ORDINANCE 2025-15

AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 195, "SOLID WASTE", ARTICLE III, "REFUSE CONTAINERS/DUMPSTERS" OF THE CODE OF COLTS NECK TOWNSHIP

WHEREAS, public streets are designated and maintained to ensure the safe and efficient movement of vehicular and pedestrian traffic; and

WHEREAS, placement of refuse containers/dumpsters in public streets can obstruct traffic flow, create hazardous conditions for drivers, cyclists and pedestrians and impede emergency vehicle access; and

WHEREAS, improperly placed refuse containers/dumpsters can result in damage to public infrastructure including road surfaces and drainage systems; and

WHEREAS, the Township Committee has determined that it is in the best interest of the general public to adopt reasonable regulations prohibiting the placement of refuse containers/dumpsters in public streets while allowing temporary refuse containers or dumpsters associated with active Construction Permits to be placed in a front yard.

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

SECTION I That Section 195-15 "Prohibited conduct" is hereby amended and supplemented as follows:

§195-15. Prohibited Conduct.

A. Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

B. Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semiliquids or solids to the municipal separate storm sewer system(s) operated by Colts Neck Township.

C. Any person who owns, leases or otherwise uses a refuse container or dumpster shall not locate, store or place said contained in a public right-of-way.

SECTION II That Section 195-16 "Exceptions" is hereby amended and supplemented as follows:

§195-16. Exceptions.

A. ~~Permitted t~~Temporary ~~demolition containers.~~ refuse containers or dumpsters associated with an active construction permit may be placed in a front yard but not in a public right-of-way.

B. Litter receptacles (other than dumpsters or other bulk containers).

C. Individual homeowner trash and recycling containers.

D. Refuse containers at facilities authorized to discharge stormwater associated with industrial activity under a valid NJPDES permit.

E. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

SECTION III Severability.

If any section, paragraph subsection, clause or provision of this ordinance shall be adjudged 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 IV Repealer.

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this ordinance shall remain in full force and effect.

SECTION V Inconsistent ordinance.

All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION VI This ordinance shall take effect immediately upon passage, publication and filing according to 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 10th 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			X									
Rizzuto	M		X									
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												

ORDINANCE 2025-16

AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 79, "ANIMALS", ARTICLE I, "DOGS", SUBSECTION 79-4 NUISANCES ON PUBLIC PROPERTY OF THE CODE OF COLTS NECK TOWNSHIP

WHEREAS, it is important to provide safe and sanitary conditions for all users of public athletic fields, including players, officials, and spectators; and

WHEREAS, the presence of dogs on the active playing areas of athletic fields poses potential health and safety risks, including the potential for injuries, interference with play, and unsanitary conditions due to animal waste; and

WHEREAS, the Township Committee is committed to maintaining the quality of public athletic fields and to protecting the health and safety of participants engaged in athletic activities; and

WHEREAS, the Township also recognizes that many residents and visitors enjoy attending athletic events with their dogs, provided that animals remain under control and outside of the areas designated for active play; and

WHEREAS, the Township Committee has determined it is in the best interest of the general public to adopt reasonable accommodations governing the presence of domestic animals in designated spectator areas adjacent to athletic fields, while prohibiting domestic animals on the active playing areas to preserve field conditions and ensure the safety of players and other field users;

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

SECTION I That Chapter 79, "Animals", Article I "Dogs", subsection 4 nuisances on Public Property is hereby amended and supplemented in the following parts only.

§79-4. Nuisances on public property.

A. No person owning or having the care, custody or control of any dog shall permit such dog to do any injury or damage to or to commit any nuisance upon any sidewalk, street or thorough fare, in or upon any public property or in or upon the property of persons other than the owner or person having the care, custody or control of such dog.

B. No person owning or having the care, custody or control of any dog shall permit such dog to be present on the active playing surface on any athletic field within Township Parks and Recreation Facilities at any time. Active playing surface means the designated area of play within an athletic field including but not limited to soccer, football, baseball, softball or tennis/pickleball courts where competitive sports activity occurs, typically delineated by boundary lines or markers. Dogs under control may accompany individuals in designated spectator areas or other areas adjacent to the athletic field that are not designated as active playing surfaces.

SECTION II Severability.

If any section, paragraph subsection, clause or provision of this ordinance shall be adjudged 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 III Repealer.

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this ordinance shall remain in full force and effect.

SECTION IV Inconsistent ordinance.

All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION V This ordinance shall take effect immediately upon passage, publication and filing according to 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 10th 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			X									
Buzzetta			X									
Fitzpatrick		S	X									
Rizzuto		M	X									

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

ORDINANCE 2025-17

AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMEDING AND SUPPLEMENTING CHAPTER 102, "DEVELOPMENT REGULATIONS," OF THE CODE OF COLTS NECK TOWNSHIP

WHEREAS, on April 23, 1997, The Colts Neck Township Committee amended in its entirety Chapter 102, Development Regulations of the Code of Colts Neck Township; and

WHEREAS, Colts Neck Township is continuously and closely involved in the planning and development process in the Township; and

WHEREAS, one of the purposes of planning is to review the Township's policies and Development Regulations based on best available information and past experiences and to adopt regulations to guide the use of lands in a manner that promotes the public good and general public welfare; and

WHEREAS, N.J.S.A. 40:55D-2(1) states one of the purposes of the Municipal Land Use Law is to promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources, and

