ORDINANCE 2020-1

AN ORDINANCE ENTITLED THE 2020 SALARY ORDINANCE FOR COLTS NECK TOWNSHIP (COLLECTIVE BARGAINING UNIT CONTRACTS)

BE IT ORDAINED by the Township Committee of Colts Neck Township, in the County of Monmouth, as follows:

SECTION ONE: The salaries to be paid to appointed officials and employees of Colts Neck Township, in the County of Monmouth, and the time for payment of same, is hereby fixed as follows for 2020:

1. **Deputy Treasurer/Tax Collector** – an annual salary of up to $43,693.00, payable in equal installments, bi-weekly.

2. **Secretary to Planning Board/Board of Adjustment** – an annual salary of up to $50,283.00 plus up to $100.00 per meeting for Planning Board and up to $100.00 per meeting for Board of Adjustment, payable in equal installments, bi-weekly.

3. **Secretary to Police Department** – an annual salary of up to $44,657.00, payable in equal installments, bi-weekly.

4. **Secretary to Public Works Department** – an annual salary of up to $48,686.00, payable in equal installments, bi-weekly.

5. **Secretary to Recreation Department** – an annual salary of up to $44,475.00, plus up to $100.00 per meeting, payable in equal installments, bi-weekly.

6. **Tax Clerk/Bookkeeper** – an annual salary of up to $40,800.00, payable in equal installments, bi-weekly.

SECTION TWO: The salaries to be paid to Police Officers of Colts Neck Township, in the County of Monmouth, are hereby fixed up to the following for 2020:

STEP	2020 SALARY
1st	$42,000.00
2nd	$45,130.00
3rd	$48,494.00
4th	$53,013.00
5th	$57,533.00
6th	$64,516.00
7th	$69,401.00
8th	$74,165.00
9th	$79,240.00
10th	$85,330.00
11th	$91,870.00
12th	$97,960.00
13th	$104,050.00
14th	$113,725.83
Corporal	$118,263.92
Sergeant	$125,365.80

SECTION THREE: Eligible Police Officers shall receive a yearly education incentive, as follows:

DEGREE	AMOUNT
Associate's	$ 700.00
Bachelor's	$1,500.00
Master's	$2,400.00

SECTION FOUR: All Ordinances, or parts of Ordinances, in conflict with this Ordinance, or any part thereof, are hereby repealed. All salaries contained herein are effective as of January 1, 2020 unless otherwise noted.

SECTION NINE: The Township retains the right to pay yearly salaries and wages at amounts less than those listed herein.

I, Trina Lindsey, Municipal Clerk in Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2020-1, introduced at a duly convened meeting of the Township Committee on the 8th day of January 2020, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 29th day of January 2020

Frank Rizzuto, Mayor

Trina Lindsey, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	January 8, 2020					January 29, 2020				
Committeeman	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab
Mayor Rizzuto		X								
Deputy Mayor Viola		X								
Bartolomeo	M	X								
Fitzpatrick	S	X								
Orgo		X								
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent										

ORDINANCE 2020-2

AN ORDINANCE TO AMEND THE TOWNSHIP OF COLTS NECK MUNICIPAL CODE CHAPTER 205 ENTITLED "TAXATION" TO ADD ARTICLE III ENTITLED "PROPERTY TAX EXEMPTION FOR TOTALLY DISABLED VETERANS AND SURVIVING SPOUSES"

WHEREAS, N.J.S.A. 54:4-3.30 permits certain totally disabled war veterans, unmarried surviving spouses of such disabled war veterans, or the unmarried surviving spouses of servicepersons who died on wartime active duty, to receive real property tax exemption on their principal residence and the lot on which it is situated; and

WHEREAS, qualifying individuals must have active wartime service in the United States Armed Forces, be honorably discharged, be a legal resident of New Jersey, own and occupy the home as a principal residence, and must be certified by the US Department of Veterans Affairs to be 100% permanently totally disabled as a result of wartime service;

WHEREAS, pursuant to N.J.S.A. 54:4-3.31, qualified individuals may apply for the property tax emption by filing a claim in writing under oath with the municipal tax assessor; and

WHEREAS, once accepted by the municipal tax assessor, the property tax exemption shall be placed upon the municipal tax rolls, and the exemption shall be prorated by the municipal tax assessor for the remainder of any taxable year from the date the written claim was accepted by the tax assessor; and

WHEREAS, pursuant to N.J.S.A. 54:4-.32, it is within the discretion of the governing body to determine whether to refund prior property taxes to qualifying individuals from the time they would have been exempt had a proper claim in writing been made pursuant to N.J.S.A. 54:4-3.30; and

WHEREAS, the Township Committee recognizes that a delay from when the veteran is deemed 100% disabled to when the claim for the property tax exemption is made could dramatically affect the amount of refunds being requested; and

WHEREAS, the Township Committee further recognizes that while special status is accorded to disabled veteran's in this scenario, the financial affairs of the municipality must also be taken into consideration; and

WHEREAS, the Township Committee of Colts Neck has determined that it is in the best interest of the municipality to adopt a uniform policy surrounding requests for refunds pursuant to N.J.S.A. 54:4-3.32, to allow a refund of property taxes for the qualifying individuals up to a year.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck Township in the County of Monmouth, State of New Jersey that Chapter 205 of the Township Municipal Code be amended to add Article III, entitled "Property Tax Exemption for Totally Disabled Veterans and Surviving Spouses" be adopted as follows:

Article III. Property Tax Exemption for Totally Disabled Veterans and Surviving Spouses

§205-5 Exemption

Pursuant to N.J.S.A. 54:4-3.30 et seq., qualified totally disabled veterans, and unmarried surviving spouses of qualified totally disabled veterans, owning and occupying a dwelling in the Township of Colts Neck shall be eligible for a property tax exemption upon completion of the necessary application materials to be filed with the Township's Tax Assessor.

An eligible veteran shall be defined as a member of the United States Armed

Forces who was either honorably discharged or released under honorable circumstances from active wartime service, as defined by the New Jersey Legislature, who is a legal resident of New Jersey that owns and occupies the home they are seeking a property tax emption on as their principal residence, and who has been certified by the U.S. Department of Veterans Affairs to have a wartime service-connected disability stating you are 100% permanently and totally disabled.

Surviving spouses of totally disabled veterans may qualify for the exemption if they can provide a U.S. Department of Veterans Affairs certification of wartime service-connected disability stating the deceased veteran was 100% permanently and totally disabled, or died, during active wartime service. They must also confirm that the deceased spouse was a legal resident of New Jersey at death. The surviving spouse must be a current resident of New Jersey that owns and occupies the home as a principal residence. Finally the surviving spouse must show they have not remarried or formed a new registered civil union/domestic partnership.

§205-6 Applicability

In order to qualify for the property tax exemption, the veteran or qualified surviving spouse must first obtain a determination from the U.S. Department of Veterans Affairs that the veteran was 100% permanently and totally disabled based upon wartime service.

Next, the veteran or someone on his/her behalf, under oath, must file a written claim with the Township's Tax Assessor's office. The Tax Assessor's office will supply the applicant with the appropriate paperwork and the applicant will be required to provide the Tax Assessor's office with the following information:

1. Reason for exemption;
2. A description of the property for which the exemption is claimed;
3. A certificate of claimant's honorable discharge or release under honorable circumstances from active service, in time of war and a certificate/letter from the United States Veteran's Administration or its successors, certifying to a service connected disability;
4. Any other documentation as required by statute at the time the application is made.

§205-7 Surviving Spouse Exemption

In order for a surviving spouse of a veteran to qualify for the municipal tax exemption, the spouse, under oath, must file a written claim with the Tax Assessor's office. The Tax Assessor's office will supply the surviving spouse with the appropriate paperwork and the applicant will be required to provide the Tax Assessor's office with the following information:

1. Proof to establish that the spouse is the owner of legal title to the premises on which the exemption is made;
2. That the surviving spouse occupies the dwelling house on said premises as the surviving spouse's legal residence in the State of New Jersey;
3. That the veteran has been declared by the United States Veteran's Administration to have a service connected disability or that the veteran shall have been declared to have die in active service in time of war;
4. That the veteran is or would have been entitled to the exemption at the time of death;
5. The surviving spouse is a resident of the State of New Jersey and has

not remarried.

