COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
OCTOBER 8, 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 October 8, 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 6, 2025, noting the meeting time change from 7:00 p.m. to 6:30 p.m."

4. Roll call by Municipal Clerk Lindsey 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, Trina Lindsey, Municipal Clerk, and Meghan Bennett, Township Counsel
Absent:	None

5. **Resolution 2025-169:** Executive Session – Potential Litigation

   Mayor Buss called for a motion to approve. On a motion by Committeeman Rizzuto, seconded by Deputy Mayor Viola 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	S	X			
Buzzetta		X			
Fitzpatrick		X			
Rizzuto	M	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 Committeeman Rizzuto, seconded by Committeewoman Fitzpatrick, and a unanimous voice vote, the Governing Body was back in open session at 7:15 p.m.

   Mayor Buss asked Allan Ryan to lead everyone in a second salute to the flag.

6. **Proclamation**

   a. Breast Cancer Awareness Month within Colts Neck Township

   b. Red Ribbon Week October 23 -31, 2025 within Colts Neck Township

   Committeewoman Fitzpatrick read the Breast Cancer proclamation and presented it to Anita Dedalis, Prevention Alliance.

Mayor Buss read the proclamation for Red Ribbon Week and presented it to Anita Dedalis, Prevention Alliance.

7. Minutes

a. September 24, 2025 – Executive Session
b. September 24, 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 Committeeman Buzzetta 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	S	X			
Fitzpatrick		X			
Rizzuto	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

8. Discussion Item(s)

a. Best Practices Inventory – Administrator Capristo

Administrator Capristo reviewed the Best Practices Inventory stating that this is an annual requirement where the Township must score at least 32 out of 50 in order to secure the Township's eligibility for state funding. As in previous years, Ms. Capristo stated, the Township was successful scoring 47 out of 50. Administrator Capristo thanked CFO John Antonides for his hard work in completing the survey and advised the Governing Body that the survey was formally certified by both the CFO and herself.

b. Affordable Housing

Deputy Mayor Viola stated that the township was very successful in preserving 14 units at The Grande which in turn gave the township 21 credits towards the affordable housing obligation.

Deputy Mayor Viola also spoke about the three objectors to the township's Round IV affordable housing plan and spoke about the township having a durational adjustment due to the fact that Colts Neck does not have water and sewer. Deputy Mayor Viola stated that the objectors to the Round IV plan are two developers and Fair Share Housing. Deputy Mayor Viola stated that the two developers have submitted proposals to develop on Wells Spring Farm and 68 Obre Road, which both of those properties are within the military influence area.

Committeeman Buzzetta stated that the township is in receipt of a letter from Naval Weapons Station Earle in response to the developers' proposals. Committeeman Buzzetta stated that the letter from Naval Weapons Station Earle will be posted on the township website tomorrow for the public to read. Committeeman Buzzetta stated that the letter states that high density housing is unsustainable within the military influence area.

9. New business

a. **First Reading/Introduction:** Ordinance 2025-22: Ordinance approving and authorizing the tax agreement by and between Colts Neck Township and Grande Condo Portfolio, LLC for the preservation of affordable housing located at The Grande, Colts Neck

Mayor Buss read the ordinance by title for first reading/introduction. Mayor Buss called for comments. Deputy Mayor Viola stated that this codifies the pilot arrangement we made with the owner of the 14 units in The Grande. Deputy Mayor Viola explained that a pilot is a payment in lieu of taxes. Deputy Mayor Viola explained that the other 8 rental units this owner has will migrate to market value units, meaning that if there is a qualified renter currently in those units, the owner cannot ask them to vacate. If that qualified renter leaves the unit, the owner can then migrate that unit to a market value unit. Hearing no further comments, Mayor Buss called for a motion to approve. On a motion by Deputy Mayor Viola, seconded by Committeeman Buzzetta and a unanimous roll call vote, the ordinance was approved for introduction. Mayor Buss stated that the public hearing is scheduled for October 29, 2025. Mayor Buss abstained.

