RESOLUTION 2023-44

EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12(b), permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS the Colts Neck Township Committee finds that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Colts Neck Township Committee as follows:

1. The public shall be excluded from discussion of any action upon hereinafter specified subject matter;

2. The general nature of the subject matter to be discussed is as follows:

    a. Lease of real property confidential pursuant to N.J.S.A. 10:4-12(b)5
    b. Potential litigation confidential pursuant to N.J.S.A. 10:4-12(b)(7)
    c. Personnel confidential pursuant to N.J.S.A. 10:4-12(b)(8)

3. The Committee will not take action following closed executive session;

4. It is anticipated that the closed session will last approximately one hour.

5. It is anticipated at this time the above-stated subject matter(s) will be made public when the need for confidentiality no longer exists; and

6. This Resolution shall become effective immediately.

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 8th day of February 2023

_____

Trina Lindsey, Municipal Clerk

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

RESOLUTION 2023-45

RESOLUTION CONFIRMING AND CERTIFYING LENGTH OF SERVICE AWARD PROGRAM (LOSAP) CREDITS FOR 2022 FOR THE COLTS NECK FIRE DEPARTMENT

WHEREAS, a Length of Service Award Program (LOSAP) was approved by voter referendum in 2003; and

WHEREAS, said LOSAP became effective for eligible First Aid and Fire Department volunteers as of January 1, 2004; and

WHEREAS, pursuant to NJSA 40A:14-191, emergency organizations participating in a LOSAP shall annually certify to the Township a list of all volunteers who have qualified for credit under a LOSAP; and

WHEREAS; the Colts Neck Fire Department has provided said list of eligible volunteers to the Township; and

WHEREAS, the Township Committee of Colts Neck Township has reviewed said list and has found same to be acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby approves and confirms the attached list of eligible volunteers from the Colts Neck Fire Department and hereby deems said eligible volunteers qualified for LOSAP credit for the year 2022; and

BE IT FURTHER RESOLVED that a copy of this Resolution and said list be forwarded to Colts Neck Fire Department for posting at Fire Company 1 and Fire Company 2 for a period of 30 days pursuant to law; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

1. John Antonides, Chief Financial Officer;
2. Meghan Ann Bennett, Esq., Township Attorney; and
3. Michael Romano, Fire Chief;

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during the regular meeting held on the 8th day of February 2023

_____
Trina Lindsey, Municipal Clerk

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

RESOLUTION 2023-46

RESOLUTION CONFIRMING AND CERTIFYING LENGTH OF SERVICE AWARD PROGRAM (LOSAP) CREDITS FOR 2022 FOR COLTS NECK FIRST AID SQUAD

WHEREAS, a Length of Service Award Program (LOSAP) was approved by voter referendum in 2003; and

WHEREAS, said LOSAP became effective for eligible First Aid and Fire Department volunteers as of January 1, 2004; and

WHEREAS, pursuant to NJSA 40A:14-191, emergency organizations participating in a LOSAP shall annually certify to the Township a list of all volunteers who have qualified for credit under a LOSAP; and

WHEREAS; the Colts Neck First Aid Squad has provided said list of eligible volunteers to the Township; and

WHEREAS, the Township Committee of Colts Neck Township has reviewed said list and has found same to be acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby approves and confirms the attached list of eligible volunteers from the Colts Neck First Aid Squad and hereby deems said eligible volunteers qualified for LOSAP credit for the year 2022; and

BE IT FURTHER RESOLVED that a copy of this Resolution and said list be forwarded to Colts Neck First Aid Squad for posting at the First Aid Squad Building for a period of 30 days pursuant to law; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

1. John Antonides, Chief Financial Officer;
2. Meghan Ann Bennett, Esq., Township Attorney; and
3. Dan Petrillo, President of Colts Neck First Aid Squad

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during the regular meeting held on the 8th day of February 2023

_____
Trina Lindsey, Municipal Clerk

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

RESOLTUION 2023-47

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

ENABLING RESOLUTION for SUPPLEMENTAL FUNDING REQUEST

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Colts Neck has previously obtained a Green Acres loan of $-0- and/or a Green Acres grant of $326,297 from the State [and an Urban Parks grant of $0.00 from the State] to fund the following project(s):

