COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
JANUARY 29, 2025, 6:00 P.M.
TOWN HALL

---

1. Mayor Buss called the meeting to order at 6:00 p.m.

2. Mayor Buss asked everyone to join her 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 January 29, 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 the Two River Times on January 21, 2025, noting the meeting time change from 7:00 p.m. to 6:00 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, Committeeman Frank Rizzuto
Also Present:	Kathleen Capristo, Township Administrator, Trina Lindsey, Municipal Clerk, and Meghan Bennett, Township Counsel
Absent:	None

5. **Resolution 2025-41:** Executive Session –Potential Litigation and Contract Negotiations

   Mayor Buss called for comments. Hearing none, 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 resolution was 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					

After closed session, Mayor Buss called for a motion to return to open session. On a motion by Committeeman Rizzuto, seconded by Committeewoman Fitzpatrick and a unanimous voice vote, the Township Committee returned to open session at 7:02 p.m.

Mayor Buss read the following statement:
"At the onset of my Mayoral year, I spoke of enhanced communication and a positive look ahead to the future of our Township. Unfortunately, matters that have nothing to do with the betterment of our Township have taken precedence. The Governing Body is well aware that at a public meeting of the Colts Neck Township Planning Board on January 14, 2025, the Vice Chairman of the Planning Board read a statement into the public record that contained various allegations, including an investigation that is being conducted by the Township and the reasons therefore. Upon the advice of Counsel, we are unable to discuss any of the details of any potential investigation being undertaken by the Township at this time. However, we can assure you that any matter being investigated has nothing to do with affordable housing or any individual's position on

the same. Unfortunately, this is a personnel matter; therefore, the Governing Body must treat it as confidential at this time. Therefore, we are unable to comment any further on the issue based upon the advice of counsel.

With that being said- let's get down to the business of the Township.

6. Proclamation

a. 2025 National Wear Red Day for Women within Colts Neck Township, February 7, 2025

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

7. Minutes

a. January 3, 2025 – Reorganization meeting
b. January 8, 2025 – Executive session
c. January 8, 2025 – Regular meeting

Mayor Buss called for comments or changes 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 roll call vote, the minutes were approved as presented.

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					

8. Old Business

a. Ordinance 2025-1: Ordinance amending § 51-9 "Outside employment and Special Assignments" of Chapter 51 "Police Department" of the code of Colts Neck Township, County of Monmouth, and State of New Jersey

Mayor Buss read the ordinance by title for the second reading/public hearing. Mayor Buss called for comments from the committee. Administrator Capristo stated that this amendment is to allow the Police Department the option to utilize an outside vendor to administer off duty and road jobs for the Police Department. Hearing no further comments, Mayor Buss called for a motion to open the public hearing. On a motion by Deputy Mayor Viola, seconded by Committeewoman Fitzpatrick and a unanimous voice vote, the public hearing was opened. Mayor Buss called for comments and/or questions from the public pertaining to this ordinance.

Kevin, O'Brien, resident, asked if it is a software program that will track the off duty and road jobs. Administrator Capristo responded, stating that this is not a software program, but rather a service that handles the administration of road jobs including scheduling, invoicing, collections, etc.

Hearing no further comments or questions from the public, Mayor Buss called for a motion to close the public hearing. On a motion by Committeeman Rizzuto, seconded by Deputy Mayor Viola and a unanimous voice vote, the public hearing was closed. Mayor Buss called for a motion to approve. On a motion by Committeeman Rizzuto, seconded by Committeewoman Fitzpatrick and a unanimous roll call vote, the ordinance was adopted.

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					

b. Ordinance 2025-2: Ordinance amending Chapter 62 "Shade Tree Commission" and Chapter 102 "Development Regulations" of the code of Colts Neck Township, County of Monmouth, and State of New Jersey to abolish the township Shade Tree Commission and place powers of said commission within the authority of the township environmental commission

Mayor Buss read the ordinance by title for the second reading/public hearing. Mayor Buss called for comments from the committee. Mayor Buss stated that due to volunteerism being down, the Township Committee has decided to combine the efforts of the boards and to have the duties of the Shade Tree Commission become a part of the Environmental Commission. Hearing no further comments, Mayor Buss called for a motion to open the public hearing. On a motion by Deputy Mayor Viola, seconded by Committeeman Rizzuto and a unanimous voice vote, the public hearing was opened. Mayor Buss called for comments and/or questions from the public pertaining to this ordinance.