WHEREAS, natural riparian buffers play a critical role in maintaining water quality by filtering pollutants reducing erosion, moderating stream temperatures and supporting habitat for aquatic and terrestrial species; and

WHEREAS, natural riparian buffers absorb excess stormwater runoff, stabilize stream banks, prevent erosion and reduce the risk of flooding, thereby protecting water quality of potable water supplies and aquatic habitats, and

WHEREAS, maintaining riparian buffers in their natural vegetated state significantly reduces the transport of pollutants, nutrients, and sediments into potable water supplies, thereby protecting the integrity of drinking water supplies, and

WHEREAS, preserving riparian buffers along Category 1 streams aligns with state and federal regulations aimed at protecting water resources, including but not limited to the New Jersey Flood Hazard Area Control Act, New Jersey Freshwater Wetlands Protection Act and Clean Water Act, and

WHEREAS, the Township Committee of Colts Neck recognizes the ecological, hydrological and public health importance of protecting riparian buffers and finds it is in the best interest of the general public to preserve riparian buffers in their natural vegetated state.

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

SECTION I That Section 102-4 Definitions is hereby amended and supplemented to add the following definition.

§102-4 Definitions.

Riparian Buffer Easement
Grant or grants to the Township sufficient to permit the Township to fulfill the intent and purposes of this easement as provided for in §102-69 Public use, service areas and easements in Part 3 of this chapter.

SECTION II That Section 102-69 Public use, service areas and easements is hereby amended and supplemented in the following parts only.

§102-69 Public use, service areas and easements.

B. Conservation, open space, drainage and utility right-of-way easements. Where a minor or major development is traversed by a watercourse, open drainageway, swale, channel, stream, wetland, transition area or special water resource protection area; where the Master Plan, Official Map or Natural Resources Inventory of the Township of Colts Neck or Chapter 127, Flood Damage Prevention, delineates a floodplain or conservation easement; or for the purpose of preserving trees and other natural growth of special significance, wetlands, ponds, steep slopes and gully areas or to prevent erosion and/or for preserving and providing a buffer along lot lines as applicable and desirable for specific subdivision and site plan locations and layouts, a conservation, open space, drainage or utility right-of-way easement shall be furnished to the Township by the developer. See also §102-77C.

1. The easement shall extend on both sides and shall follow the general course of the watercourse, open drainageway, wetlands and wetland buffers, channel or stream and other areas subject to this type of easement and shall extend from the center line of said course and a line approximately parallel to the top of the bank or edge of environmentally sensitive area, a minimum of 25 feet distance back from it. Required wetland transition areas and special water resource protection areas shall be included in this easement.

2. This easement is granted for the purposes provided for and expressed in this section and in the definition of the term "conservation, open space, drainage and utility right-of-way easement and drainage and utility easement."

3. This easement prohibits the removal of trees and ground cover except for the following purposes: the installation and maintenance of municipal drainage facilities and public utilities and the removal of dead or diseased trees. Existing grass ~~Grass~~ areas shown on an approved plat may be mowed; existing agricultural areas shown on an approved plat may be used for agricultural production of straw, pasture but not agricultural production requiring tilling; but areas covered with other forms of natural growth shall not be mowed or disturbed. Nothing shall be done in these areas that will allow soil erosion to occur.

4. The easements shall be indicated on the sketch, preliminary and final plats and shall be shown in such a manner that the boundaries thereof can be accurately determined should the necessity arise in the future. In some cases, additional landscaping and trees may be required to complete the coverage.

5. The boundary line of any easement shall be monumented at its intersection with all existing or proposed street lines with standard in-ground monuments. Intersections with all side and rear lot lines and at all major deflection points shall be marked with greenway-type monuments as defined in § 102-91B(5)(h) herein. Such monuments shall be at a maximum spacing of 600 feet. In addition to the aforementioned permanent monuments, supplemental markers shall be installed along all greenway and aforementioned easement lines internal to the development where construction, grading or construction traffic may encroach on such areas. All of the above are to be installed prior to the issuance of any construction permit or the start of any landscaping work and are to be maintained until the maintenance bond is released.

6. Such easement dedication shall be expressed on the plat as follows: "Conservation, open space, drainage and utility right-of-way easement to which the indicated area is hereby made subject to ~~is that provided for in~~ Chapter 102, Development Regulations, of the Code of the Township of Colts Neck."

7. No relocation, construction or reconstruction shall take place within the area of the easement, nor shall any structures be located within such area, nor shall any action be taken which will alter or impair the effectiveness of present or future drainage facilities or cause soil erosion without prior approving authority or Township Committee approval, in writing. Exceptions are that approved drainage and public utilities structures; ~~approved development entranceway sign structures~~

~~not exceeding six feet in height;~~ and approved fences, other than cyclone wire or similar fence, which are found to be in keeping with the character of the associated development by the approving authority, but not walls, may be permitted in this easement area if shown on an approved plat or approved by the Township Committee. The Township Committee reserves the right to amend the terms of said easement as may be deemed reasonable and necessary in the future.

