ORDINANCE 2025-21

AN ORDINANCE AMENDING THE EMERGENCY SERVICES VOLUNTEER LENGTH OF SERVICE AWARDS PROGRAM (LOSAP) IN COLTS NECK TOWNSHIP TO PERMIT COST OF LIVING ADJUSTMENTS IN THE AMOUNT OF TOWNSHIP CONTRIBUTIONS

WHEREAS, for over 20 years Colts Neck Township has operated a Length of Service Awards Program (LOSAP) as a means of encouraging retention of existing volunteer members and to provide incentives for recruiting new volunteer fire fighters and first aid squad members; and

WHEREAS, per N.J.A.C. 5:30-14.9, the Director of the Division of Local Government Services within the New Jersey Department of Community Affairs annually calculates and publishes a Consumer Price Index ("CPI") adjustment table for Municipalities to utilize should they provide cost of living adjustments ("COLAs") to annual LOSAP contributions; and

WHEREAS, the Township Committee of Colts Neck Township has concluded that providing annual COLAs to Township contribution amounts will benefit the Township by encouraging volunteerism through rewarding participants in the Township LOSAP; and

WHEREAS, per N.J.S.A. 40A:14-187, municipal LOSAP programs may be amended by a two-thirds vote of the full membership of the governing body of the subject municipality; and

WHEREAS, the Division of Local Government Services has instructed via Local Finance Notice that no referendum is needed for a municipality to amend a LOSAP ordinance to authorize automatic CPI-based increases in contribution amounts.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of Colts Neck Township, in the County of Monmouth and State of New Jersey, as follows (additions to text indicated by ***bold italicized underline***; deletions to text indicated by ~~***bold italicized strikeout***~~):

SECTION 1. Chapter 36 of the Code of Colts Neck Township is hereby amended as follows:

§ 36-1 Program created. A Length of Service Awards Program (LOSAP) is herewith created in accordance with Chapter 338 of the Laws of 1997, to reward members of the Colts Neck Fire Department, the Colts Neck Fire Police, and the Colts Neck First Aid Squad for their loyal, diligent and devoted services to the residents of Colts Neck Township.

§ 36-2 Provisions. The LOSAP shall provide for fixed annual contributions to a deferred income account for each active volunteer fire fighter or first aid squad member that meets the criteria set forth below; that such contributions shall be made in accordance with a plan that will be established by Colts Neck Township pursuant to P.L. 1997, c.388 (N.J.S.A. 40A:14-183 et seq.); and that such plan shall be administered in accordance with the laws of the State of New Jersey, the U.S. Internal Revenue Code, and this Ordinance. The plan shall have the following minimum provisions:

a. Benefits will become fully vested upon the completion of five (5) years of active volunteer emergency service.

b. There shall be a forfeiture provision for a break of service of five (5) consecutive years prior to vesting.

c. Benefits shall be payable after fifteen (15) years of service, at age fifty-five (55), or upon another qualifying event pursuant to law.

d. As required by N.J.S.A. 40A:14-188, points will be awarded according to certain criteria. To qualify for an award for a calendar year under the plan, an active volunteer member shall be required to accrue a minimum of sixty (60) points in that calendar year.

e. Effective January 1, 2026, the annual contribution amount set forth in this

Chapter shall be increased each year by the CPI Adjustment to permitted Municipal LOSAP contribution amounts calculated and published annually by the Director of the Division of Local Government Services.

§ 36-3 Criteria for eligibility. The LOSAP shall provide for annual contributions to each eligible active volunteer member that meets the criteria as follows:

a. The amount of the award for a year under the program shall be based upon the points accrued in a calendar year in accordance with Schedule A annexed hereto.

b. No person who is an active volunteer of more than one of the eligible services shall be permitted to receive deferred compensation of more than $1,150.00 total compensation per year ***subject to periodic consumer price index increases pursuant to law***.

c. Persons serving as members of the Fire Cadets, Police Cadets, First Aid Cadets, or Woman's Auxiliary shall not be eligible for this program.

§ 36-4 Township contributions. The Colts Neck Township LOSAP shall provide for annual contributions in the minimum amount of $400.00 and the maximum amount of $1,150.00, subject to periodic consumer price index increases pursuant to law.

§ 36-5 Estimated cost. The estimated cost of the Colts Neck Township LOSAP program has been calculated as follows:

a. For annual contributions to active volunteer Fire and First Aid members: $57,500.00 (50 eligible volunteers x's $1,150.00), ***subject to periodic consumer price index increases pursuant to law.***

SECTION 2. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

SECTION 3. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect upon passage, publication and as required by law.

I hereby certify the Ordinance foregoing to be a true copy of an Ordinance adopted by the Township Committee of Colts Neck Township on the 24th day of September, 2025.

Tara Torchia Buss, Mayor

Trina Lindsey, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	August 13, 2025					September 10, 2025				
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Torchia Buss			X									
Deputy Mayor Viola		S	X									
Buzzetta					X							
Fitzpatrick		M	X									
Rizzuto					X							

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent