COLTS NECK TOWNSHIP
TOWNSHIP COMMITTEE REGULAR MEETING MINUTES
MARCH 11, 2026, 6:00 P.M.
TOWN HALL

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

2. Township Counsel Meghan Bennett 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, 2026, stating that a regular meeting of the Township Committee would be held on March 11, 2026, 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 March 6, 2026, noting the meeting time change from 7:00 p.m. to 6:00 p.m."

3. Roll call by Township Counsel Bennett indicated the following:

   Present: Mayor Michael Viola, Deputy Mayor Dan Buzzetta, Committeeman Frank Rizzuto, Committeewoman Tara Torchia Buss, and Committeeman John Tobia

   Also Present: Meghan Bennett, Township Counsel

   Absent: Kathleen Capristo, Township Administrator/Municipal Clerk

4. Resolution 2026-54: Executive Session – Potential Litigation and Personnel

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

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

   After closed session, Mayor Viola asked for a motion to go back to open session. On a motion by Deputy Mayor Buzzetta, seconded by Committeeman Rizzuto, and a unanimous voice vote, the Governing Body was back in open session at 7:25 p.m.

5. Mayor Viola asked everyone to join in the salute to the flag.

6. Mayor Viola asked for a moment of silence.

7. Proclamation – Women's History Month – March 2026

   Mayor Viola read the proclamation and presented same to Ms. Mary Pahira.

8. Discussion Items:

   a. Affordable Housing:

      Mayor Viola read the following statement:

As many of you may be aware, this past Wednesday, March 4th, the Township received a copy of a written recommendation from the Affordable Housing Dispute Resolution Program to the New Jersey Superior Court concerning the Township's affordable housing plan that had been adopted in June of 2025.

In short, the recommendation expressed that in order for the Superior Court to certify that the Township's affordable housing plan complies with the Township's obligations under the Mount Laurel Doctrine and the Fair Housing Act for what is known as the Fourth Round, the Township's affordable housing plan would need to be amended to permit the development of three (3) sites for which certain developers have proposed to construct housing where 20% of the units to be built would be affordable units.

In this regard, while the recommendation to the Superior Court was for the Township to continue to retain immunity from builder remedy lawsuits, the ability to retain this immunity should be contingent upon the Township – first – adopting an amendment to its affordable housing plan by April 8th and – second - adopting ordinances to permit the development of the three sites by May 13th.
Subsequent to the receipt of the recommendation, the Township wrote to the Superior Court requesting an opportunity to be heard regarding disputes that the Township has with the Program's recommendations.

Following (and notwithstanding) receipt of that request, the Superior Court entered an order on March 9th adopting the Program's recommendations.
The Program's recommendation followed the Township participating in mediation with two developers and an affordable housing advocacy organization known as Fair Share Housing Center – largely concerning proposals by the developers that the Township should amend its affordable housing plan to permit the development of the three sites in question:

- The first located at 68 Obre Road;
- The second at Wellspring Farm; and
- The third located at Dutch Lane Road

Without getting into details because this matter concerns on-going litigation, the Township Committee did not agree that three sites were appropriate for development as was being proposed by the developers and the Township did not agree with certain positions being advanced by the developers and Fair Share Housing Center as far as what the Township is required to do in order to comply with its legal obligations under the Mount Laurel Doctrine and the Fair Housing Act.

To be blunt, the Township Committee is disappointed by numerous statements and suggestions contained within the Program's recommendation.

That being said, the Township remains committed to complying with the mandates of the Mount Laurel Doctrine and the Fair Housing Act.
In this regard, the Township will, under protest, comply with the Program's recommendations and the March 9th Court Order and will amend its Housing Element and Fair Share Plan by April 8th and adopt zoning ordinances to permit the development of the three sites by May 13th.

The Township will, however, also commence with the New Jersey Appellate Division an appeal of the Court's March 9th Order as – again – the Township Committee, among other things, disagrees with certain legal interpretations advanced in the March 4th recommendation as far as what the Township is required to do in order to comply with its Mount Laurel obligations.
To be clear, this is not about trying to overturn or refusing to comply with the Mount Laurel doctrine. As elected officials, we are required to comply with the law. To the extent that there might be people in this room who are aggrieved by the law, that is a discussion you should have with your elected representatives in Trenton.

