendment Agreement with Monmouth County for cooperative participation in the Community Development Program pursuant to the Interlocal Services Act

Mayor Fitzpatrick called for comments. Administrator Capristo stated that there are no changes to the terms and conditions of this agreement, this is to extend the agreement until 2026. Hearing no further comments, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeewoman 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 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					

g. Resolution 2023-87: Authorizing purchase of two (2) 2023 Chevrolet Tahoe pursuit 4W drive vehicles for the Colts Neck Police Department, ESCNJ Contract# 20/21-09, $90,366.48

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

h. Resolution 2023-88: Authorizing purchase of 2022 Ford F250 Extended Cab (4 Door), N.J. State Contract# A88758, $45,402.15

Mayor Fitzpatrick called for comments. Hearing none, 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 was 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						

i. Resolution 2023-89: Approving insertion of Special Item of Revenue – COVID-19 Vaccination Supplemental Funding Grant

Mayor Fitzpatrick called for comments. Administrator Capristo stated that this is a $25,000 grant that will be inserted into our budget. Hearing no further comments, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeewoman 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 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						

j. Resolution 2023-90: Authorizing award of contract Laird Road tennis courts

Mayor Fitzpatrick called for comments. Administrator Capristo stated that Shore Top Construction was the successful lowest bidder who also constructed the Cedar Drive Middle School courts. Hearing no further comments, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Viola, 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			X			
Torchia Buss		S	X			
Viola	M		X			
Bartolomeo			X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

k. Resolution 2023-91: Resolution authorizing a fence encroachment within the scenic corridor easement on Block 7.02, Lot 35.01, 2 Duchess Ct.

Mayor Fitzpatrick called for comments. Administrator Capristo stated that this resident previously came before the Governing Body for approval to place a Bocce Ball court in an easement. The resident no longer wishes to construct the Bocce Ball court, but is seeking to erect a fence in the easement. 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					

l. Resolution 2023-93: Resolution authorizing an emergency repair of $17,100 for inlet repair at Matthew and Mercer roads

Mayor Fitzpatrick called for comments. Administrator Capristo stated that this is an emergency repair due to the road collapsing. Administrator Capristo stated that the Township just received a $15,000 stormwater grant that may be used to offset the cost of these emergency repairs. 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					

m. Consent Agenda

a. Resolution 2023-92: Authorizing refund of tax overpayment, Voll

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 resolutions on the consent agenda were 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					

n. Approval of Vouchers:

Committeeman Viola stated that he reviewed all of the vouchers and found all to be in order. Committeeman Viola noted several items such as regional school tax, county and open space tax, library tax, etc. Committeeman Viola stated that he made a motion to approve the bills 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					

o. Administrator's report:
Administrator Capristo stated that the Administration, Finance/Tax and Municipal Clerk's departments will move into the new municipal building May 22, 2023. Administrator Capristo stated that there remains a number of outstanding items that need to be completed before the Police Department can move in, including extensive training on the use of various systems in the building.

p. Township Committee reports:

Committeeman Viola

- Committeeman Viola reported that the Senior's Club luncheon had 97 attendees. Committeeman Viola stated that they had a speaker from Monmouth County who discussed scam attempts on senior citizens.
- Committeeman Viola reported that no decision has been received from the court in regard to the Affordable Housing case.
- Committeeman Viola congratulated the Lion's Club on a successful Kentucky Derby commenting that it was a beautiful afternoon.

Committeeman Bartolomeo

- Committeeman Bartolomeo reported that the Shade Tree Commission had a wonderful sapling giveaway along with the Green Team who was giving away Marigold seedlings. Committeeman Bartolomeo stated that the location of the giveaway was changed to the Bucks Mill Recreation Center at the last minute due to weather, however, the Shade Tree Commission will take a vote at their next meeting to decide if they will host the sapling giveaway in this location each year moving forward.
- Committeeman Bartolomeo stated that the Sports Foundation purchased a new shed/building for Five Points Park, which will be presented to the Governing Body for approval. Committeeman Bartolomeo stated that the Sports Foundation will work with the Department of Public Works on the placement of the shed/building.
- Committeeman Bartolomeo stated that the Department of Public Works is in Zone 2 for brush pick up. Committeeman Bartolomeo stated that Clean Up Day went well at Mazza Recycling. Committeeman Bartolomeo stated that the senior citizen pick up is taking place now. Committeeman Bartolomeo stated that the Governing Body will possibly consider capping the amount that can be put out for senior clean up due to a resident who did a complete clean out of a home.
- Committeeman Bartolomeo stated that Town Hall looks great, the entryways to the complex look great, the fountain has been installed in the pond and was donated by a taxpayer.

Committeewoman Buss

- Committeewoman Buss reported that the Colts Neck Business Association (CNBA) will be hosting fireworks on July 3, 2023, at Bucks Mill Park from 6:00pm – 10:00pm.
- Committeewoman Buss reported that the Board of Education approved their final budget. Committeewoman Buss noted that the State Aid reduction is 30%

which equals $800,000, increases in special education costs which equal $517,000, increase of $168,384 in health benefits cost, increase in support services of $574,000, increase in energy costs which equal $45,000, increase in pension which equal $586,000 and charter school increase from $3,500 - $58,000. Committeewoman Buss stated that the tax increase for the average taxpayer in Colts Neck is $277.74 on a home assessed at $1,028,755. Committeewoman Buss stated that the next Board of Education meeting will be on May 17, 2023.