Elaine Mann, resident, asked if members who were on the Shade Tree Commission will become members of the Environmental Commission. Mayor Buss responded to Ms. Mann stating that yes, some of the members from the Shade Tree Commission are a part of the Environmental Commission.

Kevin O'Brien, resident, stated that during the ash borer beetle crisis the Shade Tree Commission stated that they did not have the authority to make decisions and that those decisions lie with the Code Enforcement Manager. Mr. O'Brien asked how the town plans to provide better service on the Environmental Commission with now less people than when the boards were separate.

Hearing no further comments, Mayor Buss called for a motion to close the public hearing. On a motion by Deputy Mayor Viola, seconded by Committeeman Buzzetta and a unanimous voice vote, the public hearing was closed. Mayor Buss called for a motion to approve. On a motion by Deputy Mayor Viola, seconded by Committeeman Rizzuto and a unanimous roll call vote, the ordinance 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					

c. Ordinance 2025-3: Ordinance repealing Chapter 2 "Architectural Review Committee" and amending Chapter 102 "Development Regulations" of the code of Colts Neck Township, County of Monmouth, and State of New Jersey

Mayor Buss read the ordinance by title for the second reading/public hearing. Mayor Buss called for comments from the committee. Mayor Buss stated that there was

question as to what exactly the role of the architectural review committee was. Mayor Buss stated that those conversations resulted in abolishing the Architectural Review Committee and possibly looking into a Technical Review Committee, more will follow in the future on this topic. Hearing no further comments, Mayor Buss called for a motion to open the public hearing. On a motion by Committeeman Rizzuto, seconded by Deputy Mayor Viola and a unanimous voice vote, the public hearing was opened. Mayor Buss called for comments and/or questions from the public pertaining to this ordinance.

Elaine Mann, resident, stated that she feels it was a wise decision to abolish the Architectural Review Committee because setback, height and volume are the only things the board could review which all falls under the authority of zoning.

Hearing no further comments, Mayor Buss called for a motion to close the public hearing. On a motion by Committeeman Rizzuto, seconded by Committeewoman Fitzpatrick and a unanimous voice vote, the public hearing was closed. Mayor Buss called for a motion to approve. On a motion by Committeeman Rizzuto, seconded by Committeeman Buzzetta and a unanimous roll call vote, the ordinance was adopted.

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					

d. Ordinance 2025-4: Ordinance amending Chapter 24 "Environmental Commission" of the code of Colts Neck Township, County of Monmouth, and State of New Jersey to increase commission membership

Mayor Buss read the ordinance by title for the second reading/public hearing. Mayor Buss called for comments from the committee. Mayor Buss stated that this ordinance amendment is to increase the number of members on the Environmental Commission due to abolishing the Shade Tree Commission and combing the duties. Hearing no further comments, Mayor Buss called for a motion to open the public hearing. On a motion by Committeewoman Fitzpatrick, seconded by Committeeman Rizzuto and a unanimous voice vote, the public hearing was opened. Mayor Buss called for comments and/or questions from the public pertaining to this ordinance. Hearing none, Mayor Buss called for a motion to close the public hearing. On a motion by Committeewoman Fitzpatrick, seconded by Committeeman Buzzetta and a unanimous voice vote, the public hearing was closed. Mayor Buss called for a motion to approve. On a motion by Committeeman Rizzuto, seconded by Committeeman Buzzetta and a unanimous roll call vote, the ordinance was adopted.

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					

e. Ordinance 2025-5: Ordinance amending § 222-31 of Chapter 222 "Vehicles and Traffic" of the code of Colts Neck Township, County of Monmouth, and State of New Jersey to increase stop intersections in the township

Mayor Buss read the ordinance by title for the second reading/public hearing. Mayor Buss called for comments from the committee. Hearing none, Mayor Buss called for a motion to open the public hearing. On a motion by Committeeman Rizzuto, seconded by Committeewoman Fitzpatrick and a unanimous voice vote, the public hearing was opened. Mayor Buss called for comments and/or questions from the public pertaining to this ordinance.

Robert Sayko, resident, commented that he is very much in favor of road safety. Mr. Sayko stated that he has done extensive research on stop signs and in many instances stop signs are necessary, but the town has gone overboard with the recent stop signs that have been put in place. Mr. Sayko spoke about data that indicates that when stop signs are clustered it creates unsafe traffic conditions and sign blindness. Mr. Sayko stated that data on the topic indicates that uncontrolled intersections can be safer than intersections controlled by stop signs. Mr. Sayko asked if the township has a comprehensive study on this topic and if so can the study be made available to the public. Mr. Sayko stated that he is available to meet with the Police Department to review data on stop signs.

