COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
APRIL 12, 2023, 7:00 P.M.
TOWN HALL

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

2. Deputy Mayor Rizzuto asked everyone to join him 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 April 12, 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:	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:	Mayor Sue Fitzpatrick

5. **Proclamation(s):**

   a. National Sexual Assault Prevention and Awareness month within Colts Neck Township, April 2023

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

   b. Arbor Day in Colts Neck Township, April 28, 2023

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

6. **Approval of minutes:**

   a. March 29, 2023 – Regular meeting

Deputy Mayor Rizzuto called for comments. Hearing none, Deputy Mayor Rizzuto called for a motion to approve the minutes as presented. On a motion by Committeeman Bartolomeo, seconded by Committeeman Viola and a majority roll call vote, the minutes were approved. Committeewoman Buss abstained.

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					

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

a. Ordinance limiting service stations to three bays – Committeeman Viola and Committeeman Bartolomeo

Committeeman Viola stated that the Governing Body is looking to have consistency in the ordinance. Committeeman Viola stated that the BP gas station has three bays, and the car wash will have three bays.

8. **Old business:**
None

9. **New 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

Deputy Mayor Rizzuto read the ordinance by title for first reading/introduction. Deputy Mayor Rizzuto called for comments. Hearing none, Deputy Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Viola, seconded by Committeeman Bartolomeo and a majority roll call vote, the ordinance was approved for introduction. Deputy Mayor Rizzuto stated that the public hearing/second reading is scheduled for May 10, 2023.

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					

b. Ordinance 2023-8: Bond ordinance providing for various 2023 general capital improvement and the acquisition of various 2023 capital equipment by and in Colts Neck Township, in the County of Monmouth, State of New Jersey; appropriating $1,581,570 therefor (including a $356,570 grand from the New Jersey Department of Transportation) and authorizing the issuance of $1,211,667 bonds for notes to finance part of the cost thereof

Deputy Mayor Rizzuto read the ordinance by title for first reading/introduction. Deputy Mayor Rizzuto called for comments. Committeeman Viola stated that this ordinance is to authorize the township to spend capital monies. Committeeman Viola stated that this ordinance is not to borrow monies. Hearing no further comments, Deputy Mayor Rizzuto 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 approved for introduction. Deputy Mayor Rizzuto stated that the public hearing/second reading is scheduled for April 26, 2023.

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					

c. Ordinance 2023-9: Capital ordinance providing for various general capital improvements and acquisition and installation of various equipment, by and in

Colts Neck Township, in the County of Monmouth, State of New Jersey; appropriating $371,000 therefor from the capital account to pay the cost thereof

Deputy Mayor Rizzuto read the ordinance by title for first reading/introduction. Deputy Mayor Rizzuto called for comments. Committeeman Viola stated that this ordinance is for pay as you go capital monies. Hearing no further comments, Deputy Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Viola, seconded by Committeeman Bartolomeo and a majority roll call vote, the ordinance was approved for introduction. Deputy Mayor Rizzuto stated that the public hearing/second reading is scheduled for April 26, 2023.

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. Ordinance 2023-10: Ordinance providing for the undertaking of various improvements, by and in Colts Neck Township, in the County of Monmouth, State of New Jersey; reappropriating excess bond proceeds and reappropriating capital funds in the aggregate amount of $49,914 to finance the cost thereof

Deputy Mayor Rizzuto read the ordinance by title for first reading/introduction. Deputy Mayor Rizzuto called for comments. Committeeman Viola stated that this ordinance is reappropriation of previous bond ordinances 2017-14, 2018-11, 2019-9 and 2020-13. Hearing no further comments, Deputy Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Viola, seconded by Committeeman Bartolomeo and a majority roll call vote, the ordinance was approved for introduction. Deputy Mayor Rizzuto stated that the public hearing/second reading is scheduled for April 26, 2023.

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					

e. Resolution 2023-69: Authorizing fireworks display on July 3, 2023, Bucks Mill Park

Deputy Mayor Rizzuto called for comments. Administrator Capristo stated that this resolution is to approve the annual Colts Neck Business Association Fourth of July fireworks event at Bucks Mill Park. Hearing no further comments, Deputy Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeewoman Buss 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	S	X			
Viola		X			
Bartolomeo	M	X			

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

f. Resolution 2023-70: Authorizing execution of employment agreement Department of Public Works Laborer, Parker McCall

Deputy Mayor Rizzuto called for comments. Administrator Capristo stated that the Governing Body adopted a resolution to hire Mr. McCall full time on March 9, 2023, this resolution authorizes the execution of his employment agreement detailing the terms and conditions of his employment. Hearing no further comments, Deputy Mayor Rizzuto called for a motion to approve. On a motion by Committeewoman Buss, 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	M	X			
Viola		X			
Bartolomeo	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

g. Consent Agenda

a. Resolution 2023-71: Authorizing refund of 2023 1st quarter property tax overpayment for disabled veteran exemption

Deputy Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Viola, seconded by Committeeman Bartolomeo and a majority roll call vote, the resolutions were 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					

h. Approval of Vouchers:

Committeeman Viola stated that he reviewed all of the vouchers and found all to be in order. Committeeman Viola pointed out several purchases such as WatchGuard for body worn cameras, LOSAP contributions for the First Aid Squad and a payment to Procomm; the contractor for police equipment in the new municipal building. Committeeman Viola stated that he made a motion to approve the bills list.

Deputy Mayor Rizzuto called for a second to Committeeman Viola's motion, seconded by Committeeman Bartolomeo and a majority 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					

i. Administrator's report:
None

j. Township Committee reports:

Committeewoman Buss

- Committeewoman Buss reported that the Colts Neck Business Association (CNBA) will be hosting the annual Fourth of July fireworks on July 3, 2023, at Bucks Mill Park from 6:00pm -10:00pm.
- Committeewoman Buss stated that the next CNBA meeting will be on April 19, 2023, at 5:30pm at Huddy's Inn.
- Committeewoman Buss reported that the Architectural Review met and reviewed three applications. Committeewoman Buss stated that good feedback was provided from the committee to the owners/architects as these applications are scheduled for upcoming Zoning Board of Adjustment meetings.
- Committeewoman Buss stated that the Board of Education had a presentation on updates from District 11 Assemblywomen Kim Eulner and Marilyn Piperno. Committeewoman Buss stated that the schools were thrilled to hear the Start Strong Assessment requirement was no longer required. This assessment utilized a great deal of resources that was taking away from the curriculum without any benefits to the students or useful information for the schools.
- Committeewoman Buss reported that the Board of Education had a lovely recognition for retiring Captain Edward Callahan of Naval Weapons Station Earle as the schools celebrate April as the month of the Military Child.
- Committeewoman Buss congratulated Ms. Zambell and Ms. Ostic on their retirements and wished them both all the best and thanked them for their service to our children and the community.
- Committeewoman Buss congratulated the school PTO who hosted the annual Spring Gala on March 29, 2023, raising over $60,000 for the schools. Committeewoman Buss stated that close to 400 people were in attendance.
- Committeewoman Buss stated that the Board of Health had a presentation on PFAS-Per and Polyfluoroalkyl substances, which are man-made chemicals which repel water and oil. They are resistant to heat and chemical reactions. Committeewoman Buss stated that they have important commercial and industrial uses, but can be released into the air, water or soil. They can build up in the human body and decrease slowly over time even after exposure is mitigated. Committeewoman Buss stated that this can cause health effects such as elevated cholesterol, high levels of uric acid and high liver enzymes. Committeewoman Buss stated that use of pitcher and refrigerator filters only can cut numbers by over 50%. New Jersey standards are some of the highest in the country, exceeding the EPA federal standards.
- Committeewoman Buss reported that geese control methods are beginning in town and the County.
- Committeewoman Buss reported that the rabies clinic which was held in January had 31 dogs and cats that were immunized.
- Committeewoman Buss stated that the Board of Health spoke about well testing requirements that went into place in 2020 for all real estate transactions.
- Committeewoman Buss stated that COVID-19 and flu numbers are in the low category in Monmouth County.

- Committeewoman Buss stated that the book fair is scheduled for April 29, 2023, and April 30, 2023, from 10:00am – 4:00pm at the Colts Neck Library with previews beginning at 9:00am.

Committeeman Viola

- Committeeman Viola reported that the Senior Citizens club has 270 members and will be attending a trip next week to Red Bank and next month to the Algonquin Theater.
- Committeeman Viola stated that the Executive Fire Council meets next week. Memorial buntings will be hung in honor of retired Colts Neck Fire Department Chief, Jack Hubeny.
- Committeeman Viola stated that no decision from the court has been made yet in regard to Affordable Housing.
- Committeeman Viola stated that on March 31, 2023, the Asbury Park Press published an article in regard to accumulative tax increases for various towns. Committeeman Viola read from this article stating that Colts Neck Township has the lowest tax increase for the past seven years.

