COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
JANUARY 11, 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. Township Administrator 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 4, 2023, stating that a regular meeting of the Township Committee would be held on January 11, 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. **Discussion Items**

   a. Conditional Use Ordinance – Tim Anfuso

Township Planner, Tim Anfuso, briefly discussed the purpose of the changes to the ordinance stating that this amendment is a clean up of the ordinance and updating the standards.

Committeewoman Buss asked a question about canopies prohibited on Route 537 and Route 34 and referenced a business that currently has one. Mr. Anfuso answered stating that business will be grandfathered.

   b. Holding Tank for Adelaide Hanna Realty, Block 31, Lot 4.01

Administrator Capristo stated that this property is currently serviced by a cesspool. Administrator Capristo stated that the current owner has listed the property for sale and is prohibited from selling the property with a cesspool, therefore is proposing an 88-gallon holding tank that will be pumped once per month. Administrator Capristo explained that the NJDEP has jurisdiction over the approval, the Governing Body is consenting to an application to the NJDEP. Administrator Capristo stated that the Board of Health has reviewed the request and has approved of the application to the NJDEP for the holding tank.

The Governing Body briefly discussed the concern of waste being pumped into streams. Committeewoman Buss noted that the applicant has to include in their application to the NJDEP certified companies who handle pumping the holding tank.

The Governing Body unanimously gave consent for the applicant to proceed with an application to the NJDEP for the holding tank.

6. **Approval of minutes**

   a. December 7, 2022, Executive session
   b. December 7, 2022, Special meeting
   c. December 14, 2022, Regular meeting

Mayor Fitzpatrick called for comments. Hearing none, Mayor Fitzpatrick called for a motion to approve all sets of minutes presented above. On a motion by Committeeman Viola, 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	M	X			
Bartolomeo		X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

7. **Old business**

8. **New business**

   a. Ordinance 2023-2: Ordinance amending Section 2, "Establishment of fees", of Chapter 41, "Miscellaneous fees", of the code of Colts Neck Township, County of Monmouth, State of New Jersey

Mayor Fitzpatrick read the ordinance by title for first reading/introduction. Mayor Fitzpatrick called for comments from the Township Committee. Administrator Capristo stated that this ordinance is in reference to the recycling cart and establishes the fees for residents to purchase additional carts. Hearing no further comments, 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 ordinance was approved for introduction. Mayor Fitzpatrick stated that the second reading/public hearing is scheduled for January 25, 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					

   b. Ordinance 2023-3: An ordinance of Colts Neck Township in the County of Monmouth and the State of New Jersey amending and supplementing Chapter 102 of the code of Colts Neck Township entitled "Development Regulations"

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 Bartolomeo, seconded by Deputy Mayor Rizzuto and a unanimous roll call vote, the ordinance was approved for introduction. Mayor Fitzpatrick stated that the second reading/public hearing is scheduled for February 8, 2023.

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 2023-31: Resolution authorizing execution of A-1 Consent form from NJDEP Treatment Works Permit for the installation of a holding tank to store sanitary sewerage effluent generated from Adelaide Hanna Realty, Block 31, Lot 4.01

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

d. Resolution 2023-32: Resolution authorizing two change orders to the contract awarded to Hall Building Corporation for the construction of the new municipal building located in Colts Neck Township

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					

e. Resolution 2023-33: Authorizing purchase 4E interview rooms with streaming for the Colts Neck Police Department, NJ State Contract# 17-FLEET-00793

Mayor Fitzpatrick called for comments. Administrator Capristo commented that this is in connection with the new municipal building and was outside of the scope of the contract for the construction of the new municipal building. Administrator Capristo explained that this is a separate contract with Motorola for police department technology. 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					

f. Consent Agenda

i. Resolution 2023-34: Authorizing the renewal of a Shared Services Agreement between Colts Neck Township and the Township of Marlboro for use of the Marlboro Swim Club

ii. Resolution 2023-35: Resolution authorizing Colts Neck Township through the Colts Neck Township Police Department to participate in the Defense Logistics Agency, Law Enforcement Support Office, 1033 program to enable the Colts Neck Township Police Department to request and acquire excess department of defense equipment

Mayor Fitzpatrick called for a motion to approve. On a motion by Committeeman Viola, seconded by Committeeman Bartolomeo and a unanimous roll call vote, the resolutions on the consent agenda were approved.