In this instance, however, we do not agree with, among other things, the manner in which the Court and the Program have chosen to interpret the law – and for this reason we will seek to have the Order reversed as we continue to disagree with the recommendation and Order compelling the Township to amend its affordable housing plan and adopt zoning ordinance for the three sites at issue. As has been and will remain our practice, the Township Committee will continue to keep you informed of this process.

Deputy Mayor Buzzetta expressed his deep disappointment in the decision and stated that he feels it is less of a legal decision and more of a political statement by the Judge noting that the Judge ignored the concerns of security issues related to two of the properties and the deed restriction related to one of the properties. Mr. Buzzetta opined that elections have consequences noting that the majority of people who voted in New Jersey believe this is a good decision, but he doesn't. Mr. Buzzetta stated that he is angry and empathized with Mayor Ghassali and his legal losses at the State, Federal and Supreme Court level.

Mayor Viola stated that if the Township does not comply with the order to amend the Township's Housing Element and Fair Share Housing Plan by April 8, 2026 and implement the zoning changes by May 13, 2026, the Township will be stripped of immunity, meaning the Township's Planning and Zoning Board will lose all control of Colts Neck. Mr. Viola expressed his disappointment, noting that by not complying, however, the situation would go from very bad to worse. Mayor Viola stated that they will comply under protest and then appeal.

Committeeman Rizzuto stated that the Township's stance remains the same which is to do what's needed procedurally but to continue to fight.

Committeeman Tobia stated that neither Colts Neck nor many other municipalities in the state are happy with the state mandates handed to the municipalities by the state legislature adding that there is support for responsible housing development but what's been handed down is not responsible development. Mr. Tobia opined that the number of market rate units a developer enjoys to provide such a small percentage of affordable rate housing is not appropriate. Mr. Tobia reflected back to when he was Chair of the Planning Board stating that he voted "no" on the decision that came before the Board in connection with the Fourth Round duration adjustment adding that he knew a durational adjustment would not hold up a second time and knew that developers would figure out a way to bring in sewer and/or construct a treatment plant on site. Mr. Tobia continued, stating that a parallel path is needed in order to solve the Township's affordable housing obligations challenge. Mr. Tobia stated that he has proposed options such as looking at sites along Highway 34 for possible redevelopment, condemnation, or possible looking at RAB (Redevelopment Area Bonds) that could be repaid with PILOT programs. Also, Mr. Tobia suggested 100% affordable projects should be considered. Mr. Tobia continued noting that the cost to the Township for these various approaches needs to be evaluated including the cost and operational impact to the schools, police department, EMS, and other services. Mr. Tobia stated that the lack of a sewer system in town may impact the viability of a 100% affordable project. Mr. Tobia further stated that a cross section of the community should be involved in considering the various options in hopes of finding the least costly approach. Mr. Tobia also stated that we need new affordable housing legal counsel to assist with these efforts. Mr. Tobia stated that this effort won't be easy and may be costly. Mr. Tobia further opined that the Township has only presented "lukewarm proposals" before the court lacking parallel options such as senior housing, veterans and disabled housing, and detached single family homes and relying only on duration adjustments. Mr. Tobia stated that he does not believe the Well Spring property would be a good location for development for a number of reasons including the concerns voiced by Naval Weapons Station Earle and that there is roughly 40 acres that are wet. Mr. Tobia suggested this property be considered for purchase as open space in collaboration with the County. As for Obre Road property, Mr. Tobia suggested that the Township should enter into negotiations with the developer

as this may be a viable alternative. And as for the Dutch Lane site, Mr. Tobia stated that there are many questions that need to be reviewed including the deed restriction status.

Mayor Viola stated that while he welcomes and appreciates Mr. Tobia's input, Mr. Tobia was not on the Governing Body last year and was not privy to the Executive Session discussions on how the Township reached the decision to submit the durational adjustment. Mr. Viola added that there were indeed parallel paths that were being worked but noted that a municipality cannot put something in a plan before the court if the municipality is not 100% ready to fulfil that plan. Mr. Viola stated that all of the parallel paths Mr. Tobia mentioned have indeed been considered but without a solid 100% readiness, the Township could not put these options in the plan.

