

**COLTS NECK TOWNSHIP  
TOWNSHIP COMMITTEE MEETING  
FEBRUARY 12, 2020, 7:30 P.M.  
TOWN HALL**

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The meeting of the Colts Neck Township Committee was called to order at 7:30 p.m. by Mayor Rizzuto, followed by the Salute to the Flag. The following statement was read by Township Administrator, Kathleen Capristo: "The notice requirements of the New Jersey Public Meetings Law have been satisfied by noticing the News Transcript on December 12, 2019 stating that a regular meeting of the Colts Neck Township Committee would be held on February 12, 2020 at 7:30 p.m., Town Hall. The notice was posted on the Township website, and a copy is on file in the office of the Township Clerk."

Roll call by Ms. Lindsey indicated the following:

Present: Mayor Frank Rizzuto, Deputy Mayor Michael Viola; Committeewoman Sue Fitzpatrick and Committeeman Tom Orgo

Also Present: Kathleen Capristo, Administrator, Municipal Clerk Trina Lindsey; and Township Counsel Meghan Ann Bennett, Esq.

Absent: Committeeman J.P. Bartolomeo

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- 1. APPROVAL OF MINUTES:** MEETINGS OF JANUARY 29, 2020 SPECIAL MEETING AND JANUARY 29, 2020 REGULAR MEETING. Mayor Rizzuto asked for comments. Hearing none, Mayor Rizzuto called for a motion to approve. Deputy Mayor Viola made a motion to approve, seconded by Committeewoman Fitzpatrick and unanimously carried.

<b>RECORD OF VOTE</b>						
Committeeman	M	S	Yes	No	NV	Ab
Rizzuto			X			
Viola	M		X			
Bartolomeo						X
Fitzpatrick		S	X			
Orgo			X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

- 2. DISCUSSION:**

- EXECUTIVE FIRE COUNCIL REVIEW OF TOWNSHIP CODE CHAPTER 28. DEPUTY MAYOR VIOLA

Deputy Mayor Viola stated that the Governing Body previously discussed updating Chapter 28 and Chapter 68 on behalf of the volunteer organizations. Deputy Mayor Viola stated that Administrator Capristo reached out to some of her colleagues to inquire about what surrounding municipalities offer as incentives to their volunteer organizations. Deputy Mayor Viola stated that the feedback received is what's being offered is a \$300 full credit for all permits and any permits applied for beyond the \$300 would be paid at 50%. Deputy Mayor Viola stated that this incentive would be offered to active members only for the fire department and first aid squad.

After brief discussion the Governing Body directed Attorney Meghan Bennett to draft the two ordinances making those changes.

- BUCKS MILL RECREATION BUILDING – JEFF REISINGER, SPORTS FOUNDATION

Jeff Reisinger presented picture handouts to the Governing Body. Mr. Reisinger discussed replacing the shed at Five Points Park. Mr. Reisinger reviewed pictures of the current shed showing the state of the current shed as well as a picture of the proposed new larger shed. Mr. Reisinger then discussed the batting cage at Laird Road park stating that he's requesting to install a fence around the batting cage for the safety of anyone walking in the area of the batting cage. Mr. Reisinger moved on to discuss the Bucks Mill Community Center stating that the building lies dormant several days during the week during the winter months. Mr. Reisinger proposed installing four (4) steel columns in the building which will allow cables to be strung for the purpose of adding netting for interior batting practice purposes. Mr. Reisinger explained that when the nets are not in use, they will fold into the wall so thus to not interfere with other mechanicals of the building as well as other activities. Mr. Reisinger also proposed installing a heavy weight dead pad so that children practicing for soccer cannot damage a wall when a soccer ball is being kicked. Mr. Reisinger explained that the reason for proposing these additions inside is because during the winter months losing daylight is an issue for scheduling practices.

The Governing Body briefly discussed the items Mr. Reisinger proposed. Mayor Rizzuto asked if any of these changes would be funded by Township monies. Mr. Reisinger responded no, that all items are being donated. Committeeman Orgo opined that the Community Center was not built to be used as a gym.