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					

g. Approval of Vouchers

Committeeman Viola stated that he reviewed all of the vouchers and found all to be in order. Committeeman Viola stated that it was a very short 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.

Committeeman 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					

h. Administrator's report

Administrator Capristo stated that the Monmouth County Park Systems is requesting approval to have the 46th annual E. Murray Todd half marathon run through a portion of Colts Neck. Administrator Capristo stated that the event will take place on Sunday, March 12, 2023. Administrator Capristo stated that the Monmouth County Park Systems is seeking approval from the Governing Body for the portion that will run through Colts Neck, if approval is granted, the County will work with the Police

Department on the logistics of the run to ensure safety for all. The Governing Body unanimously approved of the request.

i. Township Committee reports

Committeeman Bartolomeo

- Committeeman Bartolomeo reported that potholes are being filled and if a resident notices a pothole anywhere in town to please report it via the website and Report a Concern.
- Committeeman Bartolomeo stated that any resident who wishes to receive an additional recycling cart can purchase one for $120.00 per cart and the recycling cart will then be dropped off at their home.
- Committeeman Bartolomeo stated that the Shade Tree Commission will host the annual seedling give away on April 29, 2023, at Town Hall. Residents will be limited to five seedlings per person.

Committeeman Viola

- Committeeman Viola reported that the Anchor Tax benefit application submission has been extended by the state until February 28, 2023.
- Committeeman Viola stated that the Senior Citizens Club had their first meeting of the year, and it was well attended.
- Committeeman Viola stated that the affordable housing hearing concluded on December 8, 2022; summations have been submitted to the court on December 20, 2022, and the township is awaiting the courts decision.
- Committeeman Viola reported that the Long-Range Planning Committee has not met yet.

Committeewoman Buss

- Committeewoman Buss reported that the Board of Education held their reorganization meeting and welcomed two new members to the board. Committeewoman Buss congratulated Heather Tormey who as voted as President of the Board and Kevin O'Connor as Vice President. Committeewoman Buss wished them well as they navigate the challenges ahead.
- Committeewoman Buss reported that the Board of Health held their reorganization meeting and welcomed two new board members. Committeewoman Buss reported that the majority of the state is experiencing high levels of both seasonal flu and the COVID-19. Committeewoman Buss stated that the CDC and NJDOH are recommending getting vaccinated for both the flu and COVID-19. Committeewoman Buss stated that the State of New Jersey is expressing concern about the vaccination status of residents and employees in long term care facilities in regard to COVID-19. The state is attempting to get facilities to offer more in-house types of clinics, where possible.
- Committeewoman Buss stated that the Colts Neck Health Department is scheduled to host the annual free rabies clinic on Saturday, January 21, 2023, at the Colts Neck Fire House #2 on Conover Road from 9:00 a.m. – 10:30 a.m.
- Committeewoman Buss reported that the Architectural Review Committee held their reorganization meeting and welcomed three new members. The board reviewed an application and provided good feedback to the homeowner who is scheduled to appear before the Board of Adjustment.

Deputy Mayor Rizzuto

- Deputy Mayor Rizzuto reported that the Planning Board met and held their reorganization meeting. John Tobia was voted as Chairman.
- Deputy Mayor Rizzuto stated that the Office of Emergency Management (OEM) will meet quarterly and is planning to have another drill this year.
- Deputy Mayor Rizzuto stated that the First Aid Squad is preparing to tour their building which is currently housed by the police department and determine the things that will be required to bring the building back to what they need.
- Deputy Mayor Rizzuto reported that the Historic Preservation Committee will donate a bronze plaque for the historic bell located outside of Fire Company #1.

