

RESOLUTION 2026-142

RESOLUTION OF COLTS NECK TOWNSHIP AUTHORIZING THE SETTLEMENT OF LITIGATION BETWEEN NOTARO COMMERCIAL DEVELOPMENT/9 HEYERS MILL, LLC, COLTS NECK TOWNSHIP, AND COLTS NECK TOWNSHIP PLANNING BOARD

WHEREAS, Notaro Commercial Development/9 Heyers Mill, LLC filed a Complaint in Lieu of Prerogative Writs against Colts Neck Township (the “Township”), the Mayor and Township Committee of Colts Neck Township (the “Committee”), and the Colts Neck Township Planning Board (the “ Planning Board”) entitled Notaro Commercial Development/9 Heyers Mill, LLC v. Township of Colts Neck, et al., Docket No. MON-L-1136-26 (the “Litigation”); and

WHEREAS, the Litigation challenges the Planning Board’s denial of an application by Notaro Commercial Development/9 Heyers Mill, LLC requesting approval to construct a 8,550 square- foot commercial building on a parcel located in the Township’s B-3 Business Zone District; and

WHEREAS, the parties to the Litigation have discussed the potential re-zoning of the property which is the subject of this Litigation as part of a proposed global settlement of the Litigation; and

WHEREAS, the parties have set forth the terms and conditions of their proposed settlement of the Litigation within a written Stipulation of Settlement and Dismissal (the “Agreement”) attached hereto; and

WHEREAS, the Township Committee has determined that it in the best interests of the Township to approve the proposed settlement as set forth within the Agreement and to authorize its counsel in this Litigation, Richard Grodeck, Esq., to sign the Agreement on behalf of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Colts Neck Township, County of Monmouth, New Jersey that the terms and conditions of the settlement as set forth within the attached Agreement are hereby approved; and

BE IT FURTHER RESOLVED that the Township’s litigation counsel, Richard Grodeck, Esq., is hereby authorized to sign the Agreement, in substantially the form attached hereto, on behalf of the Township; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be provided to the Township’s litigation counsel, Richard Grodeck, Esq.

I, Kathleen Capristo, 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 the regular meeting held on the 13th day of July 2026.

Kathleen Capristo

Kathleen Capristo, Municipal Clerk

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