Deputy Mayor Buzzetta added that in June of 2025 the Township was ordered by the court to submit a housing plan to which the Township sought a durational adjustment. Mr. Buzzetta, emphasizing the Mayor's comments, stated that whatever goes in the housing plan must be a firm commitment to fulfill that plan. So, without the Township owning property through purchase or eminent domain, the Township could not commit to developing a 100% affordable project. Other things, including Mayor Ghassali's lawsuit and the governor's election, were going on in 2025 that could have potentially impacted the direction the Township took.

b. Amending Chapter 41 "Miscellaneous Fees"

Township Attorney Bennett provided background information on the recommendations for the various amendments to Chapter 41. Committee members agreed that Ms. Bennett should proceed with the amendments for consideration at the next Township Committee meeting.

9. Minutes
   a. February 18, 2026 – Special Meeting – Budget Workshop
   b. February 25, 2026 – Executive Session
   c. February 25, 2026 – Regular Meeting

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

10. Old Business

   a. **Second Reading/Public Hearing:** Ordinance 2026-01: An Ordinance Repealing Existing Section 102-15.C Development Fees, of Article IV, Administrative Procedures, of the Code of Colts Neck Township, in its Entirety and Replacing it with a new 102-15.C Development Fees, of Article IV, Administrative Procedures, Providing Regulations for the Affordable Housing Trust Fund, Collection of Development Fees and Expenditure of Development Fees

Mayor Viola read the ordinance by title for second reading/public hearing. Mayor Viola called for comments from the committee. Planner Tim Anfuso gave a summary of the ordinance and noted that the Planning Board reviewed the ordinance and found it consistent with the Master Plan and included a comment that the Governing Body may in the future consider allowing residential structures destroyed by fire, acts of God, natural disaster, and the like to be rebuilt without having to pay the development fee.

Mayor Viola called for a motion to open the public hearing. On a motion by Committeeman Rizzuto, seconded by Committeeman Buzzetta and a majority voice vote the public hearing was open.

Kathleen Foley, resident, stated that she was having difficulty hearing and asked for Mr. Anfuso to repeat how the development fees could be used. Mr. Anfuso provided another brief summary of how the development fees could be used.

As there were no further comments from the public Mayor Viola called for a motion to close the public hearing. On a motion by Committeeman Rizzuto, seconded by Deputy Mayor Buzzetta and a majority voice vote the public hearing was closed. Mayor Viola called for a motion to approve. On a motion by Committeeman Rizzuto, seconded by Deputy Mayor Buzzetta and a majority roll call vote the ordinance was adopted.

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

b. **Second Reading/Public Hearing:** Ordinance 2026-02: An Ordinance Repealing Existing Section 102-97.1 through Section 102-97.7, of Article IV Zoning and Design Requirements for Residential Districts, of the Code of Colts Neck Township, in its Entirety and Replacing it with new Comprehensive Regulations for the Administration of Affordable Housing and Addressing the Current Requirements of the Fair Housing Act and the Uniform Housing Affordability Controls (UHAC) Regarding the Colts Neck Township Affordable Housing Fair Share Obligation

Mayor Viola called for a motion to open the public hearing. On a motion by Committeeman Tobia, seconded by Deputy Mayor Buzzetta and a majority voice vote the public hearing was open.

Mayor Viola asked Planner Tim Anfuso to offer a brief summary. Mr. Anfuso stated that this ordinance sets the rules and requirements for Affordable Housing Administrators for the affordable housing properties in the Township. Mr. Anfuso added that this ordinance is much more comprehensive and incorporates many of the new requirements from the UHAC.

Elaine Mann, resident, asked if the design requirements noted in this ordinance were in place when Livana was being approved. Mr. Anfuso responded noting that there were some design requirements in place but not as many as are set forth in these new requirments. Ms. Mann further asked if this ordinance will help improve access for first responders. Mr. Anfuso responded, stating that this ordinance will not because those matters fall under the International Building Code.

