

**COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE MEETING
JULY 15, 2020, 7:30 P.M.
TOWN HALL**

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 and the Asbury Park Press on December 19, 2019 stating that a regular meeting of the Colts Neck Township Committee would be held on July 15, 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 July 13, 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

1. APPROVAL OF MINUTES: MEETING OF JUNE 24, 2020, REGULAR MEETING AND EXECUTIVE SESSION

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.

RECORD OF VOTE						
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 2020-92: APPROVING INSERTION OF SPECIAL ITEM OF REVENUE – CLEAN COMMUNITIES GRANT

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					

3. **RESOLUTION 2020-93: GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

Mayor Rizzuto called for comments. Deputy Mayor Viola commented that this is the Township's second year utilizing the professional services of Nisovaccia. Deputy Mayor Viola thanked Chief Financial Officer, John Antonides for his guidance in keeping the Township in good fiscal condition. Chief Financial Officer John Antonides reviewed highlights of the annual audit stating that the tax rate is lower than it was in 2017. Mr. Antonides also noted that the fund balance has increased over 12%. Mr. Antonides stated that the comments from the auditor on the annual audit are in regard to further segregation of duties within the Finance office. Mayor Rizzuto complimented Mr. Antonides on a job well done. Mr. Antonides thanked his staff in the Finance and Tax office for their hard work and continuous dedication to the Township.

With 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					

4. **DISCUSSION:**

- EXECUTIVE FIRE COUNCIL, INCENTIVE PROPOSAL

Scott Dupree of the Colts Neck Fire Department reviewed the incentive program proposal for the Governing Body noting that there has been a decline in overall participation, as well as recruiting new members. Mr. Dupree stated that creating this incentive program report was triggered by a house fire that took over twenty (20) minutes to respond to because there weren't many volunteers who responded to the call. Mr. Dupree stated that a sub-committee has been formed to discuss various different incentive options with the Governing Body. Mr. Dupree stated reviewed several of the requests such as placing \$50,000 in an incentive program for the Fire Department, where members will earn points for call response towards a stipend. Mr. Dupree also suggested a property tax rebate for volunteers. Mr. Dupree closed his presentation stating that the Executive Fire Council welcomes all thoughts from the Governing Body.

Township Attorney Meghan Bennett stated that the proposed tax credit is not allowable. Attorney Bennett stated that the legislation that allowed for such a tax credit to volunteers was repealed. Attorney Bennett also commented on the proposed incentive towards a stipend stating that the Township is limited to \$150,000 to provide to volunteer Fire Departments. Ms. Bennett stated that the Township as well as the

volunteers need to be cognizant of the different laws that pertain to volunteer fire departments versus fire districts.

The Mayor and Township Committee thanked Mr. Dupree for his presentation.

- TOWNSHIP TRASH COLLECTION

Committeeman Orgo and Mayor Rizzuto briefly discussed what the Township can do to help save the roads, curbing, etc. as it relates to trash collection within the Township. Committeeman Orgo stated that there are currently eleven (11) different trash collection companies who pick up trash on various different days within Colts Neck Township. Mayor Rizzuto stated that the discussion is to attempt to come up with a solution that would save the taxpayers money on road maintenance. Committeeman Orgo discussed the possibility of the Township going out for competitive bidding for Zones. Attorney Bennett commented that competitive bidding for zones was done once in the past by a municipality and it was repealed. Mayor Rizzuto directed Attorney Bennett to work with Township Planner, Tim Anfuso on various possibilities.

5. **RESOLUTION 2020-94: APPROVING AND ENDORSING THE SUBJECT PROPERTY'S (BLOCK 46, LOTS 13, 16 AND 17 AND BLOCK 48, LOTS 1, 2, 3, 4, 5, 6, 19, 39, 40 AND 41) INCLUSION IN THE SEWER SERVICE AREA ELEMENT OF MONMOUTH COUNTY'S WASTEWATER MANAGEMENT PLAN AND AUTHORIZING EXPANISION OF THE SUEZ FRANCHISE AREA**

Mayor Rizzuto called for comments. Deputy Mayor Viola commented that the Fairness Hearing was approved by the Judge, and this is one of the first actions after the successful Fairness Hearing. Committeeman Orgo questioned why Suez is named in the resolution. Hearing no further comments, Mayor Rizzuto called for a motion to approve. On a motion by Deputy Mayor Viola, seconded by Committeeman Bartolomeo and a majority roll call vote, the resolution was adopted.

Aye: Rizzuto, Viola, Bartolomeo, Fitzpatrick
 Nay: Orgo

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						

6. **RESOLUTION 2020-96: AUTHORIZING AWARD OF CONTRACT FY 2020 CAPITAL ROAD IMPROVEMENT PROGRAM (HEULITT ROAD, HEYERS MILL ROAD, NEW STREET AND BRITTANY DRIVE)**

Mayor Rizzuto called for comments. Administrator Capristo commented that the bid opening was held via Zoom. Administrator Capristo stated that the lowest bidder's bid package was reviewed by Attorney Bennett and all is in order. Hearing no further comments, Mayor Rizzuto called for a motion to approve. On a motion by Committeewoman Fitzpatrick, 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	M	X			
Orgo		X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

7. **RESOLUTION 2020-97: GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2020 – JUNE 2025**

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

8. **MOTION TO APPROVE VOUCHERS:**

Deputy Mayor Viola stated he reviewed all the vouchers and invoices and found all to be in order. Deputy Mayor stated that he moves approving the amount of \$1,238,452.34. Mayor Rizzuto called for a second to the Deputy Mayor's motion.

On a motion by Deputy Mayor Viola, seconded by Committeeman Bartolomeo and a unanimous roll call vote, the vouchers were 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					

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

***RESOLUTION 2020-95: AUTHORIZING THE ACCEPTANCE OF A PERFORMANCE GUARANTEE AND INSPECTION FEE FOR A STREET OPENING PERMIT, BLOCK 13, LOT 76, 26 WESTMINSTER COURT**

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

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						

10. ADMINISTRATOR'S REPORT:

Administrator Capristo reported the following:

1. Last Tuesday, July 7, 2020 was the Primary Election. The election was quite different this year due to COVID-19. Administrator Capristo complimented the Municipal Clerk, Trina Lindsey and her Assistant Lisa Cerio who did an excellent job facilitating and managing the election.
2. Road Closure – Monmouth County will be working at the intersection of Mercer Road and County Road 537. This has been a trouble spot for some time now with persistent flooding in the area. Mercer will be closed with a detour set up via Matthew Road (to Five Points Road). County Road 537 will still be passable. The County expects the work to take approximately 5 days.
3. Last week we held the Pre-construction Meeting for the 2019 NJDOT Road Improvement Project (Bucks Mill, Freemont Lane and Bluebell Road). We expect the work to begin the week of August 3, 2020 and will last approximately 2.5 weeks. Message boards will be placed on Cedar Drive and County Road 537 approximately 5 days prior to the work (week of July 27) notifying motorists of the work.
4. As you may recall, Monmouth County received \$108 million in federal stimulus money through the CARES Act to be used to offset COVID-19 expenses. Administrator Capristo stated that she was happy to report that Colts Neck Township recently received approximately \$34,000 in reimbursements for our COVID-19 related expenses from this fund. This included reimbursements for PPEs, sanitization efforts, signage for township buildings, among other things. Administrator Capristo stated that the Township has a second opportunity to recoup any additional expenses this September.
5. We reopened Town Hall to the public on July 6, 2020. The main doors are open and there is signage advising visitors to wear facial coverings and adhere to social distancing. The side entrance to the building and zoning offices will remain locked and visitors are asked to call first in order to be granted entrance. This is to manage the number and flow of people in that very tight space.
6. The Library is also slowly reopening. Beginning this past Monday, door-side service is available to the public on Mondays, Wednesdays, Fridays and Saturdays. Administrator Capristo advised residents to visit the Monmouth County Library website for further details.

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

- Committeewoman Fitzpatrick reported that the Environmental Commission held their second Zoom meeting where they discussed joining Sustainable Jersey.
- Committeewoman Fitzpatrick stated that at the Board of Health Meeting, Health Director, Tom Frank presented statistics on COVID-19 by state, county and Township. Colts Neck currently has 96 cases with 0 deaths.

Committeewoman Fitzpatrick stated that Brandywine Long-term Care still remains COVID-19 free.

- Committeewoman Fitzpatrick stated that the Shade Tree Commission's level 1 status for Arboretum was approved. Committeewoman Fitzpatrick reported that the Ash Trees have leafed out and are looking well after the pest treatment. Committeewoman Fitzpatrick stated that the seedling gives away will be postponed until the Fall as it is too hot outside to schedule handing them out. Committeewoman Fitzpatrick reported that Lisa Claps has expressed interest in joining the Shade Tree Commission, and her application has been reviewed and forwarded to the Chair, Vito Viola.

COMITTEEMAN ORGO

- Committeeman Orgo reported that Code Enforcement has sent out 55 notices for brush violations and urged residents to bring their brush to the Public Works Department.

COMMITTEEMAN BARTOLOMEO

- Committeeman Bartolomeo reported that the Planning Board met last evening and had one application before the board which was Trump National Golf Course. Committeeman Bartolomeo reported that Trump National proposed adding an outdoor snack bar which was approved by the board.
- Committeeman Bartolomeo reported that sports are getting back to playing with guidelines and rules in place to insulate the Township.
- Committeeman Bartolomeo reported that the walking path on Schlesinger is now open. Committeeman Bartolomeo thanked Recreation Director, Thom Hennessey and the Public Works Department.