H. Riparian Buffer Easements

Where a minor or major development is traversed by a watercourse, open drainageway, swale, channel, stream, wetland, transition area, special water resource protection area, category one waterbody, trout production stream or trout maintenance stream, where the Master Plan, Official Map or Environmental Resources Inventory of the Colts Neck Township or Chapter 127, Flood Damage Prevention delineates a floodplain, or for the purpose of enhancing the water quality of streams, promoting groundwater infiltration and overland flow of stormwater, preserving trees and other natural growth, wetlands, ponds, steep slopes and gully areas or to prevent erosion and/or for preserving and providing a buffer along lot lines as applicable and desirable for specific subdivision and site plan locations and layouts, a riparian buffer shall be furnished to the Township by the developer. See also §102-77C.

1. The easement shall extend on both sides and shall follow the general course of the riparian buffer associated with a category one waterbody, trout production stream, trout maintenance stream or special water resource protection area.

2. This easement is granted for the purposes provided for and expressed in this section and in the definition of the term "riparian buffer easement."

3. This easement prohibits the removal of trees and ground cover except for the following purposes: the installation and maintenance of municipal drainage facilities and public utilities and the removal of dead or diseased trees. Existing grass areas shown on an approved plat may be mowed; existing agricultural areas shown on an approved plat may be used for straw production, pasture but not for agricultural production requiring tilling; but areas covered with other forms of natural growth shall not be mowed or disturbed. Nothing shall be done in these areas that will allow soil erosion to occur.

4. The easements shall be indicated on the sketch, preliminary and final plats and shall be shown in such a manner that the boundaries thereof can be accurately determined should the necessity arise in the future. In some cases, additional landscaping and trees may be required to complete the coverage.

5. The boundary line of any easement shall be monumented at its intersection with all existing or proposed street lines with standard in-ground monuments. Intersections with all side and rear lot lines and at all major deflection points shall be marked with greenway-type monuments as defined in § 102-91B(5)(h) herein. Such monuments shall be at a maximum spacing of 600 feet. In addition to the aforementioned permanent monuments, supplemental markers shall be installed along all greenway and aforementioned easement lines internal to the development where construction, grading or construction traffic may encroach on such areas. All of the above are to be installed prior to the issuance of any construction permit or the start of any landscaping work and are to be maintained until the maintenance bond is released.

6. Such easement dedication shall be expressed on the plat as follows: "riparian buffer easement to which the indicated area is hereby made subject to Chapter 102, Development Regulations, of the Code of the Township of Colts Neck."

7. No relocation, construction or reconstruction shall take place within the area of the easement, nor shall any structures be located within such area, nor shall any action be taken which will remove vegetation, alter or impair the effectiveness of present or future drainage facilities or cause soil erosion without prior approving authority or Township Committee approval, in writing. Exceptions are that approved drainage and public utilities structures; and approved fences, other than cyclone wire or similar fence, which are found to be in keeping with the character of the associated development by the

approving authority, but not walls, may be permitted in this easement area if shown on an approved plat or approved by the Township Committee. The Township Committee reserves the right to amend the terms of said easement as may be deemed reasonable and necessary in the future.

SECTION III Severability.

If any section, paragraph subsection, clause or provision of this ordinance shall be adjudged 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 IV Repealer.

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this ordinance shall remain in full force and effect.

SECTION V Inconsistent ordinance.

All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION VI This ordinance shall take effect immediately upon passage, publication and filing according to 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 10th 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	M		X									
Buzzetta	S		X									
Fitzpatrick			X									
Rizzuto			X									
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												

ORDINANCE 2025-18

AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 102 OF THE CODE OF COLTS NECK TOWNSHIP ENTITLED "DEVLOPMENT REGULATIONS"

WHEREAS, On April 23, 1997, The Colts Neck Township Committee amended in its entirety Chapter 102, Development Regulations of the Code of Colts Neck Township; and

WHEREAS, Colts Neck Township is continuously and closely involved in the planning and development process in the Township; and

WHEREAS, one of the purposes of planning is to review the Township's policies and Development Regulations based on best available information and past experiences and to adopt regulations to guide the use of lands in a manner that promotes the public good and general public welfare; and

WHEREAS, N.J.S.A. 40:55D-62 provides authority to adopt zoning ordinances relating to the nature and extent of uses of land and of buildings and structures thereon, and

WHEREAS, Cox Treatise 2024 edition Section 10.8 notes that there is nothing improper about municipal concerns about aesthetics since creation of a desirable visual environment is a zoning purpose specified by the Municipal land Use Law (N.J.S.A.40:55D-2.i.), and

WHEREAS, the 2004 Master plan recommends supports a study by the Brookdale Community College Department of Architecture which recommended the Business district be developed as a neighborhood commercial area with harmony in building materials and colors, windows, rooflines, signage, lighting, fencing and other improvements by sharing a common architectural theme, and

WHEREAS, the Colts Neck Township Committee finds that it is in the public interest to establish guidelines establishing nonresidential building performance standards that contribute to the durability, energy efficiency and aesthetic value of buildings while allowing flexibility in architectural design and style.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck Township, Cunty of Monmouth, State of New Jersey as follows: (additions to text indicated by underline; deletions to text indicated by ~~strikeout~~).

SECTION I: That Section 102-109, Business District Subsection E. Area, yard and site plan requirements is hereby amended and supplemented in the following parts only.