After brief discussion amongst the Governing Body, the Governing Body approved the replacement of the shed at Five Points Park and the addition of the fence around the batting cage at Laird Road Park; however, directed Mr. Reisinger to further discuss the addition of the indoor netting at the Bucks Mill Community Center and to please circle back to the Governing Body with further information.

3. **RESOLUTION 2020-45: AUTHORIZING ADOPTION OF 2020 TEMPORARY CAPITAL BUDGET**

Mayor Rizzuto called for comments. Hearing none, Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Orgo, seconded by Deputy Mayor Viola and a unanimous roll call vote, the resolution was adopted.

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Rizzuto			X			
Viola		S	X			
Bartolomeo						X
Fitzpatrick			X			
Orgo	M		X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

4. **RESOLUTION 2020-46: AMENDING TEMPORARY BUDGET FOR 2020**

Mayor Rizzuto called for comments. Hearing none, Mayor Rizzuto called for a motion to approve. On a motion by Deputy Mayor Viola, seconded by Committeeman Orgo and a unanimous roll call vote, the resolution was adopted.

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Rizzuto			X			
Viola		M	X			
Bartolomeo						X
Fitzpatrick			X			
Orgo		S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

Absent

5. **RESOLUTION 2020-47:** APPROVING SHARED SERVICE AGREEMENT BETWEEN COLTS NECK TOWNSHIP AND THE COUNTY OF MONMOUTH AND THE MONMOUTH COUNTY SHERIFF'S OFFICE (2020-2022)

Mayor Rizzuto called for comments, hearing none, Mayor Rizzuto called for a motion to approve. On a motion by Deputy Mayor Viola, seconded by Committeeman Orgo and a unanimous roll call vote, the resolution was adopted.

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Rizzuto			X			
Viola	M		X			
Bartolomeo						X
Fitzpatrick			X			
Orgo		S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

6. **ORDINANCE 2020-2:** AN ORDINANCE TO AMEND THE TOWNSHIP OF COLTS NECK MUNICIPAL CODE CHAPTER 205 ENTITLED "TAXATION" TO ADD ARTICLE III ENTITLED "PROPERTY TAX EXEMPTION FOR TOTALLY DISABLED VETERANS AND SURVIVING SPOUSES"

Mayor Rizzuto read the ordinance by title for second reading and called for comments. Hearing none, Mayor Rizzuto called for a motion to open the public hearing. On a motion by Deputy Mayor Viola, seconded by Committeeman Orgo and a unanimous roll call vote, the public hearing for Ordinance 2020-2 was open. Mayor Rizzuto called for any comments and/or questions from the public. Hearing none, Mayor Rizzuto called for a motion to close the public hearing. On a motion by Deputy Mayor Viola, seconded by Committeewoman Fitzpatrick and a unanimous roll call vote, the public hearing was closed. Mayor Rizzuto called for a motion to approve. On a motion by Deputy Mayor Viola, seconded by Committeewoman Fitzpatrick and a unanimous roll call vote, the ordinance was adopted.

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Rizzuto			X			
Viola	M		X			
Bartolomeo						X
Fitzpatrick		S	X			
Orgo			X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

**ORDINANCE 2020-2**

**AN ORDINANCE TO AMEND THE TOWNSHIP OF COLTS NECK MUNICIPAL CODE CHAPTER 205 ENTITLED "TAXATION" TO ADD ARTICLE III ENTITLED "PROPERTY TAX EXEMPTION FOR TOTALLY DISABLED VETERANS AND SURVIVING SPOUSES"**

*WHEREAS, N.J.S.A. 54:4-3.30 permits certain totally disabled war veterans, unmarried surviving spouses of such disabled war veterans, or the unmarried surviving spouses of servicepersons who died on wartime active duty, to receive real property tax exemption on their principal residence and the lot on which it is situated; and*

*WHEREAS, qualifying individuals must have active wartime service in the United States Armed Forces, be honorably discharged, be a legal resident of New Jersey, own and occupy the home as a principal residence, and must be certified by the US Department of Veterans Affairs to be 100% permanently totally disabled as a result of wartime service;*

