COLTS NECK TOWNSHIP
ORDINANCE NUMBER 2023-1

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2022-4 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE ON APRIL 27, 2022, TO INCREASE THE APPROPRIATION THEREIN BY $300,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY $285,714 TO FINANCE PART OF THE ADDITIONAL COSTS THEREOF

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

SECTION 1. The bond ordinance of Colts Neck Township, in the County of Monmouth, State of New Jersey (the "Township"), heretofore finally adopted by the Township Committee on April 27, 2022, number 2022-4, entitled: "BOND ORDINANCE PROVIDING FOR THE ACQUISITION AND THE PAYMENT OF THE PURCHASE PRICE OF REAL PROPERTY DESIGNATED AS BLOCK 41, LOT 29 ON THE OFFICIAL TAX MAP OF, BY AND IN THE TOWNSHIP OF COLTS NECK, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING $2,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $2,000,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows:

SECTION 2. For the improvements or purposes described in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, there is hereby appropriated the additional sum of $300,000, said sum being inclusive of $14,286 as the amount of an additional down payment as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes. Therefore, the total appropriation contained in the Original

Ordinance, as amended and supplemented hereby, shall be increased by $300,000 from $2,100,000 and shall equal the amount of $2,400,000, said sum being inclusive of all appropriations heretofore made in the Original Ordinance, as amended and supplemented hereby, including the total amount of down payment increased by $14,286 from $100,000 to equal $114,286. The total appropriation including the total amount of down payment is $2,400,000.

SECTION 3. In order to finance the additional cost of the improvements or purposes set forth in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, not covered by the additional down payment, additional negotiable bonds or notes of the Township in the amount of $285,714 are hereby authorized to be issued by the Township for such improvements or purposes in Section 3(a) of the Original Ordinance, as amended and supplemented, such that the total authorization of negotiable bonds or notes to be issued by the Township for the improvements or purposes stated in the Original Ordinance, as amended and supplemented hereby, shall be increased by $285,714 from $2,000,000 and shall equal the amount of $2,285,714.

SECTION 4. The Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this amendatory and supplemental bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs (the "Director of the Division of Local Government Services"), will be on file in the office of the Clerk and will be available for public inspection.

SECTION 5. The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and 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 for in this amendatory and supplemental bond ordinance by $285,714 and the said obligations authorized herein will be within all debt limitations prescribed by law.

SECTION 6. 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 the Original Ordinance, as amended and supplemented hereby. 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 as to rate or amount.

SECTION 7. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of the Original Ordinance, as amended and supplemented hereby, and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 8. The Township Chief Financial Officer 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 Township 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 9. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

SECTION 10. Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: January 6, 2023

_____
TRINA LINDSEY,
Clerk of Colts Neck Township

ADOPTED ON SECOND READING
DATED: January 25, 2023

_____
TRINA LINDSEY,
Clerk of Colts Neck Township

RECORD OF VOTE										
	First Reading						Second Reading			
	January 6, 2023						January 25, 2023			
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Fitzpatrick			X									
Deputy Mayor Rizzuto	M		X									
Torchia Buss			X									
Viola	S		X									
Bartolomeo			X									

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

ORDINANCE NO. 2023-2

ORDINANCE AMENDING SECTION 2, "ESTABLISHMENT OF FEES", OF CHAPTER 41, "MISCELLANEOUS FEES" OF THE CODE OF COLTS NECK TOWNSHIP, COUNTY OF MONMOUTH, AND STATE OF NEW JERSEY

WHEREAS, the Colts Neck Township ("Township") is undertaking new recycling collection procedures; and

WHEREAS, the Township recycling procedures include providing resident households with one (1) recycling cart free of charge and making further carts available for purchase from the Township; and

WHEREAS, such procedures encourage recycling while also assisting the Township in defraying the cost of providing recycling carts in a fair way;

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

§ 41-2 Establishment of fees.

A. Photocopy costs. Pursuant to N.J.S.A. 47:1A-2, the following rates are to be charged for persons or entities seeking photocopies of municipal records:

(1) Photocopying charges: $0.05 per page for 8 1/2 inches by 11 inches; $0.07 per page for legal-size.

B. Website advertisement costs. To defray costs associated with the setup and operation of the Colts Neck Municipal Website, the governing body has determined that it is in the public interest to make available sufficient space to accommodate businesses located in the Township of Colts Neck on the website on a first-come-first served basis at a cost of $25 per space per annum. These spaces shall be made available to businesses holding valid mercantile licenses issued by the Township of Colts Neck and which are located within the Township of Colts Neck. The advertisements shall be compiled in the nature of a business directory.

C. Chapter 102, Development Regulations, of the Township of Colts Neck with Zoning Map: $50.

D. Zoning Map of the Township of Colts Neck: $5.

E. Master Plan of the Township of Colts Neck: $50.

F. Street Map of the Township of Colts Neck: $5.

G. Preparation and certification of a list of property owners from the current tax duplicates: $0.50 per name or $20, whichever is greater.