§102-109

E. Area, yard and site plan requirements

2. In order to encourage shopping center designs that will share parking and other features in common, such as a common architectural theme, lighting, signage and landscaping, a shopping center may be constructed in phases, provided that an overall layout of the entire site is approved. Each phase shall then be constructed consistent with the phasing plan or an amended phasing plan. Any amended phasing plan shall be consistent with any prior phase having preliminary or final approval or having been constructed. A shopping center shall have the exterior appearance of separate, smaller storefronts, whether or not the interior space is divided into smaller, individual stores. ~~The architectural theme shall be either Georgian or Colonial. The maximum width of this exterior storefront appearance shall be 60 feet. Each storefront shall vary by changing from one to two stories or by having building front facades offset more than five feet and by other building features, singly or in combination, which shall include variations from adjacent storefronts by distinguishable differences in building materials, colors, rooflines, window treatments or door styles. Buildings within the shopping center may be attached to one another.~~ The minimum distance between detached buildings shall be the distances set forth in the schedule, except that if there is a driveway, parking area, sidewalk or other improvement

located in the space between the buildings the distance between the buildings and these improvements shall be at least 10 feet. Once the site plan is approved, individual sections of buildings may be subdivided along common walls extending from the floor to the roofline in order to locate that building or portion of a building on a separate lot. These sections of the building may be separate lots with zero setbacks for financing and ownership purposes, provided that the approving authority has received and approved, as part of such an application, the condominium documents, cross easements, deed restrictions and other legal documents to assure common and shared vehicle access, parking, loading, emergency access, building maintenance, maintenance of any common property, as well as adherence to the approved signage, lighting, architecture, landscaping, and similar matters as intended and approved as part of the overall site plan.

a. Shopping center applications shall incorporate the following design principles:

(1) Shared parking with, and viable common access between, parking lots to adjoining properties, whether the adjoining properties are developed or not.

(2) Shopping centers shall provide a pedestrian walk along the front building facades, having a minimum width of 12 feet. Changes in the surface material used, pattern, and/or color are encouraged, but not required, in order to define each storefront or to identify pedestrian crosswalks. Street furniture, such as benches, planters and trash receptacles, shall be provided in appropriate locations along the walk.

(3) Outdoor Courtyards, plazas, squares or greens, containing a minimum of 1,500 square feet, shall be required for shopping centers with 10 or more businesses and are encouraged, but not required, for shopping centers with up to nine businesses in an effort to serve as public gathering points and a visual focus. Distinguishable features may be part of the outdoor area, such as fountains, statues, ponds and other forms of artwork or landscaping features with seating arrangements, to promote a comfortable environment for social gatherings.

SECTION II: That Section 102-109, Business District is hereby amended and supplemented to add Subsection "J" entitled :Performance Standards" as follows.

§102-109

J. Performance Standards

1. Nonresidential or mixed use buildings located along Route 34 or the Highway Access Management Road shall be oriented parallel to the street toward Route 34, and the Highway Access Management Road. This shall not apply to any building located behind another building. Orientation shall include the provision of one or more primary building entrance.

2. A Colonial Williamsburg or agricultural architectural style is strongly encouraged but not required. The architectural details and style shall provide varied building elevations, design, and structural appearance within the context of a single unifying theme.

3. Any building used for nonresidential use must incorporate at least three (3) primary Class 1 or Class 2 materials, together composing at least 80% of the façade area. Class 3 and Class 4 materials in aggregate shall not exceed 20% of the façade area. Class 4 materials shall not exceed 10% of the façade area. Appropriately scaled trim of at least three (3) inches in width shall be included around all window and door openings, building corners, roof lines, and façade material transitions. Asphalt shingles, if used, must be laminate style (asphalt shingles that are thicker and more durable than standard 3-tab shingles due to their multiple layers).

4. For this chapter, materials shall be divided into Class 1, Class 2, Class 3, and Class 4 categories as follows:

a. **Class 1 Materials**

1. Fired clay brick laid up in a masonry wall system
2. Fieldstone or natural stone laid up in a masonry wall system
3. Painted or stained wood clapboard
4. Copper panels

b. **Class 2 Materials**

1. Integrally colored, specialty concrete block such as textured, burnished block or split-face block, or concrete brick
2. Thin veneer brick (adhered)
3. Manufactured or cast stone (adhered)
4. Textured architectural concrete panels
5. Masonry stucco

c. **Class 3 Materials**

1. Water-managed Exterior Insulation and Finish System (EIFS) only permitted on facades not facing a public street
2. Fiber-cement board or panels that have the appearance of siding or shingles
3. Decorative opaque panels designed as exterior building finish
4. Ornamental metal

d. **Class 4 Materials**

1. Vinyl siding or panels, irrespective of form or thickness
2. Smooth or scored concrete block
3. Smooth concrete tip-up panels
4. Ceramic
5. Glass block
6. Wood

5. Tripartite structure. Buildings shall have three distinct parts: a base, a midsection, and a top. This evokes the classical column (with its base, shaft, and capital), and the human form (with our feet, body, and head).