Anthony Ursino, resident, stated that the intersection of Route 34 and Holmdel Road is very dangerous and inquired if there are any plans to implement safety measures at this intersection. Mayor Buss informed Mr. Ursino that public comment at this time is specifically for Ordinance 2025-5 and that he can speak on any topic during general public comment later in the meeting.

Committeeman Buzzetta responded to Mr. Sayko stating that he read all of the materials that Mr. Sayko presented at the last meeting. Committeeman Buzzetta stated that having read those materials he has no concern about the ordinance and the placement of the stop signs throughout the township. Committeeman Buzzetta stated that the clustering of stop signs that Mr. Sayko referenced earlier means having four or five stop signs in one area, which Colts Neck does not have. Committeeman Buzzetta stated that the recommendation for these stop signs has come from the Police Department. Committeeman Buzzetta spoke about being a volunteer fireman and having to pull injured people from vehicles where there was no traffic safety signs in place. Committeeman Buzzetta thanked Mr. Sayko for speaking with him and for his concerns.

Hearing no further comments, Mayor Buss called for a motion to close the public hearing. On a motion by Deputy Mayor Viola, seconded by Committeewoman Fitzpatrick and a unanimous voice vote, the public hearing was closed. Mayor Buss called for a motion to approve. On a motion by Committeeman Buzzetta, seconded by Committeewoman Fitzpatrick and a unanimous roll call vote, the ordinance was adopted.

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

9. <u>New business:</u>

a. Ordinance 2025-6: Bond ordinance amending the Title and Section 3(a) of bond ordinance #2023-12 of Colts Neck Township, in the County of Monmouth, New Jersey, finally adopted June 28, 2023, in order to include an additional property

Mayor Buss read the ordinance by title for the first reading/introduction. Mayor Buss called for comments from the committee. Administrator Capristo stated that this ordinance is to amend the bond ordinance for a potential acquisition of the small section of Naval Weapons Station Earle property that the township has been leasing for the Department of Public Works recycling yard. Deputy Mayor Viola stated that there were two projects that started back in 2020 with Naval Weapons Station Earle, one was the Department of Public Works yard for the recycling center and the other was the sewer line for affordable housing. Deputy Mayor Viola stated that the discussions of the sewer line were vacated in 2022 and there have been no further discussions with the Naval base. Hearing no further comments, 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 ordinance was adopted. Mayor Buss stated that the public hearing is scheduled for February 12, 2025.

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. Resolution 2025-42: Confirming appointment of township professional pursuant to N.J.S.A. 40A:11-5

Mayor Buss called for comments. Administrator Capristo stated that this resolution is to appoint a Special Counsel for the township. Hearing no further comments, Mayor Buss called for a motion to approve. On a motion by Committeeman Rizzuto, seconded by Committeeman Buzzetta and a unanimous roll call 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		X			
Rizzuto	M	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

c. Resolution 2025-43: Committing to the Department of Community Affairs Fourth Round Affordable Housing present need and prospective need numbers

Mayor Buss called for comments. Township Attorney, Meghan Bennett read the following statement:

As to the Resolution:

The Resolution on the agenda is to accept the methodology used by the New Jersey Department of Community Affairs to calculate the Township's Fourth Round Affordable Housing obligations.

The Township's affordable housing planning consultant has reviewed the data utilized by the Department of Community Affairs and has recommended that the Township accepts the methodology and calculations.

The adoption of this Resolution is required by certain amendments to the Fair Housing Act that were adopted by the Legislature last year in order for the Township to participate in the State's Affordable Housing Dispute Resolution Program and be

afforded protection from exclusionary zoning litigation and maintain control of its zoning and planning.

The amended Fair Housing Act requires that the Township adopt this binding resolution by January 31, 2025.

The Resolution specifically reserves the Township's right to adjust its affordable housing obligations (as my be permitted by law).

With this Resolution, the Township Committee is **not** voting on a plan to address its affordable housing obligations; is **not** voting on any proposed development projects or applications; and is **not** voting on any agreements with any developers.

This Resolution is the first step in the process for the Township to address its Fourth Round Affordable Housing obligations.

The Township will next start preparing a plan to address its obligations. That process will occur over the course of several months, with the Township Committee having until June 30, 2025, to adopt its plan.

As to the DJ Action:

Within 48 hours of adoption of the resolution relating to the Township's Fourth Round Affordable Housing Obligations, the Township will be filing a declaratory judgment complaint along with the resolution in the Superior Court of New Jersey, Monmouth County vicinage.