*WHEREAS, pursuant to N.J.S.A. 54:4-3.31, qualified individuals may apply for the property tax exemption by filing a claim in writing under oath with the municipal tax assessor; and*

*WHEREAS, once accepted by the municipal tax assessor, the property tax exemption shall be placed upon the municipal tax rolls, and the exemption shall be prorated by the municipal tax assessor for the remainder of any taxable year from the date the written claim was accepted by the tax assessor; and*

*WHEREAS, pursuant to N.J.S.A. 54:4-3.32, it is within the discretion of the governing body to determine whether to refund prior property taxes to qualifying individuals from the time they would have been exempt had a proper claim in writing been made pursuant to N.J.S.A. 54:4-3.30; and*

*WHEREAS, the Township Committee recognizes that a delay from when the veteran is deemed 100% disabled to when the claim for the property tax exemption is made could dramatically affect the amount of refunds being requested; and*

*WHEREAS, the Township Committee further recognizes that while special status is accorded to disabled veteran's in this scenario, the financial affairs of the municipality must also be taken into consideration; and*

*WHEREAS, the Township Committee of Colts Neck has determined that it is in the best interest of the municipality to adopt a uniform policy surrounding requests for refunds pursuant to N.J.S.A. 54:4-3.32, to allow a refund of property taxes for the qualifying individuals up to a year.*

*NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck Township in the County of Monmouth, State of New Jersey that Chapter 205 of the Township Municipal Code be amended to add Article III, entitled "Property Tax Exemption for Totally Disabled Veterans and Surviving Spouses" be adopted as follows:*

**Article III. Property Tax Exemption for Totally Disabled Veterans and Surviving Spouses**

**§205-5 Exemption**

*Pursuant to N.J.S.A. 54:4-3.30 et seq., qualified totally disabled veterans, and unmarried surviving spouses of qualified totally disabled veterans, owning and occupying a dwelling in the Township of Colts Neck shall be eligible for a property tax exemption upon completion of the necessary application materials to be filed with the Township's Tax Assessor.*

*An eligible veteran shall be defined as a member of the United States Armed Forces who was either honorably discharged or released under honorable circumstances from active wartime service, as defined by the New Jersey Legislature, who is a legal resident of New Jersey that owns and occupies the home they are seeking a property tax exemption on as their principal residence, and who has been certified by the U.S. Department of Veterans Affairs to have a wartime service-connected disability stating you are 100% permanently and totally disabled.*

*Surviving spouses of totally disabled veterans may qualify for the exemption if they can provide a U.S. Department of Veterans Affairs certification of wartime service-connected disability stating the deceased veteran was 100% permanently and totally disabled, or died, during active wartime service. They must also confirm that the deceased spouse was a legal resident of New Jersey at death. The surviving spouse must be a current resident of New Jersey that owns and occupies the home as a principal residence. Finally the surviving spouse must show they have not remarried or formed a new registered civil union/domestic partnership.*

**§205-6 Applicability**

*In order to qualify for the property tax exemption, the veteran or qualified surviving spouse must first obtain a determination from the U.S. Department of Veterans Affairs that the veteran was 100% permanently and totally disabled based upon wartime service.*

*Next, the veteran or someone on his/her behalf, under oath, must file a written claim with the Township's Tax Assessor's office. The Tax Assessor's office will supply the applicant with the appropriate paperwork and the applicant will be required to provide the Tax Assessor's office with the following information:*

- 1. Reason for exemption;*
- 2. A description of the property for which the exemption is claimed;*
- 3. A certificate of claimant's honorable discharge or release under honorable*

circumstances from active service, in time of war and a certificate/letter from the United States Veteran's Administration or its successors, certifying to a service connected disability;

4. Any other documentation as required by statute at the time the application is made.

**§205-7 Surviving Spouse Exemption**

In order for a surviving spouse of a veteran to qualify for the municipal tax exemption, the spouse, under oath, must file a written claim with the Tax Assessor's office. The Tax Assessor's office will supply the surviving spouse with the appropriate paperwork and the applicant will be required to provide the Tax Assessor's office with the following information:

