COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
MARCH 8, 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 March 8, 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, and Committeeman Michael Viola,
Also Present:	Kathleen Capristo, Township Administrator, Trina Lindsey, Municipal Clerk and Meghan Bennett, Township Counsel
Absent:	Committeeman J.P. Bartolomeo

5. **Proclamation(s):**

   a. Supporting Women's History Month March 2023

Committeewoman Buss read the proclamation in full. Mayor Fitzpatrick presented yellow roses to several women leaders and volunteers of the Colts Neck community. Mayor Fitzpatrick and the entire Governing Body thanked the women in attendance for their services and dedication to Colts Neck Township.

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

   a. 3 Preakness Way – A.J. Garito, Two River Engineering

A.J. Garito presented a concept plan for the above-mentioned property stating that the property is 3.47 acres in area and has a drainage easement dedicated to the Township in the rear yard. Mr. Garito stated that the easement was established as a requirement of the Freehold Soil Conservation District for a basin overflow pipe. Mr. Garito stated that his client has proposed an alternate location on the property for this structure, which has been approved by the Freehold Soil Conservation District as well as the Township Engineer, and now requires approval via resolution by the Township Committee. Mr. Garito stated that they are proposing to vacate the existing easement and adopt a new easement.

   b. 2 Dutchess Court – A.J. Garito, Two River Engineering

A.J. Garito presented a concept plan for the above-mentioned property stating that this property is 3.28 acres in are but is encumbered by an existing 150 ft landscape and scenic corridor easement dedicated to the township. Mr. Garito stated that he previously appeared before the committee on behalf of his client to construct a Bocce Ball court within the easement. Mr. Garito stated that his client no longer wishes to construct the Bocce Ball court and is seeking approval to construct a fence in the easement, relocate an existing drainage easement, relocate an existing storm sewer pipe and add an additional drainage easement that was omitted on the field subdivision map. Mr. Garito stated that the Township Engineer has suggested to carve out the section that the proposed fence will be constructed and vacate that area from the easement, which is a scenic easement, a grassy area. Mr. Garito also stated that if his client

wishes in the future to put any structures in that area it would require variance approval from the Zoning Board of Adjustment.

Committeeman Viola stated that he would like to know the square footage of the affected area. Mr. Garito stated he will have that information when he returns for a proposed resolution.

c. Ordinance 2023-6: An ordinance of Colts Neck Township, County of Monmouth, State of New Jersey, Chapter 177 "Recreation areas, parks, and Nature Preserve", Article I "Recreation area rules and regulations" subsection 177-3 "Disturbing or destroying property" of the code of Colts Neck Township

Administrator Capristo stated that this ordinance is being proposed for introduction tonight and is in response to an increase in people putting things such as sheds, hunting blinds, etc. in and on Township property such as greenways and landscape easements. Administrator Capristo advised that this ordinance has been reviewed by Long Range Planning and came as a suggestion from that committee. The Governing Body agreed to introduce the ordinance that evening.

7. **Approval of minutes:**

a. February 22, 2023 – Regular meeting

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

8. **Old business:**

a. Ordinance 2023-4: An ordinance to exceed the municipal budget appropriation limits and to establish a CAP Bank, N.J.S.A. 40A:4-45.14

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

Absent

b. Ordinance 2023-5: An ordinance of Colts Neck Township, in the County of Monmouth, State of New Jersey, amending Ordinance 2022-3, an ordinance setting the salary wage ranges for township employees

Mayor Fitzpatrick read the ordinance by title for second hearing/public hearing. Mayor Fitzpatrick called for comments from the Township Committee. 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 majority voice vote, the public hearing was opened. 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 Committeeman Viola, seconded by Committeewoman Buss and a majority voice vote, public comment was closed. Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Viola, seconded by Deputy Mayor Rizzuto 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	S	X			
Torchia Buss		X			
Viola	M	X			
Bartolomeo					X
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

9. **New business:**

a. Ordinance 2023-6: An ordinance of Colts Neck Township, County of Monmouth, State of New Jersey, Chapter 177 "Recreation areas, parks, and Nature Preserve", Article I "Recreation area rules and regulation" subsection 177-3 "Disturbing or destroying property" of the code of Colts Neck Township

Mayor Fitzpatrick read the ordinance by title for first reading/introduction. Mayor Fitzpatrick called for comments from the Township Committee. Hearing none, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Viola, seconded by Committeewoman Buss and a majority roll call vote, the ordinance was approved for introduction. Mayor Fitzpatrick announced that the public hearing is scheduled for March 29, 2023.