The filing of the Complaint will initiate the Township's participation in the State's Affordable Housing Dispute Resolution Program.

Participation in this program will protect the Township from exclusionary zoning lawsuits and from losing its immunity from builder's remedy lawsuits.

The Complaint seeks approval from the State's Affordable Housing Dispute Resolution Program (and the Court) with respect to the determination of the Township's affordable housing obligations set forth in the resolution being adopted tonight and also seeks to reserve the Township's right to adjust its affordable housing obligations.

If a developer or an affordable housing advocacy organization were to challenge the Township's Fourth Round Affordable Housing obligations as determined by the New Jersey Department of Community Affairs, because we are filing this Complaint – such a challenge would be addressed by the State's Affordable Housing Dispute Resolution Program while affording the Township temporary immunity from lawsuits.

The Complaint also seeks ultimate determination from the State's Affordable Housing Dispute Resolution Program and the Court (after the Town prepares its affordable housing plan) that the Township has complied with its constitutional obligations and is afforded permanent immunity from exclusionary zoning lawsuits until 2035.

Deputy Mayor Viola stated that the affordable housing planner has quantified all of Colts Neck over the previous two years and compared all ground level data sets provided by DCA and found no discrepancy. She recommends that the township adopt the DCA's calculated obligation of 101 units for Mt. Laurel's round-four obligation.

Committeeman Buzzetta stated that he is the newest member on the Governing Body and spoke about the laws of the state regarding fair share and affordable housing which is supported by the Supreme Court. Committeeman Buzzetta spoke about the 101-unit obligation for the fourth-round and stated that the township is not fighting that number because we can't fight that number and win. Committeeman Buzzetta spoke about the residents who want the township to fight the number and not adopt the resolution and spoke about a builder being able to come into town, buy land and build whatever they want if the township fought the number and lost. Committeeman Buzzetta stated that the Governing Body is trying to manage the requirement as best they can. Committeeman Buzzetta stated that every lawsuit against affordable housing has lost.

Committeeman Buzzetta urged the public to educate themselves on the requirements of affordable housing and stated that an educated neighbor is the best neighbor.

Mayor Buss urged residents to read the resolution in its entirety.

Committeeman Rizzuto spoke about not one municipality winning against fighting the affordable housing requirements. Committeeman Rizzuto stated that there is a tremendous amount of misinformation put out to the residents from other residents. Committeeman Rizzuto stated that what was just read by the attorney should dispel all of the rumors.

Committeewoman Fitzpatrick stated that the third-round obligation was originally 545 units, which the township was able to lower that number to 306. Committeewoman Fitzpatrick stated that the fourth-round obligation is starting at 101 units and stated that number is what is given right now, and the township is confident in what has been accomplished with lowering the number over the past years.

Deputy Mayor Viola explained what a durational judgement means stating that that it is for towns without public utilities. Deputy Mayor Viola stated that the duration is for however long it takes for public utilities to come to the town.

Hearing no further comments, Mayor Buss called for a motion to approve. On a motion by Deputy Mayor Viola, seconded by Committeeman Rizzuto and a unanimous roll call 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					

d. Resolution 2025-44: Resolution of the Township Committee of Colts Neck Township adopting an "affirmative marketing plan" for Colts Neck Township

Mayor Buss called for comments. Deputy Mayor Viola stated that this resolution is one of the conditions of the judgement's orders. Hearing no further comments, Mayor Buss called for a motion to approve. On a motion by Committeeman Rizzuto, seconded by Committeewoman Fitzpatrick and a unanimous roll call vote, the resolution was adopted.

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					

e. Resolution 2025-45: Appointment of affordable housing administrative agent, Colts Neck Township, Monmouth County, New Jersey

Mayor Buss called for comments. Deputy Mayor Viola stated that this resolution is to appoint a court ordered position, in which the township is appointing an existing employee, Tim Anfuso. Hearing no further comments, Mayor Buss called for a motion

to approve. On a motion by Committeeman Rizzuto, seconded by Deputy Mayor Viola and a unanimous roll call 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					

f. Resolution 2025-46: Appointment of municipal housing liaison, Colts Neck Township, Monmouth County, New Jersey

Mayor Buss called for comments. Mayor Buss stated that this resolution is also to appoint a court ordered position and does not create an additional staff member for the township as the township is appointing an existing employee, Tim Anfuso. Hearing no further comments, 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 resolution was 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					

g. 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 2025-47: Authorizing the release of a Special Cash Performance Guarantee and accrued interest for Block 33, Lot 20.01 – PB629

b. Resolution 2025-48: Resolution authorizing Colts Neck Township through the Colts Neck Township Police Department to participate in the defense logistics agency, law enforcement support office, 1033 program to enable Colts Neck Township Police Department to request and acquire excess department of defense equipment.

c. Resolution 2025-49: Authorizing a twelve-month contract extension for farming of township property for agricultural purposes.

d. Resolution 2025-50: Authorizing third year extension of contract for leaf collection services.

e. Resolution 2025-51: Resolution awarding a contract to JOBS4BLUE for coordination of off-duty employment of police officers of the Colts Neck Township Police Department

f. Resolution 2025-52: Authorizing the County of Monmouth Mosquito Control Division to conduct aerial mosquito control operations within Colts Neck Township
g. Resolution 2025-53: Budget Transfer

h. Resolution: 2025-54: Self-examination of 2025 municipal budget

i. Resolution 2025-55: Confirming appointments to the Environmental Commission

j. Resolution 2025-56: Confirming appointments to the Green Team Advisory Committee

k. Resolution 2025-57: Resolution supporting the submission of a grant application to the New Jersey Department of Environmental Protection, Green Acres Program for the Recreation Department, Five Point Park Inclusive Playground

l. Resolution 2025-58: Confirming appointment to the Farmland and Open Space Committee

Mayor Buss called for a motion to approve. On a motion by Committeewoman Fitzpatrick, seconded by Committeeman Rizzuto 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		X			
Buzzetta		X			
Fitzpatrick	M	X			
Rizzuto	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

h. 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 that 93% of the bills list is for school taxes and school debt service. Deputy Mayor Viola urged residents to read their tax bills and the line items stating that the township collects taxes for other entities and disburses it.

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

Mayor Buss called for a second to Deputy Mayor Viola's motion, seconded by Committeeman Rizzuto 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		X			
Rizzuto	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

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

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

Mayor Buss recuses from any bills/vouchers in connection with the shared municipal court with Holmdel Township.

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

i. Administrator's Report
Administrator Capristo reported that she is in receipt of a request from the Colts Neck Lion's Club to request approval from the Governing Body to have alcohol at Bucks Mill Park on May 3, 2025, for their annual Kentucky Derby event. Administrator Capristo stated that the Lion's Club has provided a certificate of insurance and is following all of the proper requirements to obtain a permit from the Recreation Department.

The Governing Body unanimously approved the request to have alcohol in the park for the Kentucky Derby event.

j. Township Committee Reports

Committeeman Buzzetta:

- Committeeman Buzzetta stated that he attended Recreation Committee meeting. Committeeman Buzzetta stated that the Chairman, John Cantalupo announced his resignation, which was effective immediately. Committeeman Buzzetta stated that the committee will appoint a new chair at their next meeting which he will report on after their next meeting. Committeeman Buzzetta thanked the volunteers of the committee.
- Committeeman Buzzetta stated that he had breakfast with the president of the sports foundation, and he looks forward to attending their first meeting.
- Committeeman Buzzetta stated that he will be attending his first meeting next Wednesday as the liaison to the Senior Citizens Club and he is looking forward to that.

Committeewoman Fitzpatrick:

- Committeewoman Fitzpatrick stated that the Farmland and Open Space Committee met on Monday, January 13, 2025, where she swore in four returning members. Committeewoman Fitzpatrick stated that the Chair, Jena Cosimo had good news to report stating that the Navy has dedicated three million dollars to the REPI/NWSE program which is a federal readiness and environmental protection integration program which was established a permanent buffer around Naval Weapons Station Earle to avoid dense housing population bordering the military base. Committeewoman Fitzpatrick stated that in 2023 under this program, the township was able to permanently preserve Overbrook Farm, with the help of the US Navy, Monmouth County and Monmouth Conservation Foundation with a deeded conservation easement that allows only farm, and agriculture uses in the future. Committeewoman Fitzpatrick stated that Overbrook Farm has since been sold which is permitted, but it is restricted to farm and agricultural use only. Committeewoman Fitzpatrick stated that with the preservation program, the owners can continue to reside on the farm, pass it down to children or sell it, but it will always be restricted to farming and agricultural use only and cannot be sub-divided for development. Committeewoman Fitzpatrick stated that Colts Neck stands behind the preservation of our farms and this program and the Right to Farm. Committeewoman Fitzpatrick stated that Colts Neck has added 300 plus acres to our open space in the last few years.
- Committeewoman Fitzpatrick stated that the Environmental Commission met on January 21, 2025, and discussed creating a forestry plan, reviewing the wildlife pan and reviewing information to post on the website about beech leaf disease.

