COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
NOVEMBER 12, 2025, 6:30 P.M.
TOWN HALL

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1. Mayor Buss called the meeting to order at 6:30 p.m.

2. Mayor Buss asked everyone to join in the salute to the flag.

3. 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 3, 2025, stating that a regular meeting of the Township Committee would be held on November 12, 2025, 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."

   "Further notice was provided to the Asbury Park Press and Two River Times on October 30, 2025, noting the meeting time change from 7:00 p.m. to 6:30 p.m."

4. Roll call by Township Administrator/Municipal Clerk Capristo indicated the following:

Present:	Mayor Tara Torchia Buss, Deputy Mayor Michael Viola, Committeeman Dan Buzzetta, Committeewoman Sue Fitzpatrick and Committeeman Frank Rizzuto
Also Present:	Kathleen Capristo, Township Administrator, Meghan Bennett, Township Counsel
Absent:	None

5. **Resolution 2025-185:** Executive Session – Potential Litigation

   Mayor Buss called for a motion to approve. On a motion by Deputy Mayor Viola, seconded by Committeeman Rizzuto and a unanimous voice vote, the resolution was adopted.

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

   After closed session, Mayor Buss asked for a motion to go back to open session. On a motion by Deputy Mayor Viola, seconded by Committeewoman Fitzpatrick, and a unanimous voice vote, the Governing Body was back in open session at 7:18 p.m.

6. Mayor Buss asked everyone to join in the salute to the flag.

7. Mayor Buss asked everyone to join in a moment of silence with a request to keep our veterans in mind. Committeewoman Fitzpatrick asked that Andrew Lotano, resident and veteran, who recently passed be thought of as well.

8. **Resolution 2025-186:** Confirming appointment of Municipal Clerk, Kathleen Capristo

   Mayor Buss called for a motion to approve. On a motion by Committeewoman Fitzpatrick, seconded by Committeeman Buzzetta and a unanimous voice vote, the resolution was adopted.

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

9. **Minutes**

a. October 8, 2025 – Executive Session
b. October 8, 2025 – Regular Meeting
c. October 29, 2025 - Executive Session
d. October 29, 2025 - Regular Meeting

Mayor Buss called for comments, corrections or additions to the minutes. Hearing none, Mayor Buss called for a motion to approve. On a motion by Committeeman Rizzuto, seconded by Committeewoman Fitzpatrick and a unanimous voice vote, the minutes were approved.

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					

10. **New business**

a. Consent Agenda

All items listed on the "Consent Agenda" are considered routine by the Township and are adopted or approved collectively by a single motion and roll-call vote of a majority of the Township Committee. If discussion is desired on any item, it is considered separately.

a. Resolution 2025-187: Confirming appointment to the Recreation Committee

b. Resolution 2025-188: Authorizing formal transfer of funds, 2025 Budget

c. Resolution 2025-189: Supporting the submission of the Colts Neck Township Farmland Preservation Program Municipal Planning Incentive Grant Program 2027 Planning Round Application

d. Resolution 2025-190**:** Urging the New Jersey State Legislature to defeat S-4736 and similar legislation

Mayor Buss called for a motion to approve. On a motion by Deputy Mayor Viola, seconded by Committeewoman Fitzpatrick and a unanimous roll call vote, the consent agenda resolutions were adopted.

Committeeman Buzzetta gave a brief overview of the bill that is the subject matter of Resolution 2025-190 noting that if passed would preempt local zoning rules. Mayor Buss encouraged members of the public to read more about this by looking at the resolution on the Township's website.

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

b. Approval of Vouchers

Deputy Mayor Viola stated that he reviewed all of the vouchers and found all to be in order. Deputy Mayor Viola also brought attention to six items including debt service, library tax, Monmouth County tax, open space tax, Board of Education, and Freehold Regional High School that represent 97% of the bills list.

Deputy Mayor Viola made a motion to approve the bills list.

Mayor Buss called for a second to his motion, seconded by Committeewoman Fitzpatrick and a unanimous roll call vote, the bills list was approved.

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

Committeeman Buzzetta recuses from any bills/vouchers in connection with the Colts Neck Fire Department.

Committeeman Rizzuto recuses from any bills/vouchers in connection with the Colts Neck Fire Department.

Deputy Mayor Viola recuses from any bills/vouchers in connection with Best Horticultural, Joleen Landscaping and Bucks Tree Service.

Mayor Buss recuses from any bills/vouchers in connection with the Municipal Court.

c. Administrator's Report

Administrator Capristo reported that the NJDOT road improvement project on Montrose Road is nearing completion pending final inspections.

d. Township Committee Reports

Committeeman Buzzetta:

- Committeeman Buzzetta reported that there were approximately 90 seniors in attendance at the last luncheon/meeting. He noted that this month's trips are December 11 to see a musical and December 18 is the annual holiday party.
- Committeeman Buzzetta reported that elections for new board members of the Colts Neck Sports Foundation take place November 19, 2025. He also noted the new member to the Recreation Committee, Matthew Williams, is a member

of the Colts Neck Sports Foundation and this committee meets on November 17, 2025.

- Committeeman Buzzetta congratulated the Board of Education on their being named a Purple Star School noting that all three (3) schools received this honor. Mr. Buzzetta also congratulated them on the recent installation of cameras in school buses noting that this safety measure has already identified ten violations of motorists passing school buses. Mr. Rizzuto encouraged motorists to use caution when driving near school buses.
- Committeeman Buzzetta reported that there is interest in developing WellSpring Farm noting that the Navy has voiced objection to this development given its location within the Navy's military influence area. Mr. Buzzetta stated that the Township Committee supports the Navy's position. Mr. Buzzetta also reported that they learned just two (2) days ago that the same developer is interested in developing property on Dutch Lane and Boundary (151 Dutch Lane). Mr. Buzzetta added that the Township intends on voicing opposition to this development as the property is deed restricted. Mr. Buzzetta reminded the public that the affordable housing laws come from Trenton as a mandate and although the Township does not object conceptually to affordable housing, the Township wants to build it in a responsible manner, build where it makes sense, and protect the township's zoning laws. Mr. Buzzetta encourage the public to mobilize, ask questions, and write to legislators and let their voice be heard. Mr. Buzzetta further added that the Township is taking a number of steps to comply with the mandate including extending affordable controls in The Grande. Mr. Buzzetta stated that he looks forward to answering questions during public comment.
- Mayor Buss added that she believes many of the members of the public in attendance came to the meeting in reaction to a text message that went out to residents. Mayor Buss characterized that text message as being largely inaccurate and false and she expressed gratitude to the attendees for coming to the meeting to get accurate information. Mayor Buss added that Colts Neck has an abundance of open space and as such is a target for large developers. Ms. Buss noted that she possibly lives closest to the Livana development and is experiencing firsthand the change in the character of the area and the increase in traffic. Ms. Buss stated that unfortunately this is a prime example of overdevelopment and warned that there are other developers who have contracts to purchase properties in town. Ms. Buss noted that this is how the developers operate, by identifying land for sale and putting a plan together to engage with the courts to develop it. Ms. Buss emphasized that the Governing Body is not saying "yes" to these purchases or plans noting that the town has zoning laws in place that are contradictive to their plans.

Committeewoman Fitzpatrick:

- Committeewoman Fitzpatrick encouraged members of the public that are interested in volunteering to complete a Citizen Leadership Form. Mayor Buss emphasized this sentiment.
- Committeewoman Fitzpatrick reported that the Colts Neck Business Association's next General Meeting will be held on November 18 at 5:30 pm at Huddy's. Ms. Fitzpatrick encouraged those that attend to bring food to Huddy's for the food drive for NWS Earle. Ms. Fitzpatrick also noted that Mary at the General Store also has a donation bin where food can be dropped off.
- Committeewoman Fitzpatrick reported that she too attended the Colts Neck Seniors' Club Luncheon and as per usual it was a great event.
- Committeewoman Fitzpatrick reported that the 250th Celebration Meeting was held to organize events for the 2026 event. She added that on February 22, 2026 there will be a kickoff event to celebrate George Washington's birthday. It will be held at 5:00 pm at the Colts Neck Inn.
- Committeewoman Fitzpatrick reported that the CNBA is sponsoring a Barn Tour on May 6, 2026 noting that it will be a great opportunity to visit some fabulous barns in the community.
- Committeewoman Fitzpatrick shared that she attended the Veterans' Day Event at the Cedar Drive School. She stated that it was a wonderful event noting that the Women's Club decorated and hosted a luncheon and the students offered

poignant stories about Veterans some of who were family members of the students.

- Committeewoman Fitzpatrick also reported that the Farmland and Open Space Committee met last evening where the Annual Planning Incentive Grant application was approved for submission.

Committeeman Rizzuto:

- Committeeman Rizzuto offered thanks to First Aid Squad, Fire Department, and Police Department as they have worked together on some recent rather significant structure and motor vehicle fires.
- Committeeman Rizzuto reported that the Chief of Police is initiating an e-bike safety program with an emphasis on education noting that many kids and parents don't fully understand the rules and regulations unique to e-bikes.
- Committeeman Rizzuto reported that the police are continuing to offer their child seat safety program and encouraged anyone interested in this to reach out to the police department.
- Committeeman Rizzuto also reported that the police department is up for reaccreditation and will be working hard to meet the requirements to maintain their accreditation.
- Committeeman Rizzuto reported that the Historic Preservation Committee will be hosting their annual Christmas event at the Montrose School House which will include food, music, and photo opportunities with Santa.

Deputy Mayor Viola:

- Deputy Mayor Viola reported that brush collection is over until April and advised residents to ensure no brush is in the roadway that could interfere with snow removal efforts.
- Deputy Mayor Viola reported that leaf collection continues in Zone 4 and reminded residents who wish to avail themselves of the final leaf pick-up to make a reservation and encouraged residents to look at the brochure that was mailed to them, check the website, or call DPW.
- Deputy Mayor Viola reported that the Saturday courtesy hours for the recycling yard are now suspended until April.
- Deputy Mayor Viola announced that the county appraisals are increasing, on average, by 8.29% but that as Finance Chair he intends to do all that he can to soften the blow of this increase by the county by keeping municipal taxes flat in 2026. He added that the budget process is underway.
- Deputy Mayor Viola also congratulated the Board of Education on their Purple Star designation and shared that the Naval Weapons Station Earle is one of the most sought-after posts in the Navy in part due to our great community and schools.
- Deputy Mayor Viola also encouraged residents to seek volunteer opportunities and emphasized the importance of noting their interests and qualifications so that the Township could effectively match them to the available openings.
- Deputy Mayor Viola provided additional information regarding the WellSpring Farm potential development by Active Acquisitions noting that 90% of this property is inside the military influence area. Mr. Viola detailed the spirit behind the Navy's 3,000-foot setback as it relates to ensuring the safety of the community siting the recent Tennessee explosion as an example of what can happen. Mr. Viola noted that Active Acquisitions is looking to build two (2), five (5) story buildings that could potentially overlook sensitive areas of the naval base resulting in a potential security breach. Mr. Viola emphasized that this type of development would not be compatible with base operations nor would townhomes, assisted living facilities, hospitals, etc. The second development in this part of town being considered is by March Associates, 68 Obre Road, where they want to build 202 units and 50% of this project would be in the military influence area. Mr. Viola reported there is a third property being targeted on Dutch Lane that would add 250 homes. Mr. Viola reiterated the importance of pursing the extension of affordable controls at The Grande in order to obtain additional credits. Mr. Viola noted that there was a deadline of June 30, 2025 to submit our plan to the State. This, Mr. Viola continued, gave the Township a level of protection to defend our rights while working through the process. After this date, there was a 60-day window for objectors to come

forward in which there were three (3): Fair Share Housing Center, Active Acquisitions (WellSpring), and March Associates (68 Obre). Mr. Viola encouraged residents to contact legislators to voice objection to S-4736 so the Township can protect its zoning laws.

Mayor Buss:

- Mayor Buss reported that the Board of Health met and received a great presentation from Laird Distillery which holds the distinct honor of being the oldest distillery in the United States. They are seeking to add a museum and tasting room and came before the Board of Health for approval of the septic and water treatment plan, the Mayor noted. The Mayor also reported that the rabies clinic was a success.
- Mayor Buss reported that the Friends of the Library will be holding their annual book sale this weekend and encourage members of the public to attend.
- Mayor Buss announced that the Fire Department is hosting a breakfast with Santa at house #2 December 6th and 7th with two seatings 9 am and 11 am.
- Mayor Buss mentioned again that the Daughters of the Revolution is hosting a food drive and encouraged residents to donate food. The Mayor also noted that Colts Neck delivered over 500 pounds of food last week and they were extremely appreciative.
- Mayor Buss thanked the First Aid, Fire, Police, and Fire Police for their continued dedication as volunteers in our community.

11. **Public Comment:**

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

Kevin O'Brien, resident, stated the Planning Board Chairman John Tobia asked why land preservation measures were not undertaken by the Governing Body and asked if Open Space grants have been applied for. Mr. O'Brien also inquired as to whether the Millsprings (WellSpring) Farm could be purchased via eminent domain. Mr. O'Brien asked if Colts Neck has an application in for a Green Acres land acquisition grant. Mr. O'Brien opined that the township should consider alternative options such as acquiring land and building affordable housing.

Mayor Buss thanked Mr. O'Brien and advised that the Township has been engaged in a variety of discussions and activities in connection with open space acquisition and preservation some of which is privileged legally and cannot be discussed publicly at this time. The Mayor further advised that there are certain rules that local governments must adhere to and those rules often make it difficult to compete with developers when it comes to acquiring land. For example, the Mayor stated, the Township must pay the lowest appraised value where a developer can offer more. The Mayor also advised that the Township is always looking for opportunities to participate in farmland preservation with are partners at the County and the State. As for eminent domain, the Mayor added, while this is absolutely a possibility, there are rules associated with this and this type of approach brings with it a myriad of potential concerns. Further, the Mayor added, even if we bought land, at some point a judge is going to rule that we need to meet our affordable housing obligation. As such, better to encourage preservation. The Mayor suggested residents consider voting for an increase in the open space tax and to encourage proper planning.

Committeeman Rizzuto took a moment to explain how the interveners operate stating that they buy the land and advise the town on how they are going to build lots of units a small portion of which will be affordable to help the Township meet its obligation. They share their plans with the courts and the courts rule in their favor, stated Mr. Rizzuto. Mr. Rizzuto stated that the Governing Body is dedicated to the preservation of open space and has done a great job trying to mitigate our obligation.

Mayor Buss advised that the Township has zoned areas in the business district for mixed use/high density housing that is more compatible with this area.

Deputy Mayor Viola added that there is a REPI (Readiness Environmental Protection Integration) program that is active in contacting area landowners in hopes of encouraging them to preserve their land. The problem, Mr. Viola stated, is that this is strictly voluntary and not all landowners want to participate. The Overbrook Farm was one that was preserved with REPI money along with contributions from the County and the State.

Mr. Tom Orgo, resident, stated that many years ago the Township put up a referendum to increase open space tax and it was turned down twice. He encouraged people to vote for this tax so there are funds available to help with preservation.

Committeewoman Fitzpatrick stated that education is very important, so landowners understand the process of farmland preservation. Ms. Fitzpatrick noted that once preserved, they can still sell but it will now be deed restricted and will always remain as farmland.

Victor Battista, resident, noted that he lives near the Dutch/Boundary location that may soon be developed and inquired as to whether it was preserved and/or deed restricted and how that may impact the potential development.

Mr. Buzzetta advised that the property is not preserved but that it is deed restricted against subdivision.

Mr. Battista thanked the Governing Body and opined that he is grateful for the work they are doing to protect Colts Neck's open space. Mr. Battista inquired that if the property does get developed, he would like the Township to consider allowing he and his fellow neighbors to gate their community, not unlike communities in Florida expressing fear that crime will increase if there are 250 low-income houses built. Mr. Battista also asked the Governing Body to let him and his neighbors know what they can do to help address the risk of overdevelopment.

Deputy Mayor Viola advised that if the development were to move forward only 20% would be affordable.

Committeeman Rizzuto recognized his concerns and advised that the Township is pursuing all feasible avenues to satisfy its obligation so that large-scale high-density housing is not built.

Joseph Spagnola, resident, asked what the strategy will be to fulfill the Township's outstanding obligation.

Committeeman Buzzetta reiterated the Township's efforts to work with the owners and tenants of The Grande to extend controls and reduce the Township's outstanding obligation.

Mayor Buss added that the Township is working diligently to mitigate the numbers, ensure compliance, and remain immune from builder remedy lawsuits.

Deputy Mayor Viola reported that there are 12 owner occupied units at The Grande and the Township has exercised its right of first refusal to purchase one of the units and others may follow.

Nyna McKittrick, resident, voiced opposition to the building of a high-density development on the Obre Road property stating that the area has a high-water table and is prone to flooding and it is also within the military influence area. Ms. McKittrick stated that she also believes there are 20+ houses being built across the street which is already a big change in the area. Ms. McKittrick asked if auxiliary housing spaces could be used to fulfill our obligation and also asked about 2 for 1 options. Ms. McKittrick expressed gratitude for the meetings being available via YouTube and complimented the website. Also, Ms. McKittrick voiced concern about the need for a package sewer plant stating that she believes the soil at the Obre location would not be conducive to such a system and noting that she knows of five states that experienced failed package plants.

Deputy Mayor Viola provided details regarding the change in the rules with each round of affordable housing obligations. He specifically detailed the 2 for 1 credit for rentals, that was part of Round 3, is no longer available for Round 4. Mr. Viola explained ADUs, Accessory Dwelling Units, noting that this referred to carriage houses and the like, noting that if one were to put in a carriage house in hopes of getting affordable housing credit one would have no control over who would live in said carriage house which would also be deed restricted for many, many years. The rules, Mr. Viola explained, changed in that you can no longer put in a carriage house and invite your mother-in-law to live there and receive credit. Mr. Viola also spoke to the Mumford project reminding the public that this was originally targeted to be a 248-townhome complex, but the Township fought it and it is now only 25 homes, no affordable and the developer will pay 1% into the developers trust fund that can be used to improve our delivery of affordable housing. Mr. Viola further spoke to the trust fund and detailed that the newly imposed limits on the use of the trust prevent the Township from using it for certain things that could help meet the Township's obligation. This, Mr. Viola added, is under appeal and the Township hopes to prevail.

Mayor Buss offered background on the 2 for 1 credits noting that there are certain types of housing, such as special needs, group homes, transitional housing, etc., that allow for 2 for 1 credit but that there are caps on how many of these types of units the Township can get credit for. For example, Ms. Buss explained, we cannot build 101 senior housing units and get 101 credits. The Township engages professionals who are experts on this topic to assist the Township in navigating these rules and ensure that our interests are protected.

Tony Sasso, resident, asked what the next steps are and how the Township can stop the building of the three properties that have been discussed. He also asked when Round 4 ends.

Committeewoman Fitzpatrick answered stating it would be ten years.

Mr. Sasso asked for clarification that there is 10 years to meet the remaining obligation.

Committeeman Buzzetta referenced the three objectors, Fair Share Housing, Active Acquisitions, and March Associates and advised that the Township is currently in mediation with the three objectors which is being overseen by a retired Judge. One hearing has taken place and another is scheduled for November 17, 2025, stated Mr. Buzzetta. Mr. Buzzetta further stated that the Township's position, objecting to all three developments, has been made clear but that the process must continue to reach some type of ruling. If, Mr. Buzzetta continued, the developers don't like the ruling, they will sue and the Township will be in litigation.

Deputy Mayor Viola added, to Mr. Sasso's point, the Township has 10 years to meet the Round 4 obligation and the Township does not want to be pressured into moving too quickly and making mistakes.

Mayor Buss spoke to the obvious question of how Livana came about stating that the developer made a smart purchase some 30 years ago and held the land to a point when the legislature and the rules worked in their favor. Mayor Buss also spoke to the former rule relating to Regional Contribution Agreements (RCAs) that allowed municipalities to get credits by paying another community, who was in greater need of building housing, to build affordable units. Ms. Buss stated that this option allowed towns to pay other towns to build affordable housing where there was a demand for it, where it was needed. This option no longer exists, Ms. Buss explained. This opened up strategic opportunities for developers like Kushner to offer to "help" towns meet there affordable housing obligations, and the judges agreed.

Deputy Mayor Viola spoke to the significance of building affordable housing in communities that have vibrant commercial areas and job opportunities as well as the infrastructure, such as sewer and water, to support these communities. Unlike Colts Neck that has a modest business district and limited public transportation.

Patricia Mitchell, resident, voiced concerns over the bridge reconstruction project underway by the County on Phalanx Road near Swimming River Road stating that there has been limited communication with the area residents impacted by the project. Ms. Mitchell added that she understood that the road was also going to be widened to accommodate four lanes of traffic all the way to Rt. 34. Ms. Mitchell also voiced concerns about the large construction trucks driving on Phalanx Road.

Administrator Capristo offered to research her concerns and invited Ms. Mitchell to contact her for more information.

Major Gregory Penczak, resident, suggested area businesses assist with raising money to help fight affordable housing overdevelopment. Major Penczak suggested there may be other ways to raise funds as opposed to raising taxes. Mayor Penczak added that being a Marine, he looks for creative ways to defeat the enemy and looks to identify out-of-the-box ways of fighting things like this legislation.

Mayor Buss thanked the Major for his service and voiced appreciation for his out-of-the-box thinking and encourage residents to get involved and contact their legislators.

Deputy Mayor Viola noted that residents interested in donating money can donate directly to the Monmouth Conservation Foundation to help preserve land in Colts Neck.

Christine Tipton, resident, asked what the deed restrictions are on the Dutch Lane property.

Committeeman Buzzetta responded advising that it is restricted from subdivision and must remain in the condition it was in when the deed was put in place. So, Mr. Buzzetta continued, so it would seem developing it with 250 homes would be contrary to the deed restriction. Mr. Buzzetta stated that the Township's attorneys are researching the matter in an effort to defend the deed restriction. Mr. Buzzetta further stated that since the property is deed restricted, it would not be suitable for high density development.

Ms. Tipton asked if the Township could put up one of the large signs on the property stating that it is farmland preserved.

Committeeman Buzzetta advised that the property is not preserved and therefore that would not be possible.

Ms. Tipton asked for clarification as to the timing and next steps as it pertains to the mediation.

Committeeman Buzzetta responded advising that there is a time limited on the mediation but that he was unsure of the exact details and further advised that the Township intends on defending the 3,000 foot line in connection with WellSpring Farm stating that he believes the Township has a good argument as to why the plans should be rejected. Mr. Buzzetta added that the objection period ended August 31, 2025 and as such there will be no additional objectors to this current round. Mr. Buzzetta clarified that the Active Acquisitions project has nothing to do with the objectors and the Township's Round 4 plan and that the developer simply found a piece of property and apparently has a contract to purchase in place.

Ms. Tipton asked about the food drive noting that she and her husband know the individual that runs the food pantry for Fort Dix in Lakehurst and Earle noting that they feed over 1,000 active military families per week and encouraged others to donate food as there is indeed a great need.

Ms. Lauren Lucas, resident, shared that there is information on the Fair Share website that details Governor Elect Sherrill's promise to tackle outdated zoning laws and encouraged others to read this information and send letters to the State. Ms. Lucas asked if there had been any communication with the Sierra Club or Chris Smith in connection with the WellSpring property to organize against this development.

Committeeman Rizzuto responded noting that the Township has many professionals with expertise in land use law, environmental law, and other areas working on our behalf. Mr. Rizzuto encouraged residents to look at other towns such as Wall Township and towns in Bergen County who were hammered much worse to fully understand the impact of this legislation and to compare their numbers with Colts Neck. Mr. Rizzuto further stated that the Township is mitigating this as successfully as any municipality ever has.

Mayor Buss added that the properties that currently have contracts to purchase are all zoned 10-acres, which is one home per 10 acres of land, and to Mr. Rizzuto's point, if the Township gets stripped of its zoning, the state can force the Township to allow development regardless of the zoning regulations. Ms. Buss, addressing the question of communication, advised that the Township has been in touch with legislators and Congressman Smith and is defending the 3,000 foot set-back and the incompatibility with certain properties.

Mr. Rizzuto, reflecting on past Town Hall meetings, noted that there is a common sentiment that either the Governing Body missed something or that they're on "the take". Mr. Rizzuto stated that neither is accurate emphasizing that the elected officials serve as volunteers for a nine-year term and that they are not professional politicians, and they are looking at all options and fighting to defend the town.

Ms. Lucas asked if Governor Elect Sherrill's position on changing outdated zoning laws could affect the Township.

Committeewoman Fitzpatrick opined that she would have to get it passed by the legislation.

Committeeman Viola opined that he could see the legislature attempting to affect Round 4 and they will be watching it closely.

Mr. Doug Latrenta, resident, asked if the Navy was taking the lead (on defending the 3,000-foot military influence area) or is the Township.

Committeeman Viola advised that the Navy is not a regulatory agency and that they rely on the municipalities that border their base to take the lead.

Mr. Latrenta, referencing a sign placed by the County at the corner of Rts. 537 and 34, expressed gratitude that the Township did not fund the project. Mr. Latrenta, referencing Mr. Buzzett's Facebook post regarding "holding the line", opined that many of the things discussed tonight will cost a great deal of money and he encouraged the Township Committee to be 100% transparent on legal fees, bonds, etc. so residents know how these costs will impact taxpayers.