1. Proof to establish that the spouse is the owner of legal title to the premises on which the exemption is made;
2. That the surviving spouse occupies the dwelling house on said premises as the surviving spouse's legal residence in the State of New Jersey;
3. That the veteran has been declared by the United States Veteran's Administration to have a service connected disability or that the veteran shall have been declared to have die in active service in time of war;
4. That the veteran is or would have been entitled to the exemption at the time of death;
5. The surviving spouse is a resident of the State of New Jersey and has not remarried.

**§205-8 Refunds of Prior Property Tax**

In determining a grant of a property tax exemption under this section, the Township will prorate the exemption for the remainder of the year in which application is made and accepted by the Township. Additionally, pursuant to N.J.S.A. 54:4-3.32 the Township shall refund the veteran or surviving spouse all taxes previously paid for the year in which the application to the Township is made, retroactive to January 1<sup>st</sup> of said year. There shall be no further retroactive refund granted, regardless of the disability date determination of the United States Veteran's Administration.

**BE IT FURTHER ORDAINED**, that if any portion of this Ordinance shall be declared invalid as a matter of law, such declaration shall not affect the remainder of said Ordinance; and

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon passage and publication.

I, Trina Lindsey, Municipal Clerk in Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2020-2, introduced at a duly convened meeting of the Township Committee on the 29<sup>th</sup> day of January 2020, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 12<sup>th</sup> day of February 2020

\_\_\_\_\_  
Frank Rizzuto, Mayor

\_\_\_\_\_  
Trina Lindsey, Municipal Clerk

RECORD OF VOTE												
	First Reading					Second Reading						
	January 29, 2020					February 12, 2020						
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Committeeman			X						X			
Mayor Rizzuto			X						X			
Deputy Mayor Viola			X				M		X			
Bartolomeo	M		X									X
Fitzpatrick	S		X				S		X			
Orgo			X						X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												

7. **ORDINANCE 2020-3:** AN ORDINANCE AMENDING CHAPTER 57 OF THE COLTS NECK TOWNSHIP MUNICIPAL CODE ENTITLED "RECREATION COMMITTEE"

Mayor Rizzuto read the ordinance by title for second reading and called for comments. Hearing none, Mayor Rizzuto called for a motion to open the public hearing. On a motion by Deputy Mayor Viola, seconded by Committeeman Orgo and a unanimous roll call vote, the public hearing was opened. Mayor Rizzuto called for comments and/or questions from the public. Hearing none, Mayor Rizzuto called for a motion to close the public hearing. On a motion by Deputy Mayor Viola, seconded by Committeeman Orgo and a unanimous roll call vote, the public hearing was closed. Mayor Rizzuto called for a motion to approve. On a motion by Deputy Mayor Viola, seconded by Committeewoman Fitzpatrick and a unanimous roll call vote, the ordinance was adopted.

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Rizzuto			X			
Viola	M		X			
Bartolomeo						X
Fitzpatrick		S	X			
Orgo			X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

**ORDINANCE 2020-3**

**AN ORDINANCE AMENDING CHAPTER 57 OF THE COLTS NECK TOWNSHIP MUNICIPAL CODE ENTITLED "RECREATION COMMITTEE"**

*WHEREAS, the Township of Colts Neck (the "Township") has a Recreation Committee established pursuant to Chapter 57 of the Township Municipal Code, which was established to work with the Township Recreation Department to recommend recreation programs and oversee the progress of approved recreation programs within the Township; and*

*WHEREAS, there is a nonprofit foundation, the Colts Neck Sport Foundation, which also works in collaboration with the Township and Township Recreation Department to provide sports activities for the residents of the Township; and*

*WHEREAS, the Township Committee has determined that it is in the best interests of Township residents to reserve one board seat on the Township Recreation Committee for a member of the Colts Neck Sports Foundation; and*

*NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck Township in the County of Monmouth, State of New Jersey that Chapter 57 of the Township Municipal Code be amended to reflect that a seat on the Township's Recreation Committee be reserved for a member of the Colts Neck Sports Foundation as follows (additions to text indicated by underline; deletions to text indicated by ~~strikeout~~):*

§ 57-3 Membership; terms of office; ex officio member.