- Committeewoman Fitzpatrick stated that the Township Committee was graciously invited to attend the First Aid Squad's award dinner and swearing in of officers. Committeewoman Fitzpatrick stated that it always amazes her the number of calls the brave volunteers answer in a course of a year stating that she is so thankful for their dedication and service.
- Committeewoman Fitzpatrick stated that she attended the 250th Anniversary Planning meeting hosted by the County. Committeewoman Fitzpatrick stated that Mary Pahira, Chair of the Historic Preservation Committee attended as well. Committeewoman Fitzpatrick stated that there were many great ideas, and she is looking forward to getting all of the community partners and committees on board for the year long celebration.
- Committeewoman Fitzpatrick stated that the Colts Neck Business Association held a networking event at the Colts Neck Inn, the next event is scheduled for February 19, 2025, at 5:30 p.m. at Huddy's Inn.

Committeeman Rizzuto:

- Committeeman Rizzuto congratulated OEM for completing the emergency action plan and submitting it to the County and the State.
- Committeeman Rizzuto stated that he missed the last Historic Preservation Committee meeting and asked if Mary Pahira could step forward and give a brief update. Mary Pahira stated that the committee is looking into grants for the Montrose School. Ms. Pahira stated that the committee is in touch with the school to coordinate a field trip for 3rd graders to the Montrose School. Ms. Pahira stated that the Montrose School will participate in A Weekend in Old Monmouth in May.
- Committeeman Rizzuto stated that he attended the First Aid Squad dinner, it was a great dinner, and the First Aid Squad is a dedicated great group.
- Committeeman Rizzuto stated that the Colts Neck Police Department aided in taking down a burglary ring. Committeeman Rizzuto stated that he is speaking with the Chief about several other cases and is going to ask for a special meeting to read commendations to the officers involved in the take down of the burglary ring. Committeeman Rizzuto congratulated those officers and the Police Department.

Deputy Mayor Viola:

- Deputy Mayor Viola echoed his fellow committee members and expressed his gratitude for the volunteer members of the First Aid Squad, Fire Police, Fire Department and the Ladies Auxiliary.
- Deputy Mayor Viola stated that Christmas tree pick up has been completed.

Mayor Buss:

- Mayor Buss stated that she spoke with the Chief of Police who will be coming to future Township Committee meetings to give updates about the Police Department and the community.
- Mayor Buss stated that the Board of Education reorganized on January 3, 2025, Angelique Volpe was voted President and Phyllis Camera was voted Vice President. Mayor Buss congratulated both and stated that she looks forward to working together throughout 2025 for the betterment of the Township and our schools. Mayor Buss stated that the 2025 Governor's Educator of the Year Program Award recipients were:
    - Conover Road Primary School, Linda Weigel, Teacher of Art
    - Conover Road Primary School, Carin Beyer, Instructional Assistant
    - Conover Road Elementary School, Shannon Eisenmann, Teacher Grade 3
    - Cedar Drive Middle School, Carrie Sullivan, Teacher of Language Arts
    - Cedar Drive Middle School, Felicia Latrenta, Instructional Assistant
- Mayor Buss congratulated him and sent well wishes to Andres Rodriguez for his 28 years of faithful service to the children and the district and further wishes him good health and much happiness during his retirement.
- Mayor Buss stated that the Prevention Alliance met and discussed upcoming speakers at the high school and the status of grant funds.

- Mayor Buss stated that the Executive Fire Council has a fund drive for the First Aid Squad and the Fire Department. Mayor Buss reminded residents that these are 100% volunteer organizations, and the support of the community is important and valued.

10. Public Comment:

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

Public:
Robert Sayko, resident, stated to Committeeman Buzzetta that he appreciates that the committeeman took the time to review the references that he provided in regard to stop signs. Mr. Sayko stated that he appreciates the offer to discuss and stated that maybe they can meet one on one. Mr. Sayko stated that he understands that this recommendation came from the Police Department, but the Police Department is an enforcement agency and are not traffic engineers. Mr. Sayko stated that just because the Police Department made the recommendation it doesn't mean that the stop sign should be there and, in some cases, it decreases safety.

Elaine Mann, resident, asked what the status of the DeAngelis property acquisition is and how many years the township has been working to try to acquire that property. Ms. Mann spoke about septic issues with the new municipal building and asked if the township is pursuing the contractor or the bond.

