

**COLTS NECK TOWNSHIP  
TOWNSHIP COMMITTEE MEETING  
APRIL 8, 2020, 7:30 P.M.  
TOWN HALL**

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The meeting of the Colts Neck Township Committee was called to order at 7:33 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 and the Asbury Park Press on December 19, 2019 stating that a regular meeting of the Colts Neck Township Committee would be held on April 8, 2020 at 7:30 p.m., Town Hall. A copy is on file in the office of the Township Clerk."

Administrator Capristo also read the following statement: Further on April 6, 2020 notice was provided to the Asbury Park Press that in order to comply with Executive Order 104 from the Governor of the State of New Jersey, this meeting would be held virtually with log-in information and telephonic numbers for call-in being provided via the Township's website.

Roll call by Ms. Lindsey indicated the following:

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

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

Absent: None

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**1. APPROVAL OF MINUTES: MEETING OF MARCH 11, 2020 SPECIAL MEETING AND MARCH 18, 2020 REGULAR MEETING**

Mayor Rizzuto called for comments. Hearing none, Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeeman Orgo and a unanimous roll call vote, the minutes were approved.

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

**2. RESOLUTION 2020-55: AUTHORIZING EXECUTION OF A GRANT AGREEMENT OF ACQUISITION OF DEVELOPMENT EASEMENTS THROUGH THE FARMLAND PRESERVATION PROGRAM, MOSLEY PROPERTY, BLOCK 20, LOT 2.01**

Mayor Rizzuto called for comments. Committeeman Orgo commented that the Township has been working on the acquisition of this property for two years. Committeeman Orgo stated that the acquisition of the property should be complete next month. Committeeman Orgo stated that there will be 25 acres preserved which will cost the town approximately \$130,000. Hearing no further comments, Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Orgo,

seconded by Committeeman Bartolomeo and a unanimous roll call vote, the resolution was adopted.

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

**3. RESOLUTION 2020-57: RESOLUTION AUTHORIZING THE FILING OF A TWA (TREATMENT WORKS APPLICATION) PERMIT APPLICATION, NAVAL WEAPONS STATION EARLE**

Mayor Rizzuto called for comments. Administrator Capristo stated that the Naval Weapons Station Earle is upgrading the sanitary wastewater system. Administrator Capristo explained that this process requires them to submit a Treatment Works Application to NJDEP and as a part of that application approval from the Governing Body is required.

Hearing no further comments, 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 resolution was adopted.

| 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 |   |   |     |    |    |    |

**4. RESOLUTION 2020-58: AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN COLTS NECK TOWNSHIP AND THE TOWNSHIP OF HOLMDEL FOR THE PURCHASE OF FUEL**

Mayor Rizzuto called for comments. Administrator Capristo explained that this shared services agreement is mutually beneficial to both Townships as it allows for Colts Neck Township to use Holmdel's fuel in case of an emergency and allows for Holmdel Township to use Colts Neck Township's fuel in a case of an emergency. Hearing no further comments, 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 |   |   |     |    |    |    |

5. **ORDINANCE 2020-9: AN ORDINANCE AMENDING CHAPTER 98, SECTION 98-3 ENTITLED "CONSTRUCTION PERMIT FEES" OF THE CODE OF COLTS NECK TOWNSHIP.**

Mayor Rizzuto read the ordinance by title for first reading/introduction. Mayor Rizzuto called for comments. Administrator Capristo stated that this ordinance is to updates the construction fee schedule according to how they are categorized. 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 is scheduled for April 29, 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 |     |     |    |    |    |

6. **MOTION TO APPROVE VOUCHERS:**

Deputy Mayor Viola stated that he reviewed all vouchers and found all to be in order. Deputy Mayor Viola stated that the bills list is truncated at this time due to the current Novel Coronavirus COVID-19 emergency. Deputy Mayor Viola stated that the bills list consists of essential items only.

Mayor Rizzuto called for a motion to approve the bills list. On a motion by Deputy Mayor Viola, seconded by Committeeman Bartolomeo and a unanimous roll call vote, the bills list was approved.

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

7. **MOTION TO ADOPT A CONSENT AGENDA:**

**\*RESOLUTION 2020-59: AUTHORIZING THE RELEASE OF THE TWO RIVER COMMUNITY BANK STANDBY LETTER OF CREDIT AND ACCEPTING A SUBSTITUTE STANDBY LETTER OF CREDIT FROM AMBOY BANK FOR ST. MARY'S CHURCH, DAY CARE CENTER, BLOCK 19, LOT 18 PB718**

Mayor Rizzuto called for a motion to approve. On a motion by Committeeman Bartolomeo, seconded by Committeeman Orgo and a unanimous roll call vote, the resolution was adopted.