- A. Said Recreation Committee shall be comprised of not fewer than five nor more than 11 members, who shall be citizens and residents of the Township of Colts Neck.
- B. The members first appointed shall hold office for one, two and three years, respectively, in such a manner that the terms of at least one member and not more than four members shall expire each year. Thereafter, all appointments shall be for terms of three years and all vacancies shall be filled for the unexpired term only.
- C. One member of the Township Committee shall be appointed by the Mayor to serve as ex officio member of the Recreation Committee but shall have no vote unless he or she also is formally appointed a member of said Committee. Additional ex officio members (liaisons) from the Colts Neck School Board, Sports Foundation and other organizations may serve on the Recreation Committee but shall have no vote unless he or she also is formally appointed a member of said Committee.

D. One seat on the Recreation Committee shall be reserved for a Board member of the Colts Neck Sports Foundation. The member appointed from the Colts Neck Sports Foundation must remain a Board member of the Colts Neck Sports Foundation in order to maintain his or her seat on the Recreation Committee. Should the Recreation Committee Board member no longer serve on the Colts Neck Sports Foundation's Board, then that person will be replaced on the Recreation Committee Board by a current Board member of the Colts Neck Sports Foundation for the remaining term. If the Colts Neck Sports Foundation dissolves, disbands, or otherwise ceases to operate, their respective position on the Recreation Committee will be terminated and cease to exist.

**BE IT FURTHER ORDAINED**, that if any portion of this Ordinance shall be declared invalid as a matter of law, such declaration shall not affect the remainder of said Ordinance; and

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon passage and publication.

I, Trina Lindsey, Municipal Clerk in Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2020-2, introduced at a duly convened meeting of the Township Committee on the 29<sup>th</sup> day of January 2020, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 12<sup>th</sup> day of February 2020

\_\_\_\_\_  
Frank Rizzuto, Mayor

\_\_\_\_\_  
Trina Lindsey, Municipal Clerk

RECORD OF VOTE												
Committeeman	First Reading					Second Reading						
	January 29, 2020					February 12, 2020						
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Rizzuto			X					X				
Deputy Mayor Viola		S	X				M	X				
Bartolomeo		M	X									X
Fitzpatrick			X				S	X				
Orgo			X					X				

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

Committeeman Bartolomeo joined the meeting via conference call at 7:59 p.m.

**8. ORDINANCE 2020-4: BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A MUNICIPAL BUILDING AND MUNICIPAL COMPLEX IMPROVEMENTS, BY AND IN THE TOWNSHIP OF COLTS NECK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$11,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$10,476,190 BONDS OR NOTE OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

Mayor Rizzuto read the ordinance by title for first reading/introduction. Mayor Rizzuto called for comments. Hearing none, Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Deputy Mayor Viola and a unanimous roll call vote, the ordinance was approved for introduction. Mayor Rizzuto announced that the public hearing for this ordinance will be on February 26, 2020.

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Rizzuto			X			
Viola		S	X			
Bartolomeo		M	X			
Fitzpatrick			X			

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

9. **ORDINANCE 2020-5:** BOND ORDINANCE PROVIDING FOR THE ROADWAY IMPROVEMENTS TO HEULITT ROAD, BY AND IN THE TOWNSHIP OF COLTS NECK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$330,000 THEREFOR (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT EXPECTED TO BE RECEIVED BY THE TOWNSHIP) AND AUTHORIZING THE ISSUANCE OF \$330,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF

Mayor Rizzuto read the ordinance by title for first reading/introduction. Mayor Rizzuto called for comments. Administrator Capristo commented that this ordinance is in connection with the New Jersey Department of Transportation (NJDOT) grant for improvements to Heulitt Road. Hearing no further comments, Mayor Rizzuto called for a motion to approve. On a motion by Deputy Mayor Viola, seconded by Committeeman Orgo and a unanimous roll call vote, the ordinance was approved for first reading/introduction. Mayor Rizzuto announced that the public hearing for this ordinance will be on February 26, 2020.