1309-97-097, Planning Incentive; and

WHEREAS, the Township of Colts Neck desires to further the public interest by requesting an additional Green Acres loan of $0.00 and/or an additional Green Acres grant of $1,300,000 [and an additional Urban Parks grant of $0.00 from the State] to fund the project(s); and

WHEREAS, the State shall determine if the supplemental funding request is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFORE, the governing body/board resolves that:

1. Kathleen Capristo or the successor to the office of Township Administrator is hereby authorized to:
   (a) request such a loan and/or such a grant,
   (b) provide additional information and furnish such documents as may be required, and
   (c) act as the authorized correspondent of the above-named applicant; and
2. The applicant agrees to provide the local government/nonprofit share if a match is required.
3. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
4. This resolution shall take effect immediately.

CERTIFICATION

I, Trina Lindsey, Township Municipal Clerk do hereby certify that the foregoing is a true copy of a resolution adopted by the Colts Neck Township Committee at a meeting held on the 8th day of February, 2023.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 8th day of February, 2023.

_____
Trina Lindsey, Municipal Clerk

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

RESOLUTION 2023-48

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

FORM OF RESOLUTION

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the *Township Committee* of *Colts Neck Township*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 8th day of February 2023

_____
Trina Lindsey, Municipal Clerk

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

GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES

NO PHOTO COPIES OF SIGNATURES

STATE OF NEW JERSEY
COUNTY OF MONMOUTH

We, members of the governing body of *Colts Neck Township* being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the *Township Committee* of *Colts Neck Township* in the county of *Monmouth;*
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq*., (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

(L.S.) Sue Fitzpatrick, Mayor	(L.S.)
(L.S.) Frank Rizzuto, Deputy Mayor	(L.S.)
(L.S.) Tara Torchia Buss, Committeewoman	(L.S.)
(L.S.) Michael Viola, Committeeman	(L.S.)
(L.S.) J.P. Bartolomeo, Committeeman	(L.S.)

Sworn to and subscribed before me this
_____day of _____
Notary Public of New Jersey

_____
Trina Lindsey, Municipal Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

RESOLUTION 2023-49

APPROVING A SHARED SERVICES AGREEMENT BETWEEN COLTS NECK TOWNSHIP AND THE COUNTY OF MONMOUTH AND THE MONMOUTH COUNTY SHERIFF'S OFFICE FOR PARTICIPATION IN THE PUBLIC SAFETY ANSWERING POINT (PSAP) (2023-2025)

WHEREAS, Colts Neck Township entered into a Shared Service Agreement for participation in the Public Safety Answering Point (PSAP) for Emergency Dispatch Services with the Monmouth County Sheriff's Office, Communications Division; and

WHEREAS, under the terms of said Agreement, the Communications Division will serve as the Public Safety Answering Point (PSAP) for Colts Neck Township, and

WHEREAS, by way of Resolution 2020-47 Colts Neck Township authorized an agreement to continue Emergency Dispatch Services with the Monmouth County Sheriff's Office from January 1, 2020 through December 31, 2022; and

WHEREAS, the Township received a letter and new agreement from Monmouth County Commissioner, Thomas A. Arnone dated January 18, 2023, to continue participation in the Public Safety Answering Point (PSAP) program for dispatch services for a three-year period commencing January 1, 2023 through December 31, 2025; and

WHEREAS, for dispatch services as outlined in the agreement attached hereto, the Township will pay Monmouth County an annual fee of $110,171.00 for 2023 with an increase of 2% in 2024 and 2% in 2025; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of Colts Neck Township that it hereby authorizes the Mayor and Municipal Clerk to execute a shared services agreement between Colts Neck Township and the County of Monmouth and the Monmouth County Sheriff's Office for Monmouth County, under the auspices of the Monmouth County Sheriff's Office, Communications Division, to serve as the Public Safety Answering Point (PSAP) and Regional Automatic License Plate Recognition System pursuant to the agreement attached hereto.