Mayor Fitzpatrick

- Mayor Fitzpatrick stated that on January 5, 2023, she attended the reorganization and swearing in meeting for Monmouth County along with Committeeman Rizzuto and Committeeman Viola. Mayor Fitzpatrick congratulated Sheriff Shaun Golden, County Commissioner Director, Tom Arnone and County Commissioner Deputy Director, Nick DiRocco.
- Mayor Fitzpatrick reported that on January 6, 2023, Colts Neck Township held the annual reorganization meeting. Mayor Fitzpatrick stated that because of the overwhelming response to the town's request for volunteers, the township filled every vacant position and many of those volunteers were present at the annual reorganization meeting. Mayor Fitzpatrick thanked all of the volunteers.
- Mayor Fitzpatrick congratulated Deputy Mayor Rizzuto who was voted as Deputy Mayor and stated that she looks forward to working with him and values his wisdom and support.
- Mayor Fitzpatrick thanked Committeeman Bartolomeo for all of his hard work over the years serving twice as Mayor, as well as his many endeavors for improving our community.
- Mayor Fitzpatrick stated that the Environmental Commission met and welcomed two new members, Bob Lutkewitte who is no stranger to the volunteer boards, committees and commissions, and Ray Malak, who is relatively new to Colts Neck. Mayor Fitzpatrick stated that Thom Hennessey was appointed as Chairman. Mayor Fitzpatrick stated the meeting schedule was changed to the third Tuesday of each month at 7:30 p.m. and will piggyback with the Green Team Advisory Committee who will meet on the same day at 6:30 p.m.
- Mayor Fitzpatrick stated that the Farmland and Open Space Committee met and had a robust group with a full board and three new board members. Jena Cosimo was voted as Chair. Mayor Fitzpatrick stated that there are numerous properties that are targeted for farmland preservation and open space. Mayor Fitzpatrick stated that the township will apply for grants to help preserve these properties.
- Mayor Fitzpatrick stated that the Planning Board met, and John Tobia was voted as Chairman, and Kris Lutkowitz as Vice Chair. Mayor Fitzpatrick congratulated both and stated that two new members were welcomed to the board. Mayor Fitzpatrick stated that Attorney Michael Steib is presenting a land use course on January 21, 2023, from 8:00 a.m. – 1:00 p.m. at Rumson Town Hall. The course is mandatory for all new board members.
- Mayor Fitzpatrick stated that she will have office hours every Tuesday from 9:00 a.m. – 11:00 a.m. and on Thursday's from 5:00 p.m. – 7:00 p.m. in the new municipal building. Mayor Fitzpatrick stated that she is hoping to begin these office hours on January 24, 2023, which is dependent upon the township receiving permanent occupancy clearance.

9. **Public Comment:**

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

Fulton Wilcox, resident, commented that the township is nearing the end of the new municipal building project and spoke about the repayment of the bond and having a substantial tail end payment plan. Mr. Wilcox stated that the township needs to get the building into service.

Elaine Mann, resident, commented that she has asked the town repeatedly to show the cost savings for the termination of the Department of Public Works employees in 2019. Ms. Mann asked if the town has a policy for a husband and wife serving on the same volunteer board. Ms. Mann asked about the Colts Neck Inn receiving a fine from the NJDEP and asked if the issue has been resolved and stated that if it has not been resolved why does the Colts Neck Inn remain open.

As there were no further comments and/or questions from the public, Mayor Bartolomeo called for a motion to close public comment. On a motion by

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

10. Discussion of Public Comment:

Committeeman Viola responded to Ms. Mann stating that her question in regard to the money saved from the reorganization of the Department of Public Works has been answered previously. Committeeman Viola stated that the Township's surplus is where the savings from the January 2019 reorganization of the Department of Public Works are realized. Committeeman Viola stated that the township incurred costs from the reorganization of the department into 2021, yet the surplus from the end of 2019 to 2021 averaged $3.459 million, which reflects a $900,000 increase over 2018.

Deputy Mayor Rizzuto added that the Township is in great financial status. Mayor Fitzpatrick stated that the past few years has been the best the Department of Public Works has been run in years, and she is thankful for the work and performance of the department.

Committeewoman Buss responded to Ms. Mann stating that the Colts Neck Inn did receive approval from the NJDEP to demolish the old system and install a new wastewater system.

11. Adjournment:

As there was no further business, Mayor Fitzpatrick called for a motion to adjourn. On a motion by Committeeman Viola, seconded by Committeeman Bartolomeo and a unanimous voice vote, the meeting adjourned at 7:45 p.m.

Trina Lindsey, RMC
Municipal Clerk

APPROVED: 02/08/23