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Rizzuto			X			
Viola	M		X			
Bartolomeo			X			
Fitzpatrick			X			
Orgo		S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

10. **ORDINANCE 2020-6:** BOND ORDINANCE AMENDING BOND ORDINANCE 2001-3, BOND ORDINANCE 2017-6 AND BOND ORDINANCE 2018-8 EACH HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF COLTS NECK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ON JANUARY 31, 2001, MARCH 15, 2017 AND MAY 9, 2018, RESPECTIVELY, TO REAPPROPRIATE THE AGGREGATE AMOUNT OF \$266,180.95 AND REAUTHORIZE BONDS AND NOTES IN THE AGGREGATE AMOUNT OF \$263,540.12 TO UNDERTAKE VARIOUS ROADWAY IMPROVEMENTS THROUGHOUT THE TOWNSHIP

Mayor Rizzuto read the ordinance by title for first reading/introduction. Mayor Rizzuto called for comments. Administrator Capristo stated that these funds are from previous road projects and are excess funds that are being redirected for the use of current projects. Hearing no further comments, Mayor Rizzuto called for a motion to approve. On a motion by Deputy Mayor Viola, seconded by Committeeman Orgo and a unanimous roll call vote, the ordinance was approved for introduction. Mayor Rizzuto announced that the public hearing for this ordinance is scheduled for February 26, 2020.

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Rizzuto			X			
Viola	M		X			
Bartolomeo			X			
Fitzpatrick			X			
Orgo		S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

Committeeman Bartolomeo left the meeting at 8:04 p.m.

11. **MOTION TO APPROVE VOUCHERS:**  
Deputy Mayor Viola stated that he reviewed all vouchers and found all to be in order.

Mayor Rizzuto called for a motion to approve. On a motion by Deputy Mayor Viola, seconded by Committeewoman Fitzpatrick and a unanimous roll call vote, the vouchers were approved for payment.

Mayor Rizzuto recuses from any vouchers for the Colts Neck Fire Department. Committeeman Orgo recuses from any vouchers for Pine Tree Landscaping, Best Horticultural Services and Sakoutis Brothers Disposal, Inc.

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Rizzuto			X			
Viola	M		X			
Bartolomeo						X
Fitzpatrick		S	X			
Orgo			X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

**12. ADMINISTRATOR'S REPORT:**

Administrator Capristo stated that the township will be proceeding with the remediation and demolition of the DeAngelis house. Ms. Capristo stated that Monmouth County has requested to photograph the home prior to demolition. Ms. Capristo stated that Monmouth County has agreed to bring all the necessary safety equipment, and Attorney Bennett will draft a hold harmless waiver that the county will need to sign prior to being at the property. Committeeman Orgo expressed that he does not feel the Township should allow them to be on the property as it is not safe.