Anthony Ursino, resident, asked if this ordinance is new and why it is coming up now and will this require additional money from citizens to fund the (Affordable Housing) trust fund. Mr. Anfuso responded, stating that this ordinance does not require any money from the trust fund but rather sets policy for when units are marketed and applicants are certified.

Mayor Viola called for a motion to close the public hearing. On a motion by Committeeman Rizzuto, seconded by Deputy Mayor Buzzetta and a majority voice vote the public hearing was closed. Deputy Mayor Viola called for a motion to approve. On a motion by Committeeman Rizzuto, seconded by Committeeman Buzzetta and a majority roll call vote the ordinance was adopted.

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

11. New Business

a. **First Reading/Introduction**: Ordinance 2026-03: An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14)

Finance Chair Buzzetta gave a brief explanation of the ordinance.

Mayor Viola called for a motion to approve the ordinance for introduction. On a motion by Committeeman Rizzuto, seconded by Deputy Mayor Buzzetta and a roll call vote, the ordinance was approved for introduction. Mayor Viola stated that the public hearing is scheduled for March 25, 2026.

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

b. **First Reading/Introduction**: Ordinance 2026-04: Ordinance Appropriating $52,000 from the Capital Improvement Fund to Provide for the Acquisition of Firearms Equipment in and by Colts Neck Township, in the County of Monmouth New Jersey

Attorney Bennett gave a brief overview.

Committeeman Tobia asked if there was a means to expedite this effort by passing an emergency ordinance. Attorney Bennett responded advising that this matter would not fall within the statutory exceptions for an emergency ordinance. Mr. Tobia voiced his support for the ordinance.

Mayor Viola called for a motion to approve the ordinance for introduction. On a motion by Committeeman Tobia, seconded by Deputy Mayor Buzzetta and a roll call vote, the ordinance was approved for introduction. Mayor Viola stated that the public hearing is scheduled for March 25, 2026.

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

c. **First Reading/Introduction**: Ordinance 2026-05: An Ordinance of Colts Neck Township in the County of Monmouth, State of New Jersey, Setting Salary and Wage Ranges for Township Employees

Mayor Viola gave a brief summary of the ordinance.

Committeeman Tobia stated that he would like to have further discussions regarding certain salaries prior to finalizing the budget.

Mayor Viola called for a motion to approve the ordinance for introduction. On a motion by Committeeman Tobia, seconded by Committeeman Rizzuto and a roll call vote, the ordinance was approved for introduction. Mayor Viola stated that the public hearing is scheduled for March 25, 2026.

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

d. **First Reading/Introduction:** Ordinance 2026-06: Approving and Authorizing Extension of Affordable Housing Controls for 34 Owner-Occupied Units, Payment of $40,000 to Each Owner Extending and Continuation of 50% Recapture Lien

Affordable Housing Attorney Tom Trautner provided a summary of the ordinance.

Mayor Viola called for a motion to approve the ordinance for introduction. On a motion by Committeeman Rizzuto, seconded by Deputy Mayor Buzzetta and a roll call vote, the ordinance was approved for introduction. Mayor Viola stated that the public hearing is scheduled for March 25, 2026.

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

e. 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 2026-55 – Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"
B. Resolution 2026-56 – Adoption of 2026 Temporary Capital Budget
C. Resolution 2026-57 – Authorizing Formal Transfer of Funds – 2025 Budget
D. Resolution 2026-58 – Authorizing Refund of 1st Quarter 2026 Taxes
E. Resolution 2026-60 – Authorizing Consent NJDEP Treatment Works Application – The Orchards Shopping Center

Committeeman Tobia requested Resolution 2026-59 be removed from the Consent Agenda and considered separately.

Mayor Viola called for a motion to approve. On a motion by Committeeman Rizzuto, seconded by Deputy Mayor Buzzetta and a roll call vote, the consent agenda resolutions were adopted.

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

f. Resolution 2026-59 – Authorizing Colts Neck Township to Enter into an Agreement with Government Strategy Group for Search and Recruitment Services for a Township Administrator

Committeeman Tobia stated that he believes Colts Neck is a desirable place to work and that the search should be handled in-house for 30-days in order to potentially save up to $17,500.

Deputy Mayor Buzzetta commented that this is a critical role for the Township and warrants the use of a professional search firm.