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

b. 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 2025-170: Resolution authorizing grave markers to be placed by The Daughters of the American Revolution (DAR) on Township owned property

b. Resolution 2025-171: Establishing Halloween curfew hours

c. Resolution 2025-172: Authorizing the municipal clerk to advertise for proposals and qualifications for professional service contracts for 2026

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.

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					

c. Approval of Vouchers

Deputy Mayor Viola stated that he reviewed all of the vouchers and found all to be in order. Deputy Mayor Viola noted payments on the bills list in connection with the repair of Fire Department apparatus.

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					
Deputy Mayor Viola					
Buzzetta					
Fitzpatrick					
Rizzuto					
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.

d. Administrator's Report
Administrator Capristo reported that the capital road improvement project is underway, stating that the contractor was able to begin work sooner than expected and everything is moving forward according to plan.

e. Township Committee Reports

Committeeman Buzzetta:

- Committeeman Buzzetta stated that the Senior Citizens Club has 285 members. At their last meeting the Health Department was present to administer flu shots, and the Board of Education President was present and provided an update to the seniors.
- Committeeman Buzzetta stated that the Sports Foundation has put out a notice to residents for interested volunteers who would like to serve on their executive board, the deadline to submit interest is November 18, 2025, the election is November 19, 2025.

Committeewoman Fitzpatrick:

- Committeewoman Fitzpatrick stated that she attended the Colts Neck Business Association's Executive Board meeting to discuss upcoming events and plan for the remainder of the year. Committeewoman Fitzpatrick stated that the CNBA's annual pig roast is October 15, 2025, at 5:30pm at Huddy's Inn, tickets are $40 and can be purchased on the CNBA website. Committeewoman Fitzpatrick stated that the slate for the new Executive Board will be presented and then voted on at the November 18, 2025, meeting. Committeewoman Fitzpatrick stated that last night she joined the CNBA to welcome a new business to the community with a ribbon cutting. Committeewoman Fitzpatrick stated that the business is Pivotal Pilates in the Colts Neck Towne Plaza across from Delicious Orchards. Committeewoman Fitzpatrick stated that the owners, Jennifer and Candace, who are sisters, greatly appreciated the support.
- Committeewoman Fitzpatrick stated that she attended Coffee with a Cop at Delicious Orchards and was proud to support our wonderful Police Department.
- Committeewoman Fitzpatrick stated that she attended the Senior Citizen's luncheon and always enjoys seeing all of her friends.

Committeeman Rizzuto:

- Committeeman Rizzuto stated that the OEM is still planning to host a drill, possibly next Spring.
- Committeeman Rizzuto stated that Coffee with a Cop was well attended at Delicious Orchards.
- Committeeman Rizzuto stated that recruitment for the First Aid Squad is ongoing.
- Committeeman Rizzuto stated that the Historic Preservation Committee's Haunted Hayride is scheduled for October 25, 2025, County Christmas is December 7, 2025 at the Montrose School from 1:00pm – 4:00pm. Committeeman Rizzuto stated that the Historic Preservation Committee also has scheduled a Betsy Ross reenactor who will be at the Middle School tomorrow.

Deputy Mayor Viola:

- Deputy Mayor Viola stated that the Town Hall Annex steps have been replaced, and the project is completed.
- Deputy Mayor Viola stated that DPW will finish the second and final brush pick this week in Zone 1, and reminded residents to follow the leaf guidelines for the upcoming leaf pick up.
- Deputy Mayor Viola stated that the Planning Board will host Beth McManus, the affordable housing Planner at their October 14, 2025, meeting, Beth will provide an update on the Round IV affordable housing plan.
- Deputy Mayor Viola reminded residents that it is deer mating season so please use caution and advise young drivers as well.