8. **ADMINISTRATOR'S REPORT:**

Administrator Capristo reported that the DeAngelis property asbestos removal is scheduled for April 23, 2020.

Administrator Capristo also announced that Governor of the State of New Jersey announced an Executive Order to move the Primary Election from June 2, 2020 to July 7, 2020.

Administrator Capristo thanked the department heads and staff of Colts Neck Township for their ability to adapt during these difficult times. Administrator Capristo especially recognized Health Director, Tom Frank, for working around the clock, seven days a week during this pandemic.

9. **TOWNSHIP COMMITTEE REPORTS:**  
**COMMITTEEWOMAN FITZPATRICK**

- Committeewoman Fitzpatrick stated that the Environmental Commission has been working on an article regarding plastics that was due to appear in the April edition of the Colts Neck Journal. Committeewoman Fitzpatrick stated that the Environmental Commission has decided to push the publication of the article to May.
- Committeewoman Fitzpatrick stated that she put together a chart of Colts Neck restaurants that remain open for take-out orders. Committeewoman Fitzpatrick stated that this chart has been posted on the Colts Neck Township website, as well as the Monmouth County website.

**COMMITTEEMAN BARTOLOMEO**

- Committeeman Bartolomeo stated that the Colts Neck Business Association has postponed their annual event that was scheduled to be held at Trump National until further notice.
- Committeeman Bartolomeo announced that for the Board of Education everything is postponed until further notice.
- Committeeman Bartolomeo stated that regarding Recreation, the Governor of the State of New Jersey has announced that all state and county parks are closed. Committeeman Bartolomeo stated that Colts Neck Township has made the decision to leave the Township's parks open which will be monitored closely. Committeeman Bartolomeo stated that if the Township's parks become overcrowded the Township will close them if that need presents itself.

**COMITTEEMAN ORGO**

- Committeeman Orgo stated that the Department of Public Works is doing a great job with brush pick up. Committeeman Orgo stated that in a three-day period they have almost finished Zone 1.

**DEPUTY MAYOR VIOLA**

- Deputy Mayor Viola announced that the Senior Citizens Association activities have been cancelled for the month of April Deputy Mayor Viola stated that the Township liaisons are staying in contact with the senior citizen population and as to date all are doing good.
- Deputy Mayor Viola echoed Administrator Capristo's comments thanking the Township department heads and staff for their continued work during these uncertain times. Deputy Mayor Viola also thanked the volunteer agencies for their commitment to the community and hard work.

**MAYOR RIZZUTO**

- Mayor Rizzuto stated that the Township continues to work through this crisis. Mayor Rizzuto thanked Administrator Capristo for her leadership, as well as Health Officer, Tom Frank. Mayor Rizzuto stated that the Township is in contact with state and county health officials daily to track the current situation of the Novel Coronavirus COVID-19. Mayor Rizzuto also thanked Police Chief, Paul Santucci and his staff, the First Aid Squad, the Fire Department and OEM Coordinator, Tyler Badaracco for their continued work during this crisis. Mayor Rizzuto stated that there are currently forty-three (43) positive

Coronavirus cases in Colts Neck Township, and those cases continue to be monitored. Committeeman Bartolomeo took a moment to thank Administrator Capristo for her continued leadership stating that Administrator Capristo has been working around the clock during this crisis.

**10. COMMENTS FROM THE PUBLIC:**

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

Administrator Capristo stated that the attendees that have joined the webinar meeting via a device such as a computer, tablet, etc. would be called on in order by name and have their mic unmuted for them to comment if they so wish to. Administrator Capristo stated that the attendees who have dialed in via a telephone would be called on by the last four digits of their phone number and have their mic unmuted at that time to make a comment if they so wish to.

Dino Nicoletta, resident, commented thanking the Township Committee and employees for their continued work during these difficult times.

Glenn Gerken, Township Engineer, commented that the Township has received approval from the Department of Transportation (DOT) for the Bucks Mill and Bluebell project. Mr. Gerken stated that he is also currently working on submitting the application for the Heulitt Road project which will be ready for submission to the Department of Transportation (DOT) in less than a month. Mr. Gerken stated that he and his team are currently working on ways to accomplish receiving public bids for these projects under the current circumstances due to the Novel Coronavirus situation.

Kevin O'Brien, resident, stated that he was unable to attend the COAH meeting and thanked the Governing Body for their efforts. Mr. O'Brien stated that he followed another town's decision to go to trial which resulted in that town having to satisfy a bigger obligation for affordable housing units. Mr. O'Brien stated that back in September the Governing Body discussed the noise ordinance which to date has not moved forward. Mr. O'Brien asked when the noise ordinance would be reviewed and advanced for further consideration stating that the current noise ordinance does not have a decibel level noted within the ordinance. Mr. O'Brien asked the Committee to move on to the next resident for comment while he gathered the rest of his notes for comments.