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					

b. Resolution 2023-59: Confirming hiring Colts Neck Township Code Enforcement Manager, Kenneth Pieslak

Mayor Fitzpatrick called for comments. Committeeman Viola stated that the Personnel Committee received several resumes in response to the ad placed for this open position. Committeeman Viola stated that the Personnel Committee chose four qualified candidates to interview with two candidates being selected for second interviews. Of those interviews, Mr. Pieslak was selected for the position. Hearing no further comments, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Viola, 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	M	X			
Bartolomeo					X
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

c. Resolution 2023-60: Resolution authorizing the execution of Amendment No. 1 to the Shared Services Agreement between the Township of Holmdel and Colts Neck Township, in the County of Monmouth, for the use of the Township of Holmdel's transfer station for recycled materials

Mayor Fitzpatrick called for comments. Administrator Capristo stated that this resolution is amending the Shared Services Agreement with Holmdel Township to extend the agreement through December 31, 2024. Administrator Capristo stated that this Shared Services Agreement allows Colts Neck the opportunity to dispose of leaves and brush at the Holmdel transfer station if needed. Hearing no further comments, Mayor Fitzpatrick called for a motion to approve. On a motion by Deputy Mayor Rizzuto, 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	M	X			
Torchia Buss				X	
Viola	S	X			
Bartolomeo					X
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

d. Resolution 2023-61: Confirming hiring Colts Neck Township Department of Public Works employee, Parker McCall

Mayor Fitzpatrick called for comments. Administrator Capristo stated that Mr. McCall began with the Township as seasonal employment. The relationship with the department has worked out well, and the department wished to extend a full time offer to Mr. McCall. Hearing no further comments, Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Viola, 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	M	X			
Bartolomeo					X
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

e. Resolution 2023-62: Accepting the resignation of township employee, Rich Galinski

Mayor Fitzpatrick called for comments. Administrator Capristo stated that the township received a resignation from Mr. Galinski, effective March 31, 2023. The Township Committee thanked Mr. Galinski for his service to the town and wished

him well in his future endeavors. 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 majority 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					

f. Approval of Vouchers:

Committeeman Viola stated that he reviewed all of the vouchers and found all to be in order. Committeeman Viola noted that 83% of the bills list represented taxes to the County and school board.

Mayor Fitzpatrick called for a second to Committeeman Viola's motion, seconded by Committeewoman Buss 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	S	X			
Viola	M	X			
Bartolomeo					X
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

g. Administrator's report:
Administrator Capristo reported that the Township has received the Temporary Certificate of Occupancy for the new municipal building. Administrator Capristo stated that the Township can now move forward with punch list items as well as working with ProComm for the Police technology installation. Administrator Capristo stated that employees will likely begin to move into the new municipal building at the end of March or early April.

Administrator Capristo reported that the Laird Road tennis court/pickleball court project will soon be underway with hopes of having it complete in the late summer or early fall.

h. Township Committee reports:

Committeeman Viola

- Committeeman Viola reported that the 2022 annual audit commenced on Monday and will be completed by June 30, 2023.

- Committeeman Viola stated that there has still been no decision received from the court in regard to Affordable Housing.

Committeewoman Buss

- Committeewoman Buss stated that Colts Neck Business Association (CNBA) luncheon is scheduled for March 29, 2023, at 11:30am at Trump National Golf and the event typically sells out.
- Committeewoman Buss stated the Board of Education had a yearly presentation presented by the auditors. Committeewoman Buss stated that the school is in excellent financial standing and is a "well run district" as stated by the auditor.
- Committeewoman Buss stated that Read Across America week was last week. Committeewoman Buss stated that they have raised over $36,000 and congratulated the schools on their efforts.
- Committeewoman Buss stated that the Board of Education March 29, 2023, meeting will have a presentation on "Wait Until 8th", a national program that encourages parents to wait until after 8th grade to get their kids their own cell phones.
- Committeewoman Buss stated that the preschool open house was last week and currently has 30 available openings.
- Committeewoman Buss stated that the Colts Neck High School along with the Colts Neck Prevention Alliance is running a "Conscious Kids" program looking at mental health and mindfulness.
- Committeewoman Buss stated that the ASAC conference is approaching for high school counselors.
- Committeewoman Buss stated that National Night Out is August 1, 2023, at Bucks Mill Park and encouraged everyone to attend.
- Committeewoman Buss reported that Covid-19 numbers are at a low transmission rate in Monmouth County.
- Committeewoman Buss stated that the book fair will be held on Saturday, April 29th and Sunday, April 30th from 10:00am – 4:00pm at the Colts Neck Library and reminded everyone to come out and support the Friends of the Library.