6. Embellishment. Traditionally, some parts of a façade that may be embellished/articulated in some fashion or another. A minimum of three of the following elements shall be incorporated in every building.

a. The horizontal base where the building meets the ground (such as a special treatment for the foundation)
b. The horizontal top where the building meets the sky (such as a projecting cornice with brackets)
c. A horizontal section in between (such as a belt course between stories)
d. The vertical corners on the left and right sides (such as corner boards or quoins)
e. Vertical articulation in the middle (such as pilasters)
f. The area around the door/entry (such as a portico or recessed entry)
g. The areas around the windows (such as window surrounds)

h. Embellishment of the walls (such as with decorative brickwork, inset tiles, terra cotta panels)

7. No façade shall have a length exceeding forty (40) feet uninterrupted by one or more of the following features to eliminate blank walls and create a more interesting design.

   a. Projections or recessions in the wall plane at least two (2) feet in depth

   b. Use of porches, balconies, bay windows or arcades

   c. Patterns of columns, piers, ribs or pilasters, insets, or equivalent elements that subdivide the wall

   d. Change in fenestration pattern

8. Building entrances should be articulated to make it easily identifiable by visitors and to provide architectural interest. Examples of special features of entrances include, but are not limited to, awnings, porches steps, porticos, balconies, columns, and architectural treatments.

9. Retail store front design. All retail store fronts must contain a minimum of three design features shown on Figure No. 109-1 (cornice, sign band, transom, bulkhead, recessed entry and pilaster).

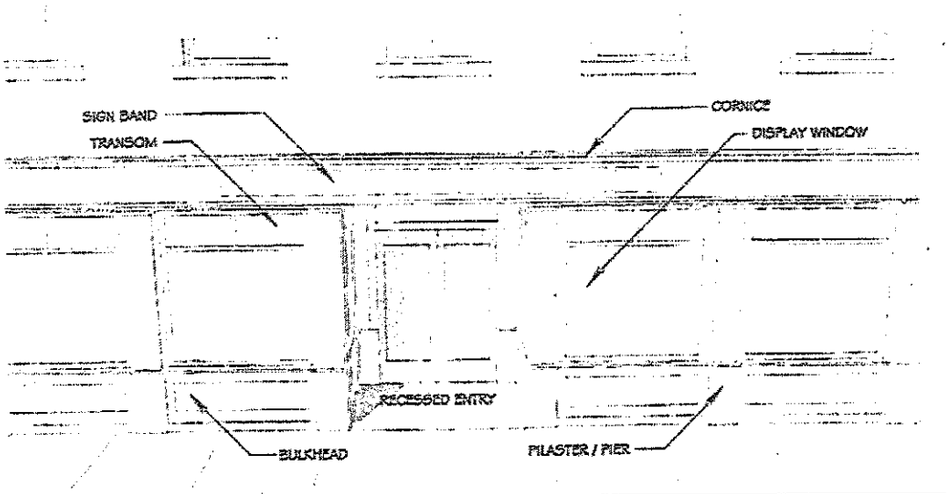


Figure No. 109-1

10. Awnings, if used, shall be constructed and installed so that the frame and fabric of the awning is affixed to the building facade. Awnings shall not extend beyond six feet of the subject building. Awnings shall not be placed so as to conceal or disfigure any architectural feature or detail. Plastic and/or internally illuminated awnings are prohibited. Awnings may be solid or striped but shall be in the same color family as the facade colors. If the building has several tenants, the overall awning design should be consistent and compatible across the entire façade.

11. Roof design:

   a. Flat roofs are prohibited

   b. Roof shape, color, and texture should be coordinated with the exterior materials of the building's façade.

   c. Roof design should minimize the negative impact of roof protrusions by grouping plumbing vents, ducts, and other utility structures together and screened from public streets.

   d. Rooftop equipment such as mechanical units, vents, and flues should be located centrally on the building roof, to the extent practicable. Any equipment visible from a publicly accessible area, adjacent lots, and pedestrian corridors shall be screened using parapets, pitched roof forms, or penthouses. Screening shall be constructed of the same or complementary material as the building.

e. Use of dormers, cupulas, railings, ridge tile friezes, and changes to roof lines to minimize the monotonous appearance of bulky structures.

12. Windows

a. For all retail buildings, at least one street-facing building façade and the façade containing the main building entry, if different from the street faced, shall consist of no less than 25% glass fenestrations (windows and full glass doors) on the first level.

b. First-floor windows of nonresidential uses facing Route 34, Route 537, or the Highway Access Management Road shall be clear; tinted windows in this location are prohibited.

c. Upper windows should use clear glass as opposed to smoked or reflective glass.

d. Upper floor windows should be consistent in style and range proportionately from 1:2 to 3:5 in ration of width to height.

e. Upper floor windows should be divided into individual units or groupings of individual units, rather than a continuous "ribbon."

f. Upper level windows should align with those on the lower level.

g. Use of mullions and lintels on windows is encouraged.

13. Lighting. All exterior buildings and site lighting shall be focused downward with a solid top. Lighting fixtures shall have a maximum height of 25 feet. Fixtures shall not have a shoe box design.

14. All refuse containers shall be enclosed within and screened by a masonry enclosure with an exterior treatment that is the same color and materials of the principal building(s).

15. Street furniture. The installation of all street furniture, including benches, fencing, trash cans, lighting, planters, etc., that is visible from public ways should be selected to match the character of the development.

16. Public Art

a. Public art including murals, sculptures, and similar visual art, is required in developments containing 10 or more businesses to promote arts and culture in the area.

b. Public art shall be exempt from the following standards:

1. Signage standards defined in §102-109 H. Public art shall not be deemed a sign unless the name of the business is included in the art.

2. Total lot coverage as defined in §102-114

3. Setbacks as defined in §102-114

4. Buffer standards as defined in §102-115. Public art may be in buffer areas.

c. Public art shall not be internally illuminated

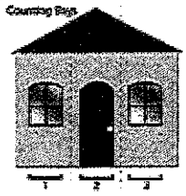
d. Public art shall not obstruct a site triangle, and shall not impede pedestrian, vehicular, or general safety.