- Committeewoman Buss stated that the Friends of the Library's book fair was a great success and raised close to $3,000.

Deputy Mayor Rizzuto

- Deputy Mayor Rizzuto reported that the Office of Emergency Management (OEM) is continuing to work on the five-year plan that is a mandatory overall emergency response plan that gets submitted to the County for approval and then the State.
- Deputy Mayor Rizzuto stated that two police officers from Colts Neck are participating in the Police Unity Tour which raises money for fallen officers and their families. Deputy Mayor Rizzuto stated that the Memorial serviced in Washington, DC for is a touching ceremony.
- Deputy Mayor Rizzuto stated that officer McGrady took a position in Little Silver and wished him well. Deputy Mayor Rizzuto stated that the department will be looking to replace him.
- Deputy Mayor Rizzuto stated that the Police department will be on the May 31, 2023, Township Committee agenda where they will receive their certificate for receiving accreditation.
- Deputy Mayor Rizzuto reported that the Montrose School participated in A Weekend in Old Monmouth. The Historic Preservation Committee reported that the weekend went well and was very well attended.

Mayor Fitzpatrick:

- Mayor Fitzpatrick reported that the Farmland and Open Space Committee had a great meeting with robust discussion on many properties targeted for farmland preservation and open space. Mayor Fitzpatrick stated that the committee will be applying for grants to help preserve these properties. Mayor Fitzpatrick stated that the Navy REPI program has a large grant earmarked for Colts Neck with an end date of September 30, 2023. Mayor Fitzpatrick stated that properties bordering Naval Weapon Station Earle will fall into this program.
- Mayor Fitzpatrick stated that the Planning Board met briefly with only one ordinance for review. Mayor Fitzpatrick stated that she is looking forward to meeting the new secretary.
- Mayor Fitzpatrick stated that the first Summer Concert Series will take place on May 25, 2023, from 7:00pm – 8:30pm at Town Hall pondside. Mayor Fitzpatrick urged residents to bring a chair and blanket and enjoy good music.
- Mayor Fitzpatrick reported that the Memorial Day parade will take place on Monday, May 29, 2023, the Grand Marshall is Major Greg Penczak. Everyone will meet at Town Hall at 9:30am, the parade will begin at 10:30am. Mayor Fitzpatrick stated that there will be a bicycle contest, ice cream, a home decorating contest for those homes along the parade route. Mayor Fitzpatrick stated that there will be bus transportation from Town Hall to the fire house on Conover Road.
- Mayor Fitzpatrick stated that the Youth Fishing Derby will take place on Sunday, June 11, 2023, at Bucks Mill Park from 10:00am – Noon. Children 14 years old and under, no fee or pre-registration required. Mayor Fitzpatrick stated that this event is rain or shine.
- Mayor Fitzpatrick stated that Green Team member Sandy Freeman published an article in the Colts Neck Journal about National Trails Day and all of the beautiful trails in Colts Neck. Mayor Fitzpatrick stated that the Green Team is working on ideas for the community to get out and enjoy our beautiful town.
- Mayor Fitzpatrick stated that Clean Up Day was very successful at Mazza Recycling. The staff was very helpful, and the process was an easy in and out of the facility. Mayor Fitzpatrick stated that 187 senior citizens registered for

senior pick up. Mayor Fitzpatrick stated that this service is greatly appreciated and is done cleanly and promptly. Mayor Fitzpatrick thanked Lou Bader and his staff.

9. **Public Comment:**
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.

Fulton Wilcox, resident, commented that his family had a good experience for Clean Up Day at Mazza Recycling. Mr. Wilcox stated that he hopes the same pattern of a fairly prompt visit will continue. Mr. Wilcox spoke about the new municipal building stating that the project is now 200 days late and asked about a $24,000 invoice on the bills list. Mr. Wilcox asked if this invoice is a result of the project being approximately 200 days late. Mr. Wilcox asked how long it will be before the Police Department occupy the new building. Mr. Wilcox encouraged the committee to push the project to the end.

Elaine Mann, resident, commented that the microphones and sound system are not operable in the meeting room, and it is difficult to hear some people speaking. Ms. Mann asked if the $6,000 invoice from the state to test the septic system for the new municipal building will be an annual charge. Ms. Mann asked where things stand for the DeAngelis property. Ms. Mann asked where the Certificate of Occupancy for the new municipal building is.

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

10. **Discussion of Public Comment:**
Committeeman Bartolomeo spoke about the senior pick up and clarified that the Governing Body is not cancelling senior pick up, the only thing that will be considered is if a resident puts out 40 yards worth of items will the township pick it up or leave it.

The Governing Body had a brief discussion in response to Mr. Wilcox stating that the project is not 200 days late. The committee stated that no end date was ever given for this project. The committee discussed delays such as putting in a new well, supply chain issues due to COVID, etc.

Administrator Capristo responded to Ms. Mann stating that the township is operating on a temporary CO and will not be issued a CO until Freehold Soil gives approval. Administrator Capristo stated that Freehold Soil will not conduct their final inspection until significant growth of grass has taken place around the building.

11. **Adjournment:**
As there was no further business, Mayor Fitzpatrick called for a motion to adjourn. On a motion by Committeeman Bartolomeo, seconded by Committeewoman Buss and a unanimous voice vote, the meeting adjourned at 7:58 p.m.

Trina Lindsey, RMC
Municipal Clerk

APPROVED: 05/31/23