Mayor Buss:

- Mayor Buss stated that the Friends of the Library book sale is November 15, 2025, from 10:00am – 4:00pm and Sunday, November 16, 2025, from 10:00am – 3:00pm.
- Mayor Buss stated that the Colts Neck Prevention Alliance has speakers scheduled to appear at the High School.
- Mayor Buss stated that the Board of Health hosted a free flu clinic for the Senior Citizen's Club. Mayor Buss stated that on November 8, 2025, there will be a free rabies clinic at Bucks Mill Park.
- Mayor Buss reported that there have been 16 West Nile Virus cases reported this year as compared to 24 in 2024.
- Mayor Buss reported that there have been 1,544 measles cases in the United States throughout 42 states, with 10 of those cases being in NJ. Mayor Buss stated that fortunately, we have not seen community spread in NJ. Mayor Buss stated that the Health Department recommends getting children the MMR vaccination stating that 1 to 3 out of every 1,000 children infected with measles will die. Mayor Buss also stated that a pregnant woman is at high risk of miscarriage if they contract measles, and there is no cure for measles.
- Mayor Buss stated that concerns of commercial activity at Carms Farm was brought to the attention of the Health Department such as parking concerns, treatment of animals and food distribution/preparation concerns.

10. Public Comment:

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

Joseph Leonardo was present representing his mother who resides in The Grande. Mr. Leonardo asked several questions such as clarification on the 50% recapture fee. Mr. Leonardo stated that his mother is 91 years old and asks what will happen with her unit when she passes. Mr. Leonardo also asked if there have been any changes to the deed within the last 30 years.

Deputy Mayor Viola responded stating that if his mother or her estate sells the unit to the township and the unit stays under affordability controls you do not have to pay the 50% recapture fee. Deputy Mayor Viola also responded that there have been no changes to the deed restrictions within the last 30 years.

Jeffrey Cook, resident, asked if a unit owner accepts the $40,000 payment when would that payment be received and will it be in one lump sum. Mr. Cook asked what happens if a unit owner accepts the $40,000 payment and does not stay in that unit for another 30 years. Mr. Cook asked if all 66 units accept the $40,000 payment to keep the units under the affordability controls is the town prepared to pay that and how.

Mayor Buss responded stating that the township is prepared for the $40,000 payout should all 66-unit owners accept the payment. Mayor Buss explained that the township adopted a bond ordinance. Mayor Buss explained that a unit owner could take the $40,000 from the township and then sell their unit to a qualified affordable housing applicant and not have to pay the 50% recapture fee.

Deputy Mayor Viola responded that the $40,000 will be paid to anyone who accepts the agreement in the first quarter of 2026 in one lump sum.

Suzanne Kelly, resident, thanked the Governing Body for their time and efforts for Colts Neck Township. Ms. Kelly stated that she read her deed and it appears that a lot has changed. Ms. Kelly stated that her deed does not state that the township has the right of first refusal, and the deed only speaks about the unit being sold at market value rate and the unit owner having to pay the 50% recapture fee to the township. Ms. Kelly asked how this has gone from the original deed to being pigeonholed into staying within the program.

Mayor Buss stated that the deeds come with affordable housing restrictions and encouraged Ms. Kelly to reach out to her affordable housing attorney. Mayor Buss stated that every title company is different and some deeds come with the language and restrictions in the deed, and some come as an addendum.

TB – Everyone's situation is different. Deeds should come with affordable housing restrictions. Encourage her to reach out to her attorney to understand that. Spoke about every title company being different, some come with the language and restrictions within the title, some come as an addendum.

Ms. Kelly stated that she wants to remind everyone that real people will be living in the project currently being built on Route 537 that has affordable housing units. Ms. Kelly stated that these are your neighbors, stating that income is only one part of them.

Edward Thompson, resident, asked if a unit owner accepts the $40,000 that automatically extends the affordability controls for another 30 years. Deputy Mayor Viola responded, yes.