17. Attachment 9 – Dictionary of Architectural Terms contains the Pennsylvania Historical and Museum Commission Architectural Field Guide, undated, found at https://www.phmc.state.pa.us/portal/communities/architecture/.

Attachment 9
Dictionary of Architectural Terms

Bays

The number of bays refers to the width of a building by counting the number of openings including both doors and windows. A house with a center door and a window on either side has 3 BAYS.



Belfry

A small square bell tower placed atop a roof to house a bell, often found on churches and schools.

Board and Batten

A construction method for doors or walls in which the wood is arranged in vertical boards and held in place with a horizontal board called a batten.

Brackets

Ornamental supports, usually of wood or pressed metal, which appear at the cornice line of a building. They may be incised into a scrolled patten or be more simply molded and are common to all Italinate style buildings, but often appear with other styles as well.

Bulkhead

A bulkhead is a set of metal door providing an outdoor entrance to the cellar.

Buttress

A wall support usually of stone or brick placed at the sides of a building, commonly seen on some Gothic Revival style churches.

Chair Rail

A chair rail is decorative wooden trim attached horizontally at the approximate height of the back of a straight chair.

Chimneys

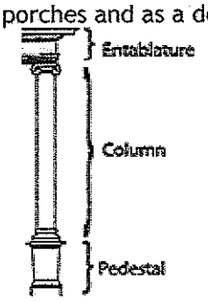
Chimneys are usually built of stone or brick (more modern chimneys may be of cinder block) and are located at either the exterior side walls of the building or at the center or interior of the building. Certain vernacular folk building patterns locate the chimney at the center of the house or at the corner.

Clapboard

A narrow wooden board, thinner at one edge than the other, applied horizontally to the exterior walls of buildings to form a weather-tight wall surface.

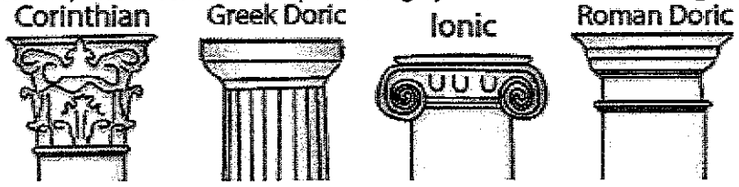
Column

A support pillar, usually round, found on porches and as a decorative detail.



Column Capitals

Capitals are the tops of round columns and may be of several distinct types or orders. Greek Doric capitals are fluted and plain, Roman Doric capitals are smooth and plain, Ionic capitals have a rams horns at all four corners, and a Corinthian capital is highly decorative with curling acanthus leaves.



Coping

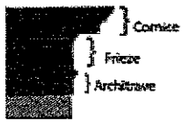
The capping at the top of a wall for protection from weather elements.

Corbel

A decorative use of brick atop the windows, walls or chimney or to create the shape of a bracket or dentil at the top of a building beneath the cornice.

Cornice

A cornice is the finished edge of the roof where it meets the exterior wall, of varying sizes, sometime plain, but often decorative and marked by brackets, dentils, medalions or some other decorative feature.



Crenelated Parapet

A low retaining wall at the edge of a roof or porch with a uniform pattern of openings creating a battlement. In medieval times the openings were used for the defense of fortresses, hence the term battlement.

Cresting

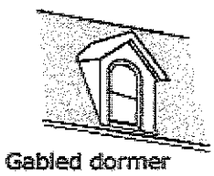
Roof cresting is a lacy decorative fencing made of wrought iron, rimming the edge or peak of a roof, often seen in Second Empire (Mansard) style buildings.

Cupola

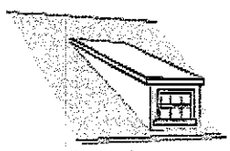
A cupola is a decorative, small, projecting tower at the top of the roof of a building, often square, round or ocatagonal in shape.

Dormer

A window opening at the roof level, topped by a front gable or shed roof.



Gabled dormer



Shed dormer

Eaves

The edge of the roof that overhangs the exterior walls, sometimes with exposed rafters.

Eyelid Dormer

A half-elliptical decorative window placed in the roof surface, resembling the shape of an eye.

Facade

The face of a building, usually referring to the front.

Fanligh

A semi-circular (fan shaped) window placed atop a door, commonly seen in Federal and Colonial Revival style buildings.

Fenestration Pattern

The arrangement of windows across the facade of a building.

Finial

A decorative piece set atop a spire, cupola, gable or gate post.

Flemish Gable

A decorative gable form ,often seen in Flanders and the Netherlands, the sides of which drop in a cascade of right angles, also called a crow-stepped gable. Used as a decorative embellishment in Victorian era styles in the USA.

Floor Plan

The layout of the various levels of a building, showing the location of rooms, interior walls, chimneys, porches and staircases.

Fluting

Fluting is a decorative finish for wooden columns or trim where parallel grooves are carved vertically along the surface.

Frieze

A frieze is the panel beneath the cornice at the top of a building' exterior wall which is often ornamented with brackets, dentils or modallions.

Lintel

The flat horizontal piece at the top of a window.

Masonry

A type of construction using stone, brick, tile or concrete block using mortar.

Molding

A decorative raised surface along the edge of an architectural feature such as a window, column, door or wall.