Committeeman Bartolomeo

- Committeeman Bartolomeo stated that the Department of Public Works is currently in Zone 2 for brush pick up.
- Committeeman Bartolomeo stated that the Recycling yard is now open on Saturdays until November 1, 2023.
- Committeeman Bartolomeo stated that Clean-Up Day is May 6, 2023, at Mazza Recycling from 7:00am – 1:00pm.
- Committeeman Bartolomeo stated that the Kentucky Derby hosted by the Colts Neck Lions Club is on May 6, 2023, at Bucks Mill Park.
- Committeeman Bartolomeo stated that the Colts Neck Sports Foundation is doing very well with enrollment and financially. Committeeman Bartolomeo stated that they are giving money back to the town with improvements to the Laird Road fields, at the school, etc. Committeeman Bartolomeo stated that the Sports Foundation would like to meet with the Governing Body to discuss future needs and various things they could focus on when raising monies.
- Committeeman Bartolomeo stated that he attended the CNBA luncheon at Trump National Golf Course which was a very nice event.
- Committeeman Bartolomeo told everyone to keep their eye on the pond at Town Hall over the next two weeks.

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 he met with Police Chief Santucci to discuss the planning for moving into the new municipal building.
- Deputy Mayor Rizzuto stated that he met with the First Aid Squad and discussed organizational issues and future plans.
- Deputy Mayor Rizzuto stated that on May 6, 2023, and May 7, 2023, the Montrose School will participate in a weekend in Old Monmouth.

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

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

Fulton Wilcox, resident, commented on tax increases stating that part of the issue is tax rates favor places that are experiencing housing inflation, which Colts Neck is. Mr. Wilcox stated that the assessed value of Colts Neck has skyrocketed, and residents will see a substantial increase in their tax bills from a few years ago. Mr. Wilcox asked if the township has actually hit a stable situation in the municipal budget. Mr. Wilcox commented that the new municipal building is still unoccupied, and the township is not immune to financial surprises. Mr. Wilcox stated that he compared the municipal

budget over five years and stated that the current budget is missing some things such as maintaining the new municipal building.
Elaine Mann, resident, stated that she called the Township Zoning Officer and noted that Ms. Leininger is still mentioned on the automated message after her resignation in 2022. Ms. Mann asked why the resignation for Ms. Leininger was not read at a public meeting. Ms. Mann also noted that the township automated message states the address as Cedar Drive not Veterans Way. Ms. Mann asked if the Township has a certificate of occupancy for the new municipal building. Ms. Mann spoke about a call that the fire department responded to for a hybrid Jeep that was on fire. Ms. Mann stated that Fire Company #1 brought their tanker, and Fire Company #2's tanker is in repair. Ms. Mann commented that the Fire Departments need a master pumper. Ms. Mann asked Committeeman Viola why he recuses from invoices on the bills list that pertain to Best Horticultural and other landscaping companies.

Marianne Cucolo, resident, asked if there was an incident on Richmond Court last night involving a 41-year-old woman.

Elizabeth Tony Wilcox, resident, stated she is thankful for the vegetation that was taken down and/or trimmed on Boundary Road. Ms. Wilcox shared that she was born and raised in Maine where she survived the deep freeze for eight days with no heat or electricity. Ms. Wilcox explained that in Maine they didn't allow trees two to four feet in the roadway so that in the incident of a storm, etc. the trees did not fall on generators or power lines.

As there were no comments and/or questions from the public, Deputy Mayor Rizzuto 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 responded to Mr. Wilcox stating that the Township does have a stable budget which is why we are moving to a pay as you go capital budget.

Committeeman Viola responded to Ms. Mann stating that the township does not read resignations at Township Committee meetings.

Committeewoman Buss responded to Mr. Wilcox stating that funds in the budget are often reappropriated in other areas and line items so the funds that Mr. Wilcox stated are missing have been separated though departments, it is not a situation where they are not there anymore.

Committeeman Viola responded to Ms. Wilcox stating that JCP&L have accelerated their tree management plan and are now cutting trees in a J shape so if they fall, they will fall in the opposite direction of power lines.

12. <u>Adjournment</u>:

As there was no further business, Deputy Mayor Rizzuto 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 7:37 p.m.

Trina Lindsey, RMC
Municipal Clerk

APPROVED: 04/26/23