Roseann Scotti, resident, stated that she is disappointed and stated that she came to the meeting expecting there to be more push back to accepting the resolution accepting the state's methodology for the fourth-round affordable housing numbers. Ms. Scotti stated that Committeeman Buzzetta stated that there would be protest language in the resolution. Committeeman Rizzuto read the protest language in the resolution.

Mike Bonacci, resident, stated that the fourth-round numbers for affordable housing are 101 units and asked how many actual units would be built for the 101 affordable units.

Kevin O'Brien, resident, spoke about a public office being an office of public trust and stated that this Governing Body lost that trust at the Planning Board meeting on January 14, 2025. Mr. O'Brien stated that he raised concern over the sewer project with Naval Weapons Station Earle at the January 14, 2025, Planning Board meeting and the two Governing Body members on that board did not respond. Mr. O'Brien asked how the town can move forward with planning for these units when the town has no idea how to handle sewer and water. Mr. O'Brien asked about Joe Biden funds for sewer and water and asked if Colts Neck has applied for it. Mr. O'Brien stated that he is puzzled that the Naval Weapons Station Earle project was vacated and stated that it is the first time he has heard that. Mr. O'Brien asked about the bond and asked how it will affect property taxes. Mr. O'Brien asked how the school budget will be affected by the Kushner property. Mr. O'Brien asked what the Special Counsel has been hired for. Mr. O'Brien stated that the committee needs to stream their meetings.

Phyllis Camera, resident, spoke on behalf of Mr. Kevin O'Brien reading his comments stating that the Township Committee pushed the affordable housing meeting on the Planning Board. Committeeman Rizzuto has ignored seven times the discussion of the police department upholding the ordinances.

Anthony Ursino, resident, stated that he retired in Colts Neck because it is a lovely place to live. Mr. Ursino stated that the affordable housing projects are scary and stated that the township is defeated from the start. Mr. Ursino asked how many units will be built for the 101 affordable units. Mr. Ursino stated that he feels there is still some grey area that can be explored, and he would like to see the Township Committee doing everything possible to slow it down or make some changes to the requirement.

Robert Scales, resident, stated that he is not making these comments as a member of the Board of Education. Mr. Scales stated that it costs $31,000 to educate a student in Colts Neck. Mr. Scales spoke about the impact the Kushner project will have on the

community and the schools. Mr. Scales asked about the revenue from Livana (the Kushner project). Mr. Scales stated that the residents need transparency from the Governing Body. Mr. Scales spoke about the impact of the Livana (Kushner project) being the equivalent of an entire new school and stated that he will always protect the impact of the education of the kids in Colts Neck.
Dr. Shah, resident, stated that if the voters can change government at the local level than voters can change government at the State level. Dr. Shah asked what the Governing Body has done over the past five years to stop this tragedy. Dr. Shah stated that if everyone works together properly, we can stop this. Dr. Shah asked about the impact on property taxes as well as the impact on the Police Department and crime.

Alice Finney, resident, stated that everyone is trying to avoid affordable housing and the residents want to brain storm with the Township Committee. Ms. Finney stated that she is concerned about well water and how the well water will be affected. Ms. Finney asked if an environmental study has been conducted. Ms. Finney asked if part of the new developments could be for senior housing, so it does not impact on the schools.

Christine Tipton, resident, asked if the agenda could have more information, and suggested making bullets under items and adding more information.

Patrick Lesbirel, resident, asked when the plan will be ready in regard to where the affordable housing units for the fourth-round obligation will be built and will it be spread out throughout the town instead of big developments like the Kushner project.

Robert Sayko, resident, spoke about Naval Weapons Station Earle using foam to extinguish fires and stated that there was supposed to be testing done in the area. Mr. Sayko asked if there was any information posted about that testing.

Marc Hennessy, resident, thanked the Township Committee for adopting the affordable housing resolution, but stated that he feels the town needs to preserve the protection for over development.

Andrew O'Hare, resident, stated that he has been a resident of Colts Neck for 29 years and that he supports affordable housing. Mr. O'Hare stated that he works at Bayshore Medical Center and is in nursing school. Mr. O'Hare stated that despite wanting to buy a home in his hometown, he cannot afford to purchase a home in Colts Neck, and he would like to see the affordable housing requirements move forward.

Brian Kavanaugh, resident, spoke about a chemical accident with NJ American Water. Mr. Kavanaugh stated that he retired in Colts Neck and asked about building small cottages for the affordable housing requirement. Mr. Kavanaugh stated that he feels Colts Neck could create a blueprint for other municipalities to follow.