Mr. Buzzetta stated that he wants to save money where possible and be as transparent as possible but stated that the Township is in for a fight, that it's a legal fight, and that it's going to be expensive. Mr. Buzzetta stated that the Township is hopefully going to hold taxes for 2026.

Mayor Buss referenced the bills list noting that a pencil can't be purchased without it being placed on the bills list emphasizing that all spending is transparent and available for scrutiny by the public.

Nunzio Innucci, resident, asked what the offensive plan is such as working with a builder to build something in order to avoid the ratio of five to one noting that there are people in town that would be willing to help to meet the Township's obligations.

Mayor Buss responded that they are indeed working on options such as this and will share details when they can.

Deputy Mayor Viola added that there are only two (2) small lots in town that the Township owns and unfortunately, they would not be suitable for this purpose. He further advised that other property owned by the Township is either preserved, on the Township's open space roster, or is deed restricted.

Committeeman Buzzetta reiterated the actions being taken with respect to The Grande to extend affordability controls as an example of what the Township is doing affirmatively and offensively.

Kevin Pierce, resident, asked how the town can mobilize support for these efforts, suggesting the use of text messages or emails and advising as to who people can contact at the State level.

Mayor Buss expressed appreciation for the suggestion but cautioned that the Township's Governing Body cannot politicize and give specific direction to residents. Mayor Buss reiterated encouragement for all citizens, if they so choose, to reach out to their state legislators on all matters of concern.

Kevin Pierce suggested a volunteer perhaps assist with communications with state legislators.

Township Attorney Bennett advised that whether it was the Governing Body directly or a volunteer at the direction of the Governing Body, it would not be appropriate to direct residents on political matters.

Committeeman Rizzuto reminded the public that many matters can't be discussed due to the fact that the Township is in litigation.

Dan Kryzanekas, resident, stated that he's been in town for almost 30 years. He reminded the Mayor that he recently spoke to her. Mr. Kryzanekas voiced concern about the increase in resident population, specifically across from the High School where there have been fatal motor vehicle accidents, and now potentially in other parts of town. Mr. Kryzanekas asked why the Governing Body couldn't put some type of legislation or code in place to prohibit high-density housing within seven miles of another high-density housing complex. Secondly, Mr. Kryzanekas stated, there have been three fatalities on Montrose Road and his dog was hit once. He reminded the Mayor that he spoke to her about lowering the speed limit and was advised that a traffic study needed to take place by the Police Department in order to do this and he wanted to know the status of the traffic study. Finally, Mr. Kryzanekas wanted to know if they were talking about 10-acre zoning and if so, how properties zoned 10-acres that are also deed restricted are being developed with high-density housing.

Mayor Buss responded that the Chief of Police and the Traffic Division are aware of the concerns of speeding on Montrose Road and that while she understood the study was underway, she did not have an update at this point. Mayor Buss reminded the public that the Governing Body does not set the speed limits and that in order to change the limit on a street, the Police Department conducts a study, collects data, and then makes recommendations based upon the results of the study.

Mr. Kryzanekas asked why there was not a turn lane for motorists turning off of 537 on to Bucks Mill Road.

Mayor Buss advised that she understands that the County will be putting in a dedicated turn lane at Bucks Mill Road but that she was unaware of the exact timing.

On the previously raised topic of zoning, the Mayor stated that the Township does indeed have legislation on the books related to zoning and in areas where 10-acrea zoning makes sense, it's in place. This, the Mayor clarified, is different from deed restrictions. The Mayor continued noting that unfortunately due to developers using affordable housing laws, that have been handed down by the state, the Township can be forced to change their zoning, which is what happened in the case of Livana.

Committeeman Rizzuto interjected that this could happen again, potentially, if the Township gets sued over the zoning.

Mayor Buss clarified the difference between a homeowner going before the planning board looking to subdivide their property and a developer suing the township.

Mr. Kryzanekas asked for clarification of the one to five ratio of affordable to market rate units.

Committeeman Buzzetta advised that affordable housing laws allow builders to build five market rate units for every one affordable housing unit built.

George Smith, resident, suggested that the high-density housing be kept in one area of town, opining that the 537 project is in a good place given the proximity to Route 18. Mr. Smith also asked if there was a possibility to do smaller projects of 15 or 20 units. Mr. Smith also expressed concern about the traffic and potential increase in motor vehicle accidents.

Mr. Viola advised that the biggest issue with the idea of smaller projects, is greed, in that more money can be made with larger projects.