Mortar

A mixture of sand, water, lime and cement used to lay bricks, stone, tile or concrete block.

Mullions

The wooden divisions between panes of glass on windows.

Ogee Arch

A center pointed arch with reverse curve sides, often seen on Exotic Moorish Revival style buildings.

Oriel Window

A projecting bay window supported by brackets or a triangual support piece.

Palladian Window

A three-part, round-arched window, named for the 15th century Italian architect Andreas Palladino, also known as a Venetian Window and common in the Georgian and Colonial Revival styles.

Parapet

A parapet is a low stone or brick wall at the top of a building. A crenelated parapet has rhythmic breaks in the wall to create a pattern of battlements.

Pediment

A triangular space created by a front facing gable roof, often seen in Classical Revivial style buildings.

Pendant

An ornamental piece of wood or metal hanging down from a porch, cornice or bracket.

Pent Roof

A narrow shed style roof placed above the first floor of a building to protect the doors, windows and lower walls, often covering all four sides of the building.

Pilar

A support column without classical detailing.

Pilaster

A pilaster is a narrowly protruding column attached to a wall, giving the illusion of a real free standing support column.

Pointed Arch

An arch with a strong center point, usually seen in Gothic Revival style buildings.

Porch

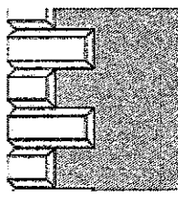
A roofed space outside the mains support walls of a building.

Portico

A small entrance porch.

Quoins

Quoins are decorative rectangles or squares of stone, brick, wood or concrete, placed at the corners of buildings to add architectural interest.

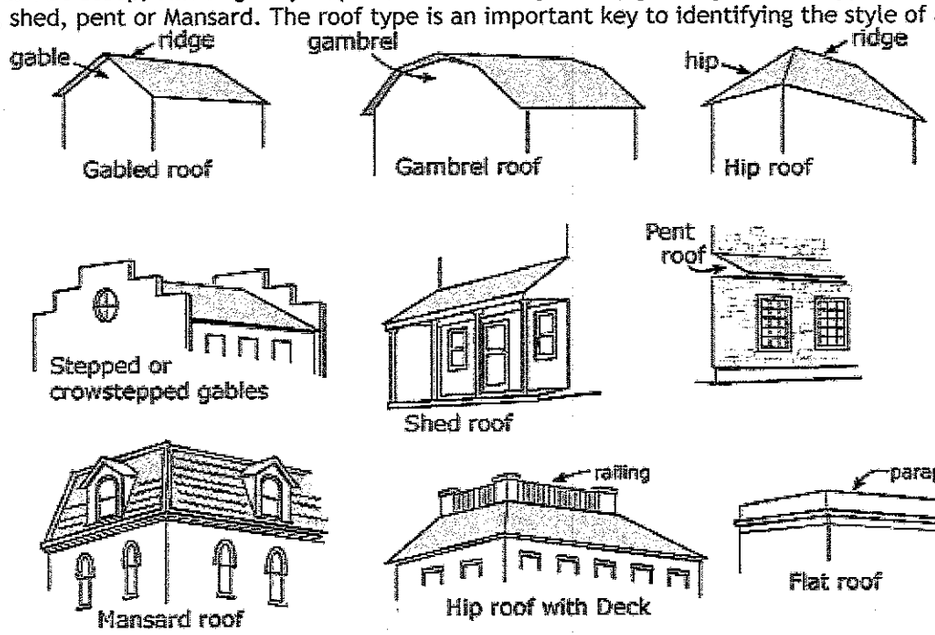


Rafters

The wooden structural support beams for a roof, sometimes visible on the exterior for certain building types and styles.

Roof

Roofs can be steep, flat or gently sloped and take many forms, gable, gambrel, hipped, stepped gable, shed, pent or Mansard. The roof type is an important key to identifying the style of a building.



Round Arch

A semicircular arch over a window or door.

Segmental Arch

A slightly rounded arch over a window or door.

Semi-Elliptical Arch

A elongated round arch over a window or door.

Sill

The flat horizontal bottom piece of a window or door, often of wood, but sometimes of stone.

Stoop

The uncovered wide step leading into the front or main door of a building.

Stories

The number of stories a building reflects its height by counting the stacked floors. If a building has dormer windows inset into the roof, that top section of the building is called a 1/2 story.

Stucco

A thin coating of plaster applied over exterior walls.

Tourelle

A small tower, often trimmed with corbelling.

Tower

A tall structure, either square or round in shape, rising higher than the rest of the building.

Tracery Window

A pointed arch window filled with curving stone mullions often seen on Gothic Revival style buildings.

Transom Light

A flat, glass panel above a door, usually multi-paned.

Tudor Arch

A flattened arch with a center point above a door or window, commonly seen in Tudor Revival style buildings, (also called a 4 centered arch).

Turret

A small tower at the corner of a building.

Wainscot

The wainscot is the wood covered lower portion of an interior wall, usually topped by a chair rail. A wooden wainscot can be plain or paneled with a patten of raised wooden trim.

Walls

Historic exterior wall construction can be of log, stone, brick, frame or stucco over such. In the more modern era, wall material could be of formed concrete, glass, or metal. Carrera glass was an early 20th century innovation producing a sleek, smooth colored glass finish, often applied to first floor walls of commercial buildings.