Toni O'Donnell and Fulton Wilcox, residents, submitted the following questions via the Q&A feature of the virtual meeting. Ms. O'Donnell and Mr. Wilcox asked the status of the building project and bonding for that project. Ms. O'Donnell and Mr. Wilcox asked for the status of the 2020 municipal budget. Ms. O'Donnell and Mr. Wilcox asked for an update on affordable housing.

Kevin O'Brien, resident, stated that last year he had a challenge with one of his neighbors regarding this neighbor's noisy pool pump, and again asked when will the noise ordinance be advanced and memorialized. Mr. O'Brien stated that he is currently experiencing a problem with the same neighbor regarding this neighbor's dog barking at all hours of the day and night for long periods of time. Mr. O'Brien stated that he has been in contact with Lieutenant Mayer of the Colts Neck Police Department who informed him that noise complaints are issued by residents. Mr. O'Brien stated that the Township Committee completed their Budget Workshop and asked when the storm drain on his street would be repaired.

Elaine Mann, resident, stated that on March 19, 2020 the snow removal trust fund paid for COVID-19 supplies. Ms. Mann asked how these funds are being allocated. Ms. Mann asked if Griffin Engineering is connected with Goldstein Partnership.

With no further comments and/or questions from the public. Mayor Rizzuto called for a motion to close public comment. On a motion by Committeeman Bartolomeo,

seconded by Deputy Mayor Viola and a unanimous voice vote, public comment was closed.

**11. DISCUSSION OF PUBLIC COMMENTS:**

Mayor Rizzuto responded to Kevin O'Brien's comments regarding the noise ordinance stating that the Colts Neck noise ordinance does not have a decibel level within the noise ordinance, and he does not necessarily feel that the Township's ordinance will incorporate a decibel level. Mayor Rizzuto stated that if a resident is experiencing a noise issue, the Colts Neck Police Department can issue a summons if they are called to the scene and witness the noise happening. Meghan Bennett, Township Attorney, reiterated Mayor Rizzuto's comment stating that if the police are called and witness the noise, they can issue a violation to the offender. Ms. Bennett stated that the Colts Neck noise ordinance should be reviewed and can be amended without including a decibel level. Committeeman Orgo stated that the recommended amendments to the noise ordinance have been sent to the Police Department. Committeeman Orgo stated that the Police Department is currently backed up while they are dealing with the current Coronavirus crisis. Ms. Bennett stated that she would contact the Police Chief, Paul Santucci, and ask if the ordinance could be reviewed and any recommendations from the Police Department be submitted for review.

Mayor Rizzuto also responded to Kevin O'Brien's question regarding the storm drain on his road, The Enclosure. Mayor Rizzuto stated that the 2020 municipal budget has a line item specifically for the repairs of storm drains. Mayor Rizzuto stated that once the budget is passed, the Public Works Department would begin working on these repairs.

Administrator Capristo responded to Elaine Mann's question regarding COVID-19 supplies being charged to the snow removal trust fund. Administrator Capristo stated that the snow removal trust fund also includes emergency funds. Deputy Mayor Viola stated that as the Novel Coronavirus COVID-19 crisis is a national emergency the Township has the capability for restitution from FEMA and can recuperate the cost of supplies needed due to this crisis.

Administrator Capristo also responded to Elaine Mann's question regarding Griffin Engineering stating that Griffin Engineering is not affiliated with Goldstein Partnership. Administrator Capristo explained that Griffin Engineering's role is a project management role and they have done a great job so far on the new municipal building project.

Deputy Mayor Viola responded to Toni O'Donnell and Fulton Wilcox's question regarding the building project and bonding for this project stating that the Township has not proceeded with bonding on this project at this time due to the current crisis with COVID-19.

Deputy Mayor Viola also responded to Toni O'Donnell and Fulton Wilcox's question regarding a status on affordable housing, stating that the Fairness Hearing for Colts Neck Township has been moved from April to June 9, 2020.

Administrator Capristo responded to Toni O'Donnell and Fulton Wilcox's question regarding the 2020 municipal budget, stating that the 2020 municipal budget is scheduled to be introduced at the May 13, 2020 Township Committee meeting and adopted at the June 10, 2020 Township Committee meeting.

- 12. MOTION TO ADJOURN:** As there was no further business, Mayor Rizzuto called for a motion to adjourn. On a motion by Committeeman Bartolomeo, seconded by Committeeman Orgo and a unanimous voice vote, the meeting adjourned at 8:19 p.m.

  
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Trina Lindsey, RMC  
Municipal Clerk

**APPROVED: 04/29/20**