Mr. Buzzetta added that there is enough acreage in the overlay zone in the business district on Route 34 but unfortunately the private developers would rather build elsewhere.

Mayor Buss added that these are all options that the Township has been exploring in order to meet the affordable housing obligation with development in town that makes sense, like by Route 18 or in the business district. Mayor Buss added that developers are going to go where they can make the most money and homeowners are going to want to sell for the most money they can get. As for 537, the Mayor continued, it's a County road and the County is making improvements to make it as safe as possible and the Township appreciates these efforts.

Elain Kryzanekas, resident, stated that she too is in the stage of anger, and she recognizes everyone is in a place of thinking there is a hurricane coming and one hopes it will hit somewhere else. Ms. Kryzanekas added that she loves the town and has enjoyed raising her daughter in Colts Neck but is very concerned about the increased traffic and potential impact to safety especially for her daughter who is a 17-year-old driver. Ms. Kryzanekas stated that she knows of other towns who negotiated to get their obligation reduced and wondered if that was an opportunity for Colts Neck. Ms. Kryzanekas also suggested that money could be raised by fining speeders on Montrose Road or possibly doing a brick sale fundraiser like the one done at the library.

Committeemen Viola shared details about the rigorous efforts undertaken to quantify every square inch of Colts Neck to ensure we received an accurate number. The number came in at 101, which the Township and our attorneys felt could not be refuted. Mr. Viola also detailed the efforts taken in connection with the Round 3 numbers noting that the Township was successful in getting the original number of 549 reduced to 306 and then through the use of credits the number came down to 229 and as of today, there are 138 units still unfulfilled because the Township claimed a durational adjustment related to not having public water or sewerage. Mr. Viola added that any municipality that argued before the court for a lower number in Round 3 was given a higher number stating that had the Township gone to trial the 306 would likely have been in the 500's.

Mayor Buss added that she is familiar with other towns that were successful negotiating their number and it was due to land being inaccurately assigned, for example, a swim club being included in available acreage unlike in Colts Neck, our land was accurately accounted for.

Committeeman Rizzuto offered that Wall Township has a Round 3 number of 937 and a Round 4 number of approximately 770 and stated that comparatively speaking Colts Neck's record of fighting is far better than other towns.

Claude Ranieri, Realtor, stated that he use to work in Colts Neck many years ago representing Colonial Farms and he worked closely with Mr. Fessler who was the Zoning Officer at the time. Mr. Ranieri reflected on the stringent zoning laws back then that kept the Township in its bucolic, farm-like state sharing that he was heartbroken to see the new development. Mr. Raniere offered details about cluster zoning noting that it is rather unique and also spoke of the Equestra development in

Farmingdale that was approved because it was an over-55 community that brought in ratables but did not impact the school systems noting that this set a precedent and since then there has been several more adult communities built in this area. Mr. Ranieri also spoke of the potential benefits of 2-acre zoning versus 10.

Lionel Lucas, resident, offered a suggestion of becoming an aggressive buyer and come to an agreement with developers or contractors who are in town and invested in preserving the town and willing to do the project for little or no money. Mr. Lucas advised that he is a contractor that would be willing to speak with other contractors to see if a development can be done at zero cost or at least break-even. Mr. Lucas continued suggesting that the Township obtain a parcel of land at a reasonable cost and allow local contractors and builders to help meet the Township's obligation.

Mayor Buss stated that the Township is being very proactive within the confines of what is legally allowable.

Committeeman Rizzuto added that the Township is in a number of active negotiations on all sorts of different types of projects and open to exploring all kinds of options.

Tony Sasso, resident, stated that if no one wants to build on Rt 34 why can't the Township buy a piece of land there and let Mr. Lucas round some people up to help build something there.

Committeeman Rizzuto stated that unfortunately, all property owners believe their land is worth much more than it is.

Mayor Buss thanked everyone.

As there were no further comments and/or questions from the public, Mayor Buss called for a motion to close public comment. On a motion by Committeeman Rizzuto, seconded by Deputy Mayor Viola and a unanimous voice vote, public comment was closed.

12. **Adjournment:**
As there was no further business, Mayor Buss called for a motion to adjourn. On a motion by Deputy Mayor Viola seconded by Committeeman Rizzuto and a unanimous voice vote, the meeting adjourned at 9:54 p.m.

Kathleen Capristo, RMC
Municipal Clerk

APPROVED: December 10, 2025