Weatherboard

An exterior horizontal wooden board applied with the lower edge overlapping the board below used to form exterior walls (wider and less shaped than a clapboard, although used for the same purpose).

SECTION III Severability. If any section, paragraph subsection, clause or provision of this ordinance shall be adjudged 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 IV Repealer. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this ordinance shall remain in full force and effect.

SECTION V Inconsistent ordinance. All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION VI This ordinance shall take effect immediately upon passage, publication and filing according to 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 10th 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	M		X									
Buzzetta			X									
Fitzpatrick		S	X									
Rizzuto			X									
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												

ORDINANCE 2025-19

BOND ORDINANCE PROVIDING FOR THE EXTENSION OF AFFORDABILITY CONTROLS ON CERTAIN UNITS LOCATED AT THE GRANDE AT COLTS NECK, A CONDOMINIUM, IN AND BY THE TOWNSHIP OF COLTS NECK, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING $2,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $2,375,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF COLTS NECK, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of $2,500,000, including the sum of $125,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of $2,375,000 pursuant to the Local Bond Law. In anticipation of the issuance

of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the extension of affordability controls in accordance with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1, et seq., to support the preservation of the affordable housing at The Grande at Colts Neck, a Condominium, for affordable housing units aniciapated to be, but not limited to, the units as set forth on the attached Exhibit A, and including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to

the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been

filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $2,375,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding $375,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit

of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond 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 10th 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	M		X									
Buzzetta			X									
Fitzpatrick		S	X									
Rizzuto			X									

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

ORDINANCE 2025-20

ORDINANCE OF THE TOWNSHIP COMMITTEE OF COLTS NECK TOWNSHIP AUTHORIZING THE ACQUISITION OF REAL PROPERTY DESIGNATED AS BLOCK 41.01, LOT 43 ON THE TAX MAP OF COLTS NECK

WHEREAS, Local Lands and Buildings Law, *N.J.S.A.* 40A:12-5, *et seq.*, as amended, authorizes municipalities to acquire any real property by purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement; and

WHEREAS, the Township has negotiated the purchase of the property identified as Lot 43, Block 4.01 on the tax map of Colts Neck Township and located at 34 Federal Key, Colts Neck, New Jersey (the "Property") for the acquisition price of Two Hundred and Two Thousand Nine Hundred and Twenty ($202,920.00) Dollars (the "Purchase Price"); and

WHEREAS, the Township has available funds for the Purchase Price pursuant to Bond Ordinance #2009-19 adopted on November 12, 2009; and

WHEREAS, the Township Committee of Colts Neck Township hereby determines that it is necessary and in the public interest to acquire the Property pursuant to the Uniform Housing Affordability Controls, which are found in the New Jersey Administrative Code at Title 5, chapter 80, subchapter 26 (N.J.A.C. 5:80-26.1, *et seq),* wherein the Town will be exercising its right of first refusal to purchase the Property at its maximum restricted sale price in order to preserve the unit as an affordable housing unit; and

WHEREAS, the governing body desires to formally authorize the acquisition of the Property in order to acquire title of the subject Property.

NOW THEREFORE BE IT ORDAINED by the Township Committee of Colts Neck Township, County of Monmouth, State of New Jersey as follows:

1. **RECITALS INCORPORATED**: The above recitals are incorporated into this section of the Ordinance as if specifically set forth at length herein.
2. **FINDINGS**: The Mayor and Township Committee find that it is in the best interests of the Township to acquire the Property located at Block 41.01, Lot 43 on the Tax Map of Colts Neck Township to provide the opportunity for appropriate and beneficial use of this property.
3. **PURCHASE OF PROPERTY**: The Mayor and Township Committee of Colts Neck Township authorizes any and all necessary and appropriate actions by municipal officials including the Mayor, Township Administrator, Township Clerk

and Township Attorney, for the acquisition of the Property as set forth herein through negotiation and purchase, including, but not limited to, the hiring of any experts, engaging the services of land surveyors, title insurance companies, and any other professional whose services are necessary or appropriate to implement the purposes of this Ordinance for the purchase price of Two Hundred and Two Thousand Nine Hundred and Twenty ($202,920.00) Dollars, and taking any and all other actions, administrative or other nature, necessary to complete the process contemplated by this Ordinance.

4. **IDENTIFICATION OF PROPERTY**: The Property authorized for purchase pursuant to this Ordinance is designated as Block 41.01, Lot 43 on the tax map of Colts Neck Township.

5. **OFFICIALS AUTHORIZED**: All appropriate officials of the municipality, including, but not limited to, the Mayor, Township Administrator, Township Clerk, Township Attorney, and all experts or others acting on behalf of the Township are authorized by this Ordinance to sign any and all documentation and take any and all action necessary to effectuate the purposes and intention of this Ordinance.

6. **REPEALER:** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

7. **SEVERABILITY**: If any section, paragraph, subdivision, subsection, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause, or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

8. **EFFECTIVE DATE**: This Ordinance shall take effect immediately upon final adoption and publication as required by law.

BE IT FURTHER RESOLVED that a copy of this Ordinance, certified by the Township Clerk to be a true copy, be forwarded to each of the following:

1. Meghan Bennett, Township Attorney
2. Thomas Trautner, Affordable Housing Attorney

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 10th 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	M		X									
Buzzetta			X									
Fitzpatrick			X									
Rizzuto		S	X									
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												

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 10th 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