H. Photocopy of engineering or architectural drawings.

(1) Twenty-four-inch by thirty-six-inch size sheets: $12 per sheet.

(2) Thirty-inch by forty-two-inch size sheets: $12 per sheet.

I. Registrar of Vital Statistic Documents and Services:

(1) Marriage license: $28.

(2) Certified copies of marriage, birth and death certificates: $20.

(3) Processing fee for corrections to marriage, birth and death certificates: $20.

(4) Domestic partnership license: $28.

(5) Vital statistic search fee: $10.

J. Firearm Map of the Township of Colts Neck: $5.

K. Copy of any formal bid packages: $50.

L. Film permit.

(1) Definitions.

FILMING

The taking of still or motion pictures, either on film or videotape, or similar recording medium, for commercial or educational purposes, intended for viewing on television, in theaters or for institutional uses. The provisions of this chapter shall not be deemed to include the filming of news stories within the Township of Colts Neck.

PUBLIC LANDS

Any and every public street, highway, sidewalk, square, public park or playground or any other public place within the Township which is within the jurisdiction and control of the Township of Colts Neck.

(2) Permit required.

(a) No person or organization shall film or permit filming on public or private land within the Township of Colts Neck without first having obtained a permit from the office of the Municipal Clerk, which permit shall set forth the approved location of such filming and the approved duration of such filming by specific reference to day or dates. No permit shall authorize filming for more than three consecutive days in any one location, and in no event shall filming at one location within the Township exceed a total of six days in any one calendar year, regardless of the number of permits utilized in reaching this six-day maximum. Said permit must be readily available for inspection by the Township officials at all times at the site of the filming. The six-day limitation may be extended only if the filming requested constitutes a major motion picture or television series.

(b) All permits shall be applied for and obtained from the office of the Municipal Clerk during normal business hours. Applications for such permits shall be in a form approved by the Municipal Clerk and be accompanied by a permit fee in the amount established by this chapter.

[1] If a permit is issued and, due to inclement weather or other good cause, filming does not in fact take place on the dates specified, the Municipal Clerk may, at the request of the applicant, issue a new permit for filming on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this permit.

(3) Issuance of permits.

(a) No permits will be issued by the Municipal Clerk unless applied for prior to five days before the requested shooting; provided, however, that the Municipal Clerk may waive the five-day period if, in his or her judgment, the applicant has obtained all related approval and adjacent property owners or tenants do not need to be notified.

(b) Proof of insurance coverage must be provided for filming on public lands, prior to issuance of any permit, in the following amounts:

[1] For bodily injury to any one person, in the amount of $500,000, and any occurrence, in the aggregate amount of $1,000,000.

[2] For property damage, for each occurrence, in the aggregate amount of $300,000.

(c) No permit shall be issued without an agreement, in writing, whereby the applicant agrees to indemnify and save harmless the Township of Colts Neck from any liability, expense, claim or damages resulting from the use of public lands.

(4) Filming in residential zones. Filming in residential zones shall be permitted Monday through Friday between the hours of 7:00 a.m. and 9:00 p.m. The setup, production and breakdown required by all filming shall be included in the hours as set forth herein.

(5) Refusal to issue permit. The Municipal Clerk may refuse to issue a permit whenever he determines, on the basis of objective facts and after a review of the application and a report thereon by the Police Department, that the filming would pose either an undue hardship on the public by interference with the use and enjoyment of their property or by presenting a possibility of endangering the health, safety and well-being of the public.

(6) Appeal. Any person aggrieved by a decision of the Municipal Clerk denying or revoking a permit may appeal to the Township Committee. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Municipal Clerk within 10 days from the Municipal Clerk's decision. A hearing date shall be provided within 30 days from the receipt of the appeal. The decision of the Township Committee shall be in the form of a resolution.

(7) Fees.

(a) Application fee: $100.

(b) Filming permit: The Municipal Clerk shall set a per-day permit fee in his or her discretion, as the situation may warrant, taking into consideration the totality of the circumstances and impact that the filming will present to the Township and its residents.

M. Additional Recycling Carts. Whereas each resident household shall be provided by the Township with one (1) recycling cart at no cost to the household, additional recycling carts may be purchased from the Township at a cost of $120.00 per cart.

I, Trina Lindsey, Township Clerk of Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2023-2 which was introduced at a duly convened meeting of the Township Committee on January 11, 2023. A public hearing will be held on January 25, 2023, 7:00 p.m. Town Hall, 1 Veterans Way.

Sue Fitzpatrick, Mayor

Trina Lindsey, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	January 11, 2023					January 25, 2023				
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Fitzpatrick			X									
Deputy Mayor Rizzuto			X									
Torchia Buss			X									
Viola		S	X									
Bartolomeo	M		X									
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												