§205-8 Refunds of Prior Property Tax

In determining a grant of a property tax exemption under this section, the Township will pro-rate the exemption for the remainder of the year in which application is made and accepted by the Borough. Additionally, pursuant to N.J.S.A. 54:4-3.32 the Township shall refund the veteran or surviving spouse all taxes previously paid for the year in which the application to the Township is made, retroactive to January 1st of said year. There shall be no further retroactive refund granted, regardless of the disability date determination of the United States Veteran's Administration.

BE IT FURTHER ORDAINED, that if any portion of this Ordinance shall be declared invalid as a matter of law, such declaration shall not affect the remainder of said Ordinance; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication.

I, Trina Lindsey, Municipal Clerk in Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2020-2, introduced at a duly convened meeting of the Township Committee on the 29th day of January 2020, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 12th day of February 2020

Frank Rizzuto, Mayor

Trina Lindsey, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	January 29, 2020					February 12, 2020				
Committeeman	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab
Mayor Rizzuto										
Deputy Mayor Viola										
Bartolomeo										
Fitzpatrick										
Orgo										
M - Moved S - Seconded	X - indicates vote			NV - Not Voting			Ab - Absent			

ORDINANCE 2020-3

AN ORDINANCE AMENDING CHAPTER 57 OF THE COLTS NECK TOWNSHIP MUNICIPAL CODE ENTITLED "RECREATION COMMITTEE"

WHEREAS, the Township of Colts Neck (the "Township") has a Recreation Committee established pursuant to Chapter 57 of the Township Municipal Code, which was established to work with the Township Recreation Department to recommend recreation programs and oversee the progress of approved recreation programs within the Township; and

WHEREAS, there is a nonprofit foundation, the Colts Neck Sport Foundation, which also works in collaboration with the Township and Township Recreation Department to provide sports activities for the residents of the Township; and

WHEREAS, the Township Committee has determined that it is in the best interests of Township residents to reserve one board seat on the Township Recreation Committee for a member of the Colts Neck Sports Foundation; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck Township in the County of Monmouth, State of New Jersey that Chapter 57 of the Township Municipal Code be amended to reflect that a seat on the Township's Recreation Committee be reserved for a member of the Colts Neck Sports Foundation as follows (additions to text indicated by **underline**; deletions to text indicated by ~~strikeout~~):

§ 57-3 Membership; terms of office; ex officio member.

A. Said Recreation Committee shall be comprised of not fewer than five nor more than 11 members, who shall be citizens and residents of the Township of Colts Neck.

B. The members first appointed shall hold office for one, two and three years, respectively, in such a manner that the terms of at least one member and not more than four members shall expire each year. Thereafter, all appointments shall be for terms of three years and all vacancies shall be filled for the unexpired term only.

C. One member of the Township Committee shall be appointed by the Mayor to serve as ex officio member of the Recreation Committee but shall have no vote unless he or she also is formally appointed a member of said Committee. Additional ex officio members (liaisons) from the Colts Neck School Board, Sports Foundation and other organizations may serve on the Recreation Committee but shall have no vote unless he or she also is formally appointed a member of said Committee.

D. <u>One seat on the Recreation Committee shall be reserved for a Board member of the Colts Neck Sports Foundation. The member appointed from the Colts Neck Sports Foundation must remain a Board member of the Colts Neck Sports Foundation in order to maintain his or her seat on the Recreation Committee. Should the Recreation Committee Board member no longer serve on the Colts Neck Sports Foundation's Board, then that person will be replaced on the Recreation Committee Board by a current Board member of the Colts Neck Sports Foundation for the remaining term. If the Colts Neck Sports Foundation dissolves, disbands, or otherwise ceases to operate, their respective position on the Recreation Committee will be terminated and cease to exist.</u>

BE IT FURTHER ORDAINED, that if any portion of this Ordinance shall be declared invalid as a matter of law, such declaration shall not affect the remainder of said Ordinance; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication.

I, Trina Lindsey, Municipal Clerk in Colts Neck Township, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2020-2, introduced at a duly convened meeting of the Township Committee on the 29th day of January 2020, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 12th day of February 2020

Frank Rizzuto, Mayor

Trina Lindsey, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	January 29, 2020					February 12, 2020				
Committeeman	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Rizzuto												
Deputy Mayor Viola												
Bartolomeo												
Fitzpatrick												
Orgo												
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												