

RESOLUTION 2025-75

**RESOLUTION OF COLTS NECK TOWNSHIP AUTHORIZING THE
SETTLEMENT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

WHEREAS, the Department of Environmental Protection (the "Department") issued a ground Water Permit (the "Permit") to Colts Neck Township ("the Township") on February 25, 2021, which was effective from March 1, 2021 to February 28, 2026; and

WHEREAS, the Permit has "effluent discharge limitations" that the Township must monitor and follow as part of its authorized discharge related to treated sanitary wastewater into the Red Bank Rock Formation; and

WHEREAS, the Department alleges that the Township is in violation of its Permit due to excess discharged pollutants beyond the allowed effluent discharge limitations; and

WHEREAS, the Department alleges that the Township is liable for civil administrative penalties for the alleged Permit violations pursuant to N.J.S.A. 58:10A-10(d) and N.J.A.C. 7:14-8.1 et seq.; and

WHEREAS, the Township contests the validity of the violations claimed by the DEP; and

WHEREAS, the Department wishes to compromise on its claims, in accordance with N.J.A.C. 7:14-8.3, and settle this matter; and

WHEREAS, the Township has determined that it is in the best interest of the Township to settle this claim rather than incurring costs to litigate this issue; and

WHEREAS, the Department and the Township have reached an amicable resolution of the matter; and

WHEREAS, the Department and the Township have set forth the terms and conditions of their settlement of the matter within a written settlement agreement (the "Settlement Agreement") attached hereto; and

WHEREAS, the Committee of the Township having thoroughly evaluated the merits of the issues, allegations, and the potential legal costs to be incurred if a settlement is not agreed upon, finds the proposed settlement to be a just and reasonable means of disposition of this matter and in the best interests of the Township;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township, County of Monmouth, New Jersey that the Settlement Agreement is hereby approved; and

BE IT FURTHER RESOLVED that the Township Attorney and/or the Mayor are hereby authorized to sign any documents necessary to implement and effectuate this settlement; and

BE IT FURTHER RESOLVED that upon submission of fully-executed settlement documents in a form approved by the Township Attorney, the Township's Finance Department is hereby authorized to issue a check to the appropriate Department officials or as directed within the settlement documents.

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during the regular meeting held on the 12th day of March, 2025



Trina Lindsey, Municipal Clerk

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