Mayor Viola called for a motion to approve. On a motion by Committeeman Rizzuto, seconded by Deputy Mayor Buzzetta and a roll call vote, the consent agenda resolutions were adopted.

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

g. Approval of Vouchers

Deputy Mayor Buzzetta highlighted a few key expense categories and advised that he found all to be in order.

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

Mayor Viola called for a second to his motion, seconded by Committeeman Rizzuto and followed by a roll call vote, the bills list was approved.

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

Deputy Mayor 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.

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

h. Administrator's Report – On behalf of the Administrator, Mayor Viola announced a bridge repair project on Montrose Road to begin on March 23, 2026, which is anticipated to take approximately six weeks. Mayor Viola further announced continued post-storm activities including pothole repairs, tree removals, sign repairs, and the like. Mr. Viola announced the Convenience Center Saturday hours of 8 am to 1:30 pm will resume April 4, 2026 and there will be a one-time only Spring leaf collection. Mr. Viola encouraged the public to visit the website for details. Mr. Viola further announced that brush collection starts in Zone 1 April 6th. Finally, Mr. Viola announced that Clean-up Day is scheduled for May 2, 2026, and reminded Seniors and Disabled residents to register in advance for the special curbside collection. Mr. Viola directed residents to the website for details.

i. Township Committee Reports

Committeeman Tobia:

- Committeeman Tobia reported that the Sports Foundation will be submitting a proposal to the Township Committee detailing park improvements they would like to make at no cost to the Township.

Committeeman Rizzuto:

- Committeeman Rizzuto directed residents to the website for upcoming 250 Celebration events.
- Mr. Rizzuto thanked the First Aid Squad, Police Department, Fire Department and OEM for the efforts in connection with the 2026 budget.

Deputy Mayor Buzzetta:

- Deputy Mayor Buzzetta reported that the BOE met on March 4, 2026, noting that the meeting can be viewed via their website. Mr. Buzzetta added that the BOE members invited him and Committeewoman Buss to attend a meeting to discuss the impact of affordable housing development on the schools. Mr. Buzzetta further reported that the BOE intends to further invest in stop-arm cameras on school buses to catch violators. Finally, Mr. Buzzetta stated that a BOE member suggested a committee be developed to explore the possibility of renaming the school.
- Deputy Mayor Buzzetta reminded the public that the 2026 Municipal Budget will be introduced on March 25, 2026.

Mayor Viola:

- Mayor Viola reported the Easter Egg Hunt will take place on March 26, 2026, and Summer Camp Registration begins on April 9, 2026.

9. Public Comment:

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

Kevin Walsh, resident, thanked the Governing Body for their service. Mr. Walsh voiced disappointment in a text message that went out that is contributing to the division in the Township. Mr. Walsh expressed concerns about the affordable housing legislation and the impact on the municipality and suggested solutions be sought without finding fault or placing blame. Mr. Walsh suggested ceasing paying attorney fees to fight affordable housing and focus on building special needs housing and group homes.

Deputy Mayor Buzzetta noted that even if the Township builds special needs housing a certain percentage must be for families, opining that there will still be a potential impact on the schools.

Anil Sharma, resident, asked about deed restrictions.

Mr. Trautner responded advising that the matter of upholding deed restrictions will likely be the subject of further litigation.

Mr. Shatku, resident, suggested further ideas be explored and Active Acquisitions should not be allowed to develop at will and implored the Committee to do additional soul searching. Mr. Shatku also asked about the proper recording of deed restrictions. Mr. Shatku thanked Committeeman Tobia for his ideas.

Mayor Viola responded advising that there is a deed restriction in place and the Township intends to have it enforced.

Pascale Coppola, former resident, spoke of a former property owner on Dutch Lane who was advised that her property could never be subdivided and now today knowing that this could happen this could open up more developers coming into Colts Neck and bypassing the deed restrictions to build large housing developments.

Deputy Mayor Buzzetta responded that the Township has been fighting this and will continue to do so.

Committeeman Rizzuto emphasized the efforts made by this and past Governing Bodies to fight against the affordable housing mandates.

Mayor Viola added that it comes down to making a choice of accepting the rule of the court and letting developers build or do so under protest and defend the deed restrictions and the other two properties while maintaining immunity. Mayor Viola continued stating that losing immunity would be akin to a bad situation getting worse resulting in much more development.

Mr. Trautner further addressed the issue of whether a deed restriction was filed properly.

Pascale Coppola, resident, asked if farmland preserved properties could also be taken.

Mayor Viola, shared in Ms. Coppola concern noting that this is indeed a fear of theirs.

Kevin O'Brien, resident, voiced concerns about the affordable housing situation and Judge Grasso's feelings towards Colts Neck. Mr. O'Brien asked about the Grande litigation. Mr. O'Brien reflected on his past concerns related to Mr. Viola and Mr. Rizzuto and a member of the Planning Board. Mr. O'Brien spoke of website postings and legal bills in connection with the topic of affordable housing. Mr. O'Brien voiced concerns about transparency and information not being shared about a special needs grant being denied by Green Acres and the Colts Neck Sports Foundation's offer to incur costs related to architectural design work. Mr. O'Brien opined about the Sports Foundation's budget requests and the Montrose School House renovation needs.

Mayor Viola stated that veterans and senior housing are all being considered but cannot be put in a plan unless it is rock solid and the Township is able to produce these plans.

Deputy Mayor Buzzetta added that the land for these types of all affordable projects would have to either be acquired at a great cost and/or acquired through eminent domain.

Committeeman Tobia suggested an overall plan be developed as it relates to Five Points Park to include consideration for a restroom facility.

Dan Kryzanekas, resident, asked how the Township could not have a plan in place during Round Three and relied on the possibility of a new governor or other towns'

lawsuits. Mr. Kryzanekas spoke to his concerns about the speed limit on Montrose Road. Mr. Kryzanekas opined that the discussions about affordable housing should not take place behind closed doors. Mr. Kryzanekas suggested that a housing authority be put in place, an immediate appeal take place of the March 9th ruling, and an impact study be conducted.

Mayor Viola responded that the Township did have a plan in place during Round Three and detailed many of the components. Regarding speed limits, Mayor Viola agreed speeding in the entire state is an issue. Committeeman Rizzuto noted that the Township Engineer has been asked to possibly conduct a study. Mr. Tobia added that he has received a quote from the engineer to conduct said study. Attorney Bennett asked the members of the Committee if they are authorizing the Township Engineer to proceed. The members of the Committee present unanimously agreed.

Kathy H, resident, asked how many affordable housing units the Township is responsible for providing and if the suggestion to rename the school will be voted on.

Mayor Viola responded, stating that the Township's current obligation is 239 units less the 56 related to the extension of the affordability controls for a total remaining obligation of 183.

Attorney Bennett addressed the question related to the renaming of the school advising that the school is a separate governmental agency and that the Township has no jurisdiction in connection with that matter. Ms. Bennett suggested that concerns associated with this should be directed to the Board of Education.

Elaine Mann, resident, stated that Mr. Tobia was ignored when he requested Ordinances 2026-01 and 2026-02 be made public and suggested a committee be formed to look into grants stating that the township is losing grant money through the incompetence of the Township Administrator.

Anthony Ursino, resident, asked how a deed restriction can be changed. Mr. Ursino strongly encouraged the Township appeal the decision.

Attorney Ron Israel spoke to the decision stating that while it was a horrible decision it was not surprising noting that no other attorney would have gotten a different decision. Mr. Israel detailed various court decisions and the need for legislative change and reinforced that this most recent decision against Colts Neck will absolutely be appealed.

Mr. Shatku, asked for clarification of a notation in the court order that suggested the Judge acted upon information provided by Active Acquisition's attorney. Mayor Viola advised that this was not a part of the decision but rather a recommendation.

Attorney Israel stated that the Judge overstepped in her remarks and went out of her way to make Colts Neck look bad and that they were insulted by the decision.

Kathleen Foley, resident, asked the Township to consider advancing a proclamation in connection with Dark Sky and the fight against light pollution.

Theodora Sergio, resident, spoke to a win achieved by Toms River in connection with affordable housing and suggested someone reach out to them. Ms. Sergio also spoke to precedent setting concerns of breaking deed restriction and the risk of lawsuits from the property owners.