**13. TOWNSHIP COMMITTEE REPORTS:**

**COMMITTEEWOMAN FITZPATRICK**

- Committeewoman Fitzpatrick stated that she met with Jena Cosimo, Amanda Brockwell, both of Monmouth County Conservation Foundation and Brian Rice, Navesink River Municipalities Committee. Committeewoman Fitzpatrick stated that they are seeking assistance from the Environmental Commission to reach out to horse owners to educate them on better methods of managing waste to avoid contamination of the Navesink River from Hockhocksens and Swimming River tributaries. Committeewoman Fitzpatrick stated that the waste issue has affected the clamming industry.
- Committeewoman Fitzpatrick reported that she attended the vaping seminar at the Colts Neck High School. Ms. Fitzpatrick reported that the seminar was very alarming. Committeewoman Fitzpatrick spoke about the bottles that are made today to look like soda cans that have a special compartment to hide drugs in. Committeewoman Fitzpatrick commented that it is an epidemic in schools now and the teachers spend a lot of time monitoring vaping and the use of drugs.
- Committeewoman Fitzpatrick stated that she attended the Pink Tea Event hosted by County Clerk Christine Hanlon. Committeewoman Fitzpatrick stated that Colts Neck Township will present a proclamation for the centennial of the ratification of the 19<sup>th</sup> amendment in March.
- Committeewoman Fitzpatrick stated the Memorial Tree Program is active and currently looking for grants. Committeewoman Fitzpatrick stated that the Shade Tree Commission received estimates for the treatment of the ash trees that line Heritage Drive. Committeewoman Fitzpatrick stated that Colts Neck residents will receive salem oak tree seedlings in time for Earth Day which is April 24, 2020 and is the 50<sup>th</sup> Anniversary.
- Committeewoman Fitzpatrick reported that she, Committeeman Bartolomeo and Administrator Capristo met with Superintendent Dr. Sampson of the Freehold Regional School District. Committeewoman Fitzpatrick reported that they discussed the reduction of state aid which results in those funds being redistributed to other school districts by a bill (S-2) passed by the State Legislature and signed by Governor Murphy. Committeewoman Fitzpatrick stated that this will impact our education system in ways such as courtesy

bussing will go away, it will institute fees for students who wish to participate in sports and clubs. Committeewoman stated that Dr. Sampson is in litigation to fight the unfair formula which states that Colts Neck doesn't pay enough taxes and has declining enrollment.

#### COMMITTEEMAN ORGO

- Committeeman Orgo announced that Colts Neck Township will not host a shredding event in 2020; however provided a handout of the various dates/towns for any residents interested in attending a shred event hosted by another town in Monmouth County.
- Committeeman Orgo stated that he met with the New Jersey Department of Transportation (NJDOT) regarding some curbing and safety concerns on Route 34 near Delicious Orchards. Committeeman Orgo reported that he hopes to have these concerns addressed prior to the start of their paving project.

#### DEPUTY MAYOR VIOLA

- Deputy Mayor Viola reported that the presentation for the new municipal building was presented at the Senior Citizen Club meeting last week. Deputy Mayor Viola stated that the project was well received. Deputy Mayor Viola reported that the senior bus trip location will be relocated to St. Mary's Parish during the construction of the new municipal building.
- Deputy Mayor Viola reported that the luncheon for the CNBA will be held at Trump National Golf Club on March 24, 2020. Deputy Mayor Viola urged anyone who would like to attend to purchase tickets early as the event typically sells out. Deputy Mayor Viola reported that the CNBA will host a business card exchange on April 21, 2020 at the Stillhouse.
- Deputy Mayor Viola reported that affordable housing has some movement and may be coming down the pipeline quickly.
- Deputy Mayor Viola reported that JCP&L will be performing helicopter patrols of their transmission lines beginning February 11, 2020.

#### MAYOR RIZZUTO

- Mayor Rizzuto reported that he attended a finance meeting to discuss the upcoming budget.
- Mayor Rizzuto reported that Long Branch Police Department donated a ballistic window to Colts Neck Township for temporary use.
- Mayor Rizzuto reported that the Colts Neck Firehouse will accommodate meetings for The Grande due to scheduling conflicts at Town Hall and the Library.

#### **14. COMMENTS FROM THE PUBLIC:**

Mayor Rizzuto called for a motion to open public comments. On a motion from Deputy Mayor Viola, seconded by Committeeman Orgo and a unanimous voice vote, public comment was opened.

Fulton Wilcox, resident, commented that he was startled that the Township would vote on \$11 Million in bonds. Mr. Wilcox commented that this is roughly ten times the normal amount of borrowing for the year. Mr. Wilcox stated that the Township is in the same position as the United States Navy, created cost with no benefit. Mr. Wilcox stated that he plans to conduct a benefit analysis.