DEPUTY MAYOR VIOLA

- Deputy Mayor Viola reported that he attended the CNBA Meeting. Deputy Mayor Viola reported that the CNBA is planning to hold their annual business card exchange on August 16, 2020 from 6:00 p.m. – 8:00 p.m.
- Deputy Mayor Viola told residents to look out for further information on the upcoming Polo match on September 13, 2020.
- Deputy Mayor Viola stated that the senior's organization luncheons are suspended until further progress is made on indoor dining.
- Deputy Mayor Viola reported that the Fairness Hearing was approved. Deputy Mayor Viola stated that a lot will be coming up on the near future agendas of the Township Committee such as proposed ordinances. Deputy Mayor Viola stated that the Township should expect legal fees to be high during this process.
- Deputy Mayor Viola stated that he attended the COVID-19 White House call. Deputy Mayor Viola stated that on this call citizens were urged to continue to do our part, being mindful of the age group of seven years of age and older with autoimmune diseases.

MAYOR RIZZUTO

- Mayor Rizzuto thanked Deputy Mayor Viola and Chief Financial Officer John Antonides for the great financial status of the Township.
- Mayor Rizzuto congratulated Colts Neck Township on a successful Fairness Hearing.
- Mayor Rizzuto stated that the new Municipal Building is moving forward. Mayor Rizzuto stated that the process of obtaining the proper permits from the various state divisions has been delayed due to offices being closed due to the COVID-19 pandemic.
- Mayor Rizzuto stated that the restoration of the George Washington portrait is moving forward. Mayor Rizzuto stated that Windsor Gallery will be restoring the portrait.

12. COMMENTS FROM THE PUBLIC:

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

Administrator Capristo stated that attendees who have joined the meeting via a device such as a computer or tablet can “raise their hand” using the raise hand feature if they wish to speak, while those who have joined the meeting via telephone can dial *9 to raise their hand.

Vince Scotti, resident, commented on Township trash collection stating that years ago he made a presentation to the Township Committee regarding competitive bidding for zones. Mr. Scotti stated that while he realizes the approach of dictating to residents which company, they must use could be problematic, he feels the approach is necessary. Mr. Scotti discussed possibly negotiating better rates with trash collection companies who would bill the Township directly instead of each individual resident. Mr. Scotti commented that he feels the approach of competitive bidding for zones would help road maintenance as well as the environment.

Bobby Ciasulli, resident, commented on the Executive Fire Council discussion stating that the discussion comes down to recruiting new members and getting current members more active. Mr. Ciasulli commented on the commitment it takes for volunteers of the fire department between academy hours, drills, meetings and fire calls. Mr. Ciasulli stated that the response received from the Governing Body equates to a dead squirrel on the road. Mr. Ciasulli stated that he would like to know if the Governing Body is open to discussion versus having to hire a paid fire department which will cost the Township and taxpayers greatly.

Fulton Wilcox, resident, stated that nothing has been published in the last three weeks regarding the new municipal building. Mr. Wilcox stated that he has concerns that the building will be a big block building. Mr. Wilcox stated that this is a bad time for the Township to advance such a project. Mr. Wilcox stated that the temporary police housing should be made permanent which would be cost saving to the Township.

Allan Ryan, resident, stated that he did not understand the \$150,000 limit to volunteer fire departments. Attorney Bennett responded stating that \$150,000 is the amount that can be appropriated to a volunteer fire department from a municipality. Mr. Ryan commented that Scott Dupree did a fantastic job on his presentation. Mr. Ryan asked the Governing Body to consider working with the fire department keeping in mind fires in the recent years and what those outcomes have been.

Elaine Mann, resident, questioned several invoices on the bills list noting motion detectors, asbestos abatement for the old police building and affordable housing invoices.

Steven Maguire, resident, asked what the cost to taxpayers will be for the new municipal building.

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.

13. DISCUSSION OF PUBLIC COMMENTS:

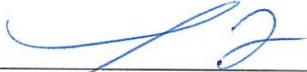
Deputy Mayor Viola responded to Steven Maguire stating that the Township won't have the exact data until the Township goes out to borrow the monies. Deputy Mayor Viola stated that COVID-19 has captured the minds of every public entity and things are not moving forward at the rates they should due to delays related to COVID-19. Deputy Mayor Viola spoke about two large debts that will be retired in 2022 and 2029.

Mayor Rizzuto responded to Elaine Mann stating that the Chief Financial Officer reviewed the annual audit earlier that evening in the meeting and reported that the municipality is in good financial condition.

Mayor Rizzuto responded to Fulton Wilcox stating that the Police Department is currently housed in two trailers which is not sufficient for permanent residence of the police department.

Mayor Rizzuto responded to Bobby Ciasulli asking Mr. Ciasulli to reach out to Deputy Mayor Viola to further discuss incentives for the fire department.

14. **MOTION TO ADJOURN:** As there was no further business, Mayor Rizzuto called for a motion to adjourn. On a motion by Committeeman Orgo, seconded by Committeeman Bartolomeo and a unanimous voice vote, the meeting adjourned at 8:55 p.m.



Trina Lindsey, RMC
Municipal Clerk

APPROVED: 08/12/20