Deputy Mayor Rizzuto

- Deputy Mayor Rizzuto reported that the Office of Emergency Management (OEM) met for the first time and will be working towards updating the town emergency plan which must be updated every five years and submitted to the County for approval and then to the State. Deputy Mayor Rizzuto stated that OEM is also working on plans for a town-wide drill that will involve, police, fire and first aid.
- Deputy Mayor Rizzuto stated that the Montrose School will host a tour in April and is also participating in a Weekend in Old Monmouth which is scheduled for May 6, 2023, and May 7, 2023.

Mayor Fitzpatrick

- Mayor Fitzpatrick stated that she has been invited to referee the PBA vs the Colts Neck High School volleyball game and is looking forward to the event.

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

Mayor Fitzpatrick 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.

Elaine Mann, resident, stated that she has concerns in regard to Resolution 2023-59 hiring Code Enforcement Manager, Kenneth Pieslak. Ms. Mann stated that Mr. Pieslak was involved in a lawsuit where citizens sued the township. Ms. Mann stated that this lawsuit occurred during Mr. Pieslak's employment in Jackson Township as the Code Enforcement Supervisor. Ms. Mann stated that she hopes the Governing Body looks into this and is concerned that our township could be involved in a lawsuit. Ms. Mann commented that the township read Mr. Rich Galinski's resignation, however, did not read the resignation of Ms. Ruth Leininger when she resigned. Ms. Mann asked if the township would continue to have Lou Bader and Gus Baxes as Code Enforcement officers once Mr. Pieslak begins employment.

Fulton Wilcox, resident, spoke about the new municipal building stating that the hard part of a project is the end part of the project. Mr. Wilcox noted another $100,000 in bills on the current bills list in connection with the new municipal building project. Mr. Wilcox stated that the township committee does not issue status reports that state the project will close on day X, so that the township can begin to capitalize on the expense of the project. Mr. Wilcox noted that he attended the Budget Workshop and did not see in the budget presentation a specific section of the budget that will focus on the new municipal building support costs.

Allan Ryan, resident, commented that he is a life member of the Colts Neck Fire Department #2 and spoke about a fellow fireman, James Cirronella, who is a 50-year member of the fire department. Mr. Ryan stated that he wanted to recognize Mr. Cirronella, for the various things he does for fire company #2, and his dedication to the department and showing up for major events. Mr. Ryan stated that Mr. Cirronella is an exceptional man and volunteer.

Michele Battista, resident, stated that Becker Hardware, who has been in Colts Neck for over 50 years is closing. Ms. Battista asked the township to do a proclamation of recognition.

Lillian Burry, resident and County Commissioner, stated that this was a lovely evening and that she is proud of Colts Neck and the Township Committee.

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

11. Discussion of Public Comment:

Mayor Fitzpatrick responded to Ms. Battista stating that the township did a proclamation of recognition for Becker Hardware in 2022 to celebrate their 50th anniversary in Colts Neck. Mayor Fitzpatrick stated that she has reached out to Becker Hardware to possibly host a party at the location before they leave.

Committeeman Viola responded to Ms. Mann stating that the Code Enforcement Manager's greatest contribution is that this individual will work towards educating the public who do not know the rules/codes. Committeeman Viola stated that Mr. Pieslak comes highly qualified for the position and is also former law enforcement.

Mayor Fitzpatrick responded to Mr. Wilcox stating that the township cannot issue a status report with day X for completion of the new municipal building project. Mayor Fitzpatrick stated that this project is no different than a homeowner doing a project in their home and running into unforeseen delays such as permits, etc. Mayor Fitzpatrick stated that there are many things out of the township's control such as DEP permits.

Deputy Mayor Rizzuto commented that the plans for the police department to move out of the trailer have already been laid out. Deputy Mayor Rizzuto stated that there will be some plans to get the building back to what the first aid squad needs.

Committeeman Viola thanked Commissioner Burry for attending the meeting in honor of Women's History month and thanked Ms. Burry for her kind words.

12. Adjournment:

As there was no further business, Mayor Fitzpatrick called for a motion to adjourn. On a motion by Committeewoman Buss, seconded by Committeeman Viola and a majority voice vote, the meeting adjourned at 8:00 p.m.

Trina Lindsey, RMC
Municipal Clerk

APPROVED: 03/29/23