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

11. <u>Discussion of Public Comment:</u>

Mayor Buss responded to Mr. Scales thanking him and the other Board of Education members for coming. Mayor Buss stated that the Township Committee will be working closely with the Board of Education and will be fully transparent. Mayor Buss spoke about preliminary data in regard to affordable housing and stated that the township is looking at less than 100 students as the impact to the Colts Neck Schools. Mayor Buss stated that the schools have been provided this data.

Administrator Capristo responded to Ms. Tipton stating that when the meeting agenda is posted to the township website every resolution and ordinance for that meeting is also posted on the township website under the "packet" link. Administrator Capristo stated that if any resident has trouble finding those documents, please reach out to the Municipal Clerk.

Committeeman Buzzetta responded to Mr. Bonacci stating that for each affordable housing unit the law allows four market rate units to every one affordable unit.

Committeeman Buzzetta stated that is the NJ State law that is imposed on every municipality. Committeeman Buzzetta stated that for over fifteen years Colts Neck has not had mass development. Committeeman Buzzetta stated that if the residents want change, the change has to come at the state level. Committeeman Buzzetta stated that every member of the assembly is open for this year's election. Committeeman Buzzetta urged the residents to have their voices heard at the state level. Committeeman Buzzetta stated that telling the residents that change must happen at the state level is not passing the buck, the Township Committee will pull every lever that they can, but unfortunately there aren't many levers to pull.

Committeeman Buzzetta responded to Mr. Scales stating that he pledges to work with the Board of Education and be fully transparent. Committeeman Buzzetta thanked Mr. Scales for his work on the Board of Education.

Deputy Mayor Viola stated to all residents that the Township Committee's budget workshop will be held on Saturday, February 22, 2025, at 8:30 a.m. at Town Hall where the department heads will be present to present their budgets and will address any implications from affordable housing.

Deputy Mayor Viola responded to Mr. O'Brien and read from the May 11, 2022, meeting minutes where he stated in that meeting that the negotiations with Naval Weapons Station Earle have been suspended. Deputy Mayor Viola explained that the township was working on a plan on infrastructure which started with MRRSA (Manasquan River Regional Sewer Authority). Deputy Mayor Viola stated that Kushner was in a lawsuit with MRRSA that lasted for four years. The township then started negotiations with Naval Weapons Station Earle because they have the sewer capacity. Deputy Mayor Viola stated that as those negotiations were being worked on, the numbers were going up at a dramatic rate and it would have cost the township $25 million dollars, and the township could not move forward. Deputy Mayor Viola stated that the waiver was vacated at that time and the judge granted durational adjustment. Deputy Mayor Viola stated that the judge also ordered that the balance of Round 3's obligation, 138 units have to put in the overlay zone in the business district, referred to as Area 1. Deputy Mayor Viola stated that there are no developers for that at the moment. Deputy Mayor Viola spoke about the affordable units at The Grande and stated that those units are from Round 2 and will expire this year. Deputy Mayor explained that the township does not lose credits for those units, and if the township is successful in working with the current new owner in keeping them under the affordable controls the township will receive credits for them as if they are new units. Deputy Mayor Viola explained that the township must have a plan in place by June 30, 2025, for the 101 affordable unit obligation for Round 4. Deputy Mayor Viola urged residents to read the resolution in its entirety. Deputy Mayor Viola stated that the judge's decision is for sewerage only, not water.

Mayor Buss responded to Ms. Finney stating that senior housing is a huge issue for a lot of people in town. Mayor Buss stated that the township is exploring every option of various types of housing, senior housing, veteran housing, potential special needs housing, etc.

Committeeman Rizzuto thanked everyone for coming to the meeting and spoke again about the township fighting against the affordable housing mandate and losing. Committeeman Rizzuto stated that if the township took that path and lost, the township will lose all zoning rights and developers could then build whatever they want. Committeeman Rizzuto urged residents to educate themselves on affordable housing and the mandates from the state.

Attorney Bennett responded to Ms. Mann stating that the township owns the DeAngelis property, her office is working on securing a grant.

Committeeman Buzzetta responded to Ms. Mann stating that the septic issue with the municipal building was an emergency repair. Committeeman Buzzetta stated that there is a bond from the contractor and the township is working on securing that bond. Committeeman Buzzetta thanked everyone for coming to the meeting and offered to speak with anyone after the meeting who still has questions.

12. **Adjournment:**

As there was no further business, Mayor Buss called for a motion to adjourn. On a motion by Committeeman Buzzetta seconded by Committeeman Rizzuto and a unanimous voice vote, the meeting adjourned at 9:07 p.m.

Trina Lindsey, RMC
Municipal Clerk

APPROVED: 02/12/25