Tina Rose-Yuli, resident, stated that she has been unable to get in touch with Tom Trautner's office as well as Tim Anfuso. Ms. Yuli commented that either accepting the $40,000 or intending to sell and the township exercising right of first refusal, there is no way for a unit owner to be out of the program.

Mayor Buss responded stating that this is not a program, it is a deed restriction and stated that she will have Attorney Trautner's office reach out to Ms. Yuli.

Elaine Mann, resident, stated that she wants to apologize to Clerk Lindsey stating that the OPRA request she previously stated she did not receive, she did receive the information requested. Ms. Mann asked Committeeman Buzzetta if the lawsuit that was filed by Montvale and other towns was dismissed without prejudice. Ms. Mann asked what work was performed by Griffin Engineering for the new municipal building for $18,000. Ms. Mann asked why the township is paying for an interpreter for Holmdel Municipal Court. Ms. Mann stated that Clean Communities grant funds are supposed to be used for liter abatement and stated that the township has only had three clean ups. Ms. Mann stated that some of the Clean Communities funds were used for National Night Out supplies and things such as ice cream. Ms. Mann stated that grant monies are given with rules and regulations and should not be used for that purpose.

Deputy Mayor Viola responded to Ms. Mann stating that the Clean Communities funds were not used for the things that Ms. Mann stated the Prevention Alliance trust pays for that. Deputy Mayor Viola stated that things such as an interpreter are all paid for by

Holmdel through the shared services agreement. Deputy mayor Viola stated that the lawsuit filed by Montvale and other towns was dismissed without prejudice and will be appealed.

Committeeman Rizzuto stated that National Night Out is a great event for children to interact with the Police Department, Fire Department and First Aid Squad.
Allan Ryan, resident, spoke about the Township Committee having a prayer before the start of each meeting and asked the Township Committee to consider doing that. Mr. Ryan also recognized his fellow fire department members for their sacrifice and volunteer work.

Marianne Cucolo, resident, stated that she spoke with a resident from The Grande who informed her that her deed clearly states that after 30 years the covenant expires. Ms. Cucolo stated that this resident wants to know why she is still bound under the affordability controls. Ms. Cucolo stated that the previous owner of the rental units sold those units way under the perimeters outlined in the deed restrictions and the township should have stepped in.

Committeeman Buzzetta responding stating that the affordable housing laws are complicated and confusing. Committeeman Buzzetta stated that he can understand how residents are confused. Committeeman Buzzetta stated that residents should not rely on what a neighbor or friend is telling them, they should come to the meetings and ask questions and reach out to the appropriate professional. Committeeman Buzzetta stated that accurate knowledge is power.

Dorothy Cook, resident, asked if an owner-occupied resident can take the $40,000 and still sell their unit and keep the profit.

Mayor Buss responded stating yes, the $40,000 is compensation for extending the affordability controls on the unit. Mayor Buss stated that the township does not control when the unit owner sells their unit.

Tom LaPorta, resident, asked if owner occupied unit owners in The Grande do not take the $40,000 and do not extend the affordability controls on their unit does their property taxes increase to market rate. Mr. LaPorta also asked what the deed restrictions will be for the new development on Route 537.

Mayor Buss responded stating that the deed restriction for new affordable housing development is 45years.

Committeeman Buzzetta stated that if an owner-occupied unit owner does not extend the affordability controls on their unit, the property taxes will possibly migrate to market rate, stating that those details are still being looked into with the attorney.

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 Committeeman Buzzetta and a unanimous voice vote, public comment was closed.

11. <u>Adjournment</u>:

As there was no further business, Mayor Buss called for a motion to adjourn. On a motion by Committeeman Rizzuto seconded by Committeewoman Fitzaptrick and a unanimous voice vote, the meeting adjourned at 8:46 p.m.

Kathleen Capristo, RMC
Municipal Clerk

APPROVED: November 12, 2025