

RESOLUTION 2020-54

**AUTHORIZING AWARD OF CONTRACT
DEANGELIS ASBESTOS REMOVAL**

WHEREAS, Colts Neck Township directed T&M Associates to solicit quotes for the removal of the asbestos material in the main dwelling and the dilapidated garage; and

WHEREAS, the Township Engineer received three (3) quotes, and has made a recommendation to award; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby awards a contract in this regard as follows:

Vendor: Lilich Corporation
246 Union Boulevard
Totowa, NJ 07512

Budget Account No. C-02- -056-263

Amount: \$32,900.00

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute all documents in this regard; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Lilich Corporation, Vendor;
2. Glenn Gerken, Township Engineer;
3. John Antonides, Chief Financial Officer; and
4. Meghan Bennett, Esq., Township Attorney.

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 18th day of March 2020

Trina Lindsey, Municipal Clerk

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Mayor Rizzutto						
Deputy Mayor Viola						
Bartolomeo						
Fitzpatrick						
Orgo						
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

RESOLUTION 2020-55

**AUTHORIZING EXECUTION OF A GRANT AGREEMENT OF ACQUISITION
OF DEVELOPMENT EASEMENTS THROUGH THE FARMLAND
PRESERVATION PROGRAM, MOSLEY PROPERTY
BLOCK 20, LOT 2.01**

BE IT RESOLVED by the Township Committee of Colts Neck Township that it hereby confirms and authorizes the Township Administrator, Kathleen Capristo to sign the grant agreement for acquisition of development easements through the Farmland Preservation Program for property owned by George and Lillian Mosley, Block 20, Lot 2.01; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

1. George and Lillian Mosley;
2. Harriet Honigfeld, Monmouth County Division of Planning;
3. Catherine Corbett, SADC;
4. John Antonides, Chief Financial Officer; and
5. Megan Ann Bennett, Esq., Township Attorney

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 18th day of March 2020

Trina Lindsey, Municipal Clerk

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Mayor Rizzutto						
Deputy Mayor Viola						
Bartolomeo						
Fitzpatrick						
Orgo						
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

RESOLUTION #2020-56

AUTHORIZING SETTLEMENT OF DECLARATORY JUDGMENT ACTION

WHEREAS, in compliance with the New Jersey Supreme Court's decision in In re Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015), on or about July of 2015, the Township of Colts Neck filed an action with the Superior Court of New Jersey, entitled In the Matter of the Application of the Township of Colts Neck, County of Monmouth, Docket No. MON-L-2234-15 seeking a Judgment of Compliance and Repose approving its Housing Element and Fair Share Plan (hereinafter "Affordable Housing Plan"), in addition to related reliefs (the "Compliance Action") and simultaneously filed a motion for temporary immunity, which was subsequently granted by the Court and is still in full force and effect; and

WHEREAS, Countryside Developers, Inc., the contract purchaser of Block 42, Lot 4 on the Township's Official Tax Map filed litigation against the Township of Colts Neck (among other parties) before the Superior Court of New Jersey, Law Division, Monmouth County, entitled Countryside Developers, Inc. v. Township of Colts Neck, et al., Docket No. MON-L-4028-17 to pursue sewer and water service for inclusionary development (the "Countryside Action"); and

WHEREAS, the Township of Colts Neck, through its Special Counsel and Professional Planner have worked diligently with all parties to the Compliance Action, and after extended negotiations with Fair Share Housing Center, Intervenor-Defendant Carole J. Schlumpf, Intervenor-Defendant Colts Neck Building Associates, LLC and Countryside Developers, Inc., with the participation of a Court appointed Special Master, the Township and Fair Share Housing Center, Carole J. Schlumpf, Colts Neck Building Associates, LLC and Countryside Developers, Inc. have agreed to settle the litigation to resolve all claims asserted or which could have been asserted in the Compliance Action and Countryside Action and present the settlement for review and approval by the Superior Court having jurisdiction over this matter; and

WHEREAS, the Township's Special Counsel and the Township's Professional Planner recommend that the Township Council approve the settlement terms memorialized in: (i) the settlement agreement between the Township, Fair Share Housing Center and Carole J. Schlumpf in the form attached hereto as Exhibit A; (ii) the settlement agreement between the Township and Colts Neck Building Associates, LLC in the form attached hereto as Exhibit B; and (iii) the settlement agreement between the Township and Countryside Developers, Inc. in the form attached hereto as Exhibit C which will require amending the existing zoning ordinance and zoning map, and adopting an amended Affordable Housing Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Colts Neck Township that the Mayor and Borough Clerk are hereby authorized to execute: (i) the written settlement agreement between the Township, Fair Share Housing Center and Carole J. Schlumpf in the form attached hereto as Exhibit A; (ii) the written settlement agreement between the Township and Colts Neck Building Associates, LLC in the form attached hereto as Exhibit B; and (iii) the written settlement agreement between the Township and Countryside Developers, Inc. in the form attached hereto as Exhibit C.

BE IT FURTHER RESOLVED, by the Township Committee of Colts Neck Township that the Township Committee hereby authorizes and approves any non-substantive modifications to: (i) the written settlement agreement between the Township, Fair Share Housing Center and Carole J. Schlumpf in the form attached hereto as Exhibit A; (ii) the written settlement agreement between the Township and Colts Neck Building Associates, LLC in the form attached hereto as Exhibit B; and (iii) the written settlement agreement between the Township and Countryside Developers, Inc. in the

form attached hereto as Exhibit C, as may be recommended and approved by the Special Council and Township Business Administrator prior to execution.

BE IT FURTHER RESOLVED, by the Township Committee of Colts Neck Township that this resolution shall take effect immediately.

CERTIFICATION

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a resolution passed by the Township Committee of Colts Neck Township during a regular meeting held on the 18th day of March 2020

Trina Lindsey, Municipal Clerk

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Mayor Rizzutto						
Deputy Mayor Viola						
Bartolomeo						
Fitzpatrick						
Orgo						
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						