Elaine Mann, resident, stated that in light of the Iraq War, development near Naval Weapons Station Earle could pose a big threat of drones being deployed. Ms. Mann asked Mr. Tobia if he has had any luck with his conversations with Congressman Smith.

Committeeman Tobia deferred to Mayor Viola noting that Mayor Viola has recently met with the Congressman.

Mayor Viola advised that he did have a meeting with Congressman Smith and representatives of the Navy in February and needless to say the Navy is pretty busy at this time. Mr. Viola encouraged everyone to contact Congressman Smith's office to voice their concerns. Mr. Viola elaborated on the potential security and safety issues should a large development be built near the base. Mr. Viola specifically spoke to the potential situation where the base issues an evacuation notice noting that it would be Colts Neck that would be responsible for that evacuation effort, not the Navy.

Joyce Costa, resident, asked if the target property could be condemned for public use or taken by eminent domain.

Mr. Trautner advised that this legal strategy has been tested by other municipalities and they did not prevail.

Ms. Lesbirel, resident, voiced support for Mr. Tobia's suggestion of a parallel approach and asked if given Mr. Tobia's connection with the County if he's spoken with them regarding any influence the County may have regarding the Well Spring project given that it's on a County road.

Mr. Tobia stated that he has had numerous conversations with the County.

Deputy Mayor Buzzetta stated that he learned today that the County is using open space funds and spending $27 million to prevent a warehouse from being constructed in Upper Freehold Township even though the Township wants the warehouse to be built. Mr. Buzzetta suggested the County perhaps spend that money and buy Well Spring farm.

Mr. Lesbirel asked if the Township has considered building veterans housing at the Municipal Complex.

Committeeman Rizzuto advised that this land is encumbered by Green Acres and unfortunately, we couldn't if we wanted to.

Jeffrey Cook, resident, asked if the owners of the units at the Grand who have expressed an intent to extend controls was part of the Fourth Round plan. Mr. Cook also asked about the 50% recapture agreement.

Mayor Viola referenced the ordinance that has been introduced in connection with the extension of affordability controls and upon adoption the Township intends on including these numbers as part of the Township's updated Fourth Round plan.

Mike Taylor, resident, stated that it seems clear that there is an overwhelming desire to build a 100% affordable housing development and asked if funding for such a project could be provided through the use of the Township's surplus, donations from residents, MCIA funding, Bonds, etc. to create a pool of money to pursue land to develop.

Committeeman Rizzuto offered that 100% affordable projects are very complex and the location selection is also riddled with restrictions. Mr. Rizzuto stated that he understands it must feel as if the Township missed something but assured the public that all options have and will continue to be explored.

Mr. Taylor responded and stated that while he recognizes it may cost more it may behoove the Township to be aggressive and incur whatever cost it takes

Mayor Viola advised that all the options Mr. Taylor noted are being explored.

Attorney Bennett added that a bond ordinance for the acquisition of property for affordable housing is absolutely possible.

Lisa White, resident, asked what the EPA is saying regarding a development at Well Spring as it relates to the septic.

Mayor Viola responded noting that it is too early in the process to discuss this level of detail.

Deputy Mayor Buzzetta reflected on the outcry to the DEP in connection with the treatment system at the Livana project noting that it was in vane and was still approved.

Elain Kryzanekas, resident, suggested that the Township consider a housing authority and acquire property for affordable housing. Ms. Kryzanekas also spoke to her concerns about the speed limits on Montrose Road and in other areas of town and finds it hard to believe that Phalanx is considered in the same category as an open highway.

Committeeman Rizzuto asked what Ms. Kryzanekas would like to see in terms of a speed limit on Montrose.

Ms. Kryzanekas stated that she would like to see the entire road limited to 35 mph.

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

2. **<u>Adjournment</u>:**
As there was no further business, Mayor Viola called for a motion to adjourn. On a motion by Deputy Mayor Buzzetta, seconded by Committeeman Rizzuto and a unanimous voice vote, the meeting adjourned at 10:15 p.m.

Kathleen Capristo

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Kathleen Capristo, RMC
Municipal Clerk

APPROVED: March 25, 2026