BE IT FURTHER RESOLVED AND CERTIFIED by John Antonides, Chief Financial Officer, that funds for this purpose are provided through the Budget Account # 3-01—044-581.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Monmouth County Board of Chosen Freeholders;
2. Monmouth County Sheriff's Office;
3. Elizabeth Perez, County Shared Services Coordinator;
4. Paul Santucci, Colts Neck Chief of Police;
5. Kathleen Capristo, Township Administrator; and
6. John Antonides, Colts Neck Chief Financial Officer.

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 8th day of February 2023

_____

Trina Lindsey, Municipal Clerk

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

RESOLUTION 2023-50

CONFIRMING HIRING COLTS NECK TOWNSHIP DEPARTMENT OF PUBLIC WORKS SEASONAL EMPLOYEE TIMOTHY MAYER

WHEREAS, the Township wishes to hire Timothy Mayer, as a seasonal employee for the Colts Neck Township Department of Public Works; and

WHEREAS, the Chief Financial Officer has certified that funds are available.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township in the County of Monmouth, State of New Jersey, that it hereby confirms the hiring of Timothy Mayer as a seasonal employee for the Colts Neck Township Department of Public Works at $18.00/hour, 40 hours per week, effective February 9, 2023; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Lou Bader, Department of Public Works Director;
2. Kathleen Capristo, Township Administrator; and
3. John Antonides, Chief Financial Officer.

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during the Reorganization meeting held on the 8th day of February 2023

Trina Lindsey, Municipal Clerk

RECORD OF VOTE					
	M S	Yes	No	NV	Ab
Mayor Fitzpatrick					
Deputy Mayor Rizzuto					
Torchia Buss					
Viola					
Bartolomeo					

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

RESOLUTION 2023-51

AUTHORIZING THE RELEASE OF A SPECIAL PERFORMANCE GUARANTEE BLOCK 9, LOT 46, 7 PILGRIM WAY MAZZA

WHEREAS, on February 24, 2021 the Township Committee of Colts Neck Township adopted Resolution 2021-57 accepting a Special Performance Guarantee in the amount of $30,000 for Block 9, Lot 46, 7 Pilgrim Way; and

WHEREAS, this Special Performance Guarantee was to ensure that the existing single family dwelling was demolished prior to the issuance of a Certificate of Occupancy for the new house to be built; and

WHEREAS, a memo dated February 2, 2023 was sent to the Municipal Clerk from Township Planner, Timothy Anfuso stating that the Certificate of Approval was issued on December 19, 2022 and requesting that the Township Committee release the $30,000 Special Performance Guarantee.

NOW THEREFORE BE IT RESOLVED by the Township Committee of Colts Neck Township that pursuant to the recommendation of the Township Planner that it hereby authorizes the following for Block 9, Lot 46, 7 Pilgrim Way:

1. Release of a Special Performance Guarantee in the amount of $30,000.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Timothy Anfuso, Township Planner; and
2. John Antonides, Chief Financial Officer;

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 8th day of February 2023

_____
Trina Lindsey, Municipal Clerk

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

RESOLUTION 2023-52

AUTHORIZING THE ACCEPTANCE OF AN INSPECITION FEE
ZB1046, BLOCK 46, LOT 17.13, 300 ROUTE 34
SOURCE BREWERY

WHEREAS, a memo dated February 2, 2023 was sent to the Municipal Clerk from Township Planner, Timothy Anfuso requesting the Township Committee to adopt a resolution accepting an inspection fee in the amount of $1,000 for Source Brewery, ZB1046, block 46, lot 17.13, 300 Route 34.

NOW THEREFORE BE IT RESOLVED by the Township Committee of Colts Neck Township that pursuant to the recommendation of the Township Planner that it hereby authorizes the following for Block 46, Lot 17.13, 300 Route 34:

1. Accepting an inspection fee in the amount of $1,000.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Timothy Anfuso, Township Planner; and
2. Glenn Gerken, Township Engineer; and
3. John Antonides, Chief Financial Officer

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 8th day of February 2023

Trina Lindsey, Municipal Clerk

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

RESOLUTION 2023-53

AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN COLTS NECK TOWNSHIP

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et.seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the County; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the County of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area", the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, Colts Neck Township is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, be it resolved as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:

    a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies; and

    b. Such operations will be performed in compliance with applicable Federal and State regulations; and

    c. The County will notify the Police Department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 8th day of February 2023

_____

Trina Lindsey, Municipal Clerk

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