Kevin O'Brien, resident, commented that item number sixteen (16) on the agenda, Executive Session does not state the reason for going into Executive Session. Attorney Bennett provided Mr. O'Brien with a copy of the resolution which states the reason the Governing Body will hold an Executive Session. Ms. Bennett also stated that a copy of the resolution is displayed on the Clerk's bulletin board in the lobby of Town Hall as well as a copy of the resolution is on the Township website. Mr. O'Brien asked if the sally port on the new proposed municipal building could be a carriage style door. Mr. O'Brien commented on the demolition of the existing police and court building asking if there is a remediation process to address mold and mildew if it exists. Mr. O'Brien commented that with accessing the ground and there being seven (7) pumps in the ground, the pressure will build up and that water could possibly flood the current Town

Hall. Mr. O'Brien then commented on storm drains stating that he has asked for two (2) years and inquired when a date could be set to solve the problem.

Elaine Mann, resident, provided a copy for the record of the NJDEP table for determining minimum compensation to be provided for major disposals and diversions of Parkland. Ms. Mann asked what the bonding on Laird Road is, stating that was divided at one time, and asked if it is fee simple. Ms. Mann stated that Colts Neck could satisfy the DEP with 2 acres of land at Laird Road and sell the other 10 acres. Ms. Mann also commented on the sign located by the Department of Public Works notifying people where the court office is now located. Ms. Mann commented that a left turn is not permitted where the sign is located therefore it's a violation.

Melinda Martin, resident, commented stating that she fears the volunteer organizations are being nicked and dimed. Ms. Martin commented that the volunteers work for free and recruiting is becoming increasingly more difficult. Ms. Martin stated that offering a more lucrative benefit would be a desirable thing to do and in turn is much cheaper than having a full-time paid team. Ms. Martin commented on the tree cutting that is taking place on Route 34 stating that it seems to be aggressive around the utility lines as well as the opposite side of the road where there aren't any utility lines.

Elaine Mann, resident, commented stating that there was an issue in New York City where a person shot two cops sitting in their police vehicle and then proceeded into the police precinct and opened fire there. Ms. Mann commented that this is a safety issue with the new proposed municipal building's open plan and asked that this issue be addressed.

Kevin O'Brien, resident, commended Mayor Rizzuto for taking notes as residents are voicing their comments and concerns.

As there were no further comments, Mayor Rizzuto called for a motion to close public comments. On a motion by Deputy Mayor Viola, seconded by Committeeman Orgo and a unanimous voice vote, public comments was closed.

**15. DISCUSSION OF PUBLIC COMMENTS:**

Mayor Rizzuto addressed Mr. O'Brien's comments stating that the original design for the sally port on the new municipal building was a different style, but the Governing Body has not opted for a carriage style door. Mayor Rizzuto responded to Mr. O'Brien's concerns about a hydraulic effect if the foundation of the existing police and court building was removed. Mayor Rizzuto stated that the Engineers have foreseen that and are taking many steps to ensure that doesn't happen.

Committeeman Orgo addressed Ms. Martin's comments regarding the tree cutting on Route 34. Committeeman Orgo stated that the cutting is aggressive because a lot of it is dead and was blowing down on power lines, etc.

Deputy Mayor Viola addressed Ms. Martin's comments regarding the volunteer organization incentives. Deputy Mayor Viola stated that one of the key responsibilities of the Governing Body is to balance the financial wellness of the town. Deputy Mayor Viola stated that he is very grateful for the service of the volunteer firemen and first aid squad members.

**16. RESOLUTION 2020-48: EXECUTIVE SESSION**

Mayor Rizzuto read the resolution in full. Mayor Rizzuto called for a motion to approve. On a motion by Deputy Mayor Viola, seconded by Committeeman Orgo and a unanimous roll call vote, the Governing Body closed open session and prepared to go into executive session at 8:43 p.m.

**17. MOTION TO ADJOURN:** As there was no further business, Mayor Rizzuto called for a motion to adjourn. On a motion by Deputy Mayor Viola, seconded by Committeeman Orgo and a unanimous voice vote, the meeting adjourned at 8:59 p.m. Mayor Rizzuto announced that the next Township Committee meeting will be on February 26, 2020 at 7:30 p.m. at Town Hall.



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Trina Lindsey, RMC  
Municipal Clerk

**APPROVED: 02/26/2020**