

**COLTS NECK TOWNSHIP  
AUTHORIZING COLTS NECK BUILDING ASSOCIATES, LLC TO APPOINT AN  
ADMINISTRATIVE AGENT FOR AFFORDABLE HOUSING IN ACCORDANCE  
WITH THE TERMS OF THE SETTLEMENT AGREEMENT DATED MARCH 19, 2020**

**WHEREAS**, the New Jersey Supreme Court, through its rulings in In re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Hous., 221 N.J. 1 (2015) (Mount Laurel IV); Hills Dev. Co. v. Twp. of Bernards 103 N.J. 1 (1986) (Mount Laurel III); S. Burlington Cty. NAACP v. Twp. of Mount Laurel, 92 N.J. 158 (1983) (Mount Laurel II); . S. Burlington Cty. NAACP v. Twp. of Mount Laurel, 67 N.J. 151,174 (1975) (Mount Laurel I) (the “Mount Laurel Decisions”), has determined that municipalities in New Jersey have a constitutional obligation to provide a realistic opportunity for a fair share of its region's present and prospective needs for housing for low and moderate income families; and

**WHEREAS**, the New Jersey State Legislature, in response to the Mount Laurel Decisions, adopted the Fair Housing Act, N.J.S.A. 53:27D-301 et seq. to codify the obligation of municipalities to provide a realistic opportunity for housing for low and moderate income families; and

**WHEREAS**, Colts Neck Township (the “Township”) recognizes its obligation under the State Constitution, as further set forth in the Mount Laurel Decisions and the Fair Housing Act, to provide a realistic opportunity for housing for low and moderate income individuals and families; and

**WHEREAS**, on July 19, 2015, the Township filed a declaratory judgment action, in accordance with Mount Laurel IV, seeking a declaration of its compliance with the Mount Laurel Decisions and the Fair Housing Act (the “Action”); and

**WHEREAS**, Colts Neck Building Associates, LLC (CNBA) intervened in the Action; and

**WHEREAS**, CNBA owns the Property located at 302 Route 537, Colts Necks, identified on the Township's tax map as Block 221 Lot 18 (formerly Lots 11, 12, 13, and 14) (the “Project Site”);

**WHEREAS**, in evaluating properties appropriate for inclusionary developments, the Township has determined that the Project Site present an available, approvable, developable, and suitable opportunity for such development N.J.A.C. 5:93-1.3; and

**WHEREAS**, with the assistance of a special master, the Township and CNBA entered into a settlement agreement (the “CNBA Settlement”, annexed herein as Exhibit A) which sets forth the manner in which the Township will incorporate the Project Site into its Affordable Housing Plan and further sets out the rights and responsibilities of the Parties; and

**WHEREAS**, CNBA has proposed a residential project at the Project Site, which project will provide 72 rental units affordable to very low, low, and moderate-income households (the “Affordable Units”); and

**WHEREAS**, in accordance with Section 3.4.5 of the CNBA Settlement, CNBA is required to contract with a qualified and experienced third-party administrative agent for the administration of the Affordable Units (the “Administrative Agent”), and to work with the Township regarding any affordable housing monitoring requirements imposed by the Court, which contract shall be subject to approval by the Township Council; and

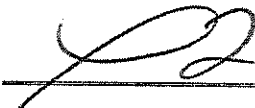
**WHEREAS**, CNBA has selected Piazza & Associates to be its Administrative Agent, and has requested that the Township approve its selection; and

**WHEREAS**, the Township Committee finds Piazza & Associates to be qualified and wishes to approve the selection.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF COLTS NECK TOWNSHIP, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, they being the governing body thereof, as follows:

1. In accordance with the terms of the CNBA Settlement, the Township hereby approves CNBA’s selection of Piazza & Associates as Administrative Agent for the purpose of working with the Township regarding affordable housing monitoring requirements.
2. The Mayor and/or his designee, Township Attorney, and Municipal Clerk, along with any agents or consultants so authorized, are hereby authorized to take any action necessary to effectuate the purpose of this resolution.
3. A copy of this Resolution shall be placed on file with the office of the Municipal Clerk.
4. This Resolution shall take effect immediately.

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 14<sup>th</sup> day of September 2022

  
Trina Lindsey, Municipal Clerk

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