

ORDINANCE 2020-7

**AN ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of Colts Neck Township in the County of Monmouth finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$ 89,192.28 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck Township, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Colts Neck Township shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$312,180.49, and that the CY 2020 municipal budget for the Colts Neck Township be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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. 2020-7, introduced at a duly convened meeting of the Township Committee on the 26th day of February 2020, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 8th day of April 2020

Frank Rizzuto, Mayor

Trina Lindsey, Municipal Clerk

RECORD OF VOTE												
	First Reading					Second Reading						
	February 26, 2020					April 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			X									
Orgo		S	X									
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												

ORDINANCE 2020-8

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 28, TITLED “FIRE DEPARTMENT”, AND CHAPTER 68, TITLED “VOLUNTEER INCENTIVES”, OF THE CODE OF THE TOWNSHIP OF COLTS NECK

WHEREAS, the Township Committee of the Township of Colts Neck (“Township”) has determined that certain modifications to the Township’s Fire Department code are necessary to ensure local fire department regulations are revised to meet current local standards; and

WHEREAS, the Township Committee has also determined that modifications to the Township’s volunteer incentives are necessary to ensure adequate incentives are offered to Fire Department Volunteers with the intent to retain and recruit additional volunteer members; and

WHEREAS, the Township Committee has consulted with the Executive Fire Council (“EFC”) of the Colts Neck Fire Department, and the EFC has proposed the recommended changes; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck Township in the County of Monmouth, State of New Jersey amends Chapter 28, Fire Department, and Chapter 68, Volunteer Incentives, of the Township Code as noted below.

NOW, BE IT FURTHER ORDAINED that all Sections of Chapter 28 and 68 not included below shall remain unchanged. All additions to text are indicated by underline and all deletions to text indicated by ~~strikeout~~.

NOW, BE IT FURTHER ORDAINED modifications to Chapter 28, Fire Department, shall be as follows:

Chapter 28. Fire Department

§ 28-3 Executive Fire Council: organization, jurisdiction, duties.

A. Membership.

1. An Executive Fire Council shall be organized within the Fire Department, consisting of the Department Chief, representatives from each of the constituent fire companies, consisting of the Captain of each Fire Company and two other active members from each of said volunteer fire companies. In addition, members of the Fire Committee or its equivalent of the Township Committee, designated by the Township Committee from among Committee members, shall be ex officio members of the Executive Fire Council, but such Fire Committee members shall hold no office within the Fire Department or Executive Fire Council. They shall, however, have a right to vote on all matters coming before the Executive Fire Council on which it is authorized to vote. In addition to the foregoing designated membership of the Executive Fire Council, the Department Deputy Chief and the outgoing Department Chief shall be members of said Council.
2. Each company ~~may~~ **shall** designate alternate members to the Executive Fire Council. Such alternate members shall be selected and designated in the same manner as the two active members above mentioned. Such alternate member(s) may participate in meetings of the Executive Fire Council and vote in the place and stead of absent regular members. Each company shall officially notify the other and the Township Committee as to the name of each alternate member. [Added 10-30-1980]

- B. The purpose of the Executive Fire Council is to act as the coordinating unit of the Fire Department and to be responsible for maintaining supervision of the Fire

Department generally, subject to such rules and regulations as hereafter may be promulgated or adopted by the Township Committee by ordinance or resolution. The supervision of the Executive Fire Council shall relate to the efficiency, operation and direction of the Fire Department. The Executive Fire Council shall make recommendations to the Township Committee for the improvement and betterment of the Fire Department, as well as recommendations for the public good and general welfare.

C. The structure and organization of the Executive Fire Council shall be as follows:

1. Officers. The officers shall consist of a President, Vice President, Secretary and Treasurer, and they shall serve for a term of one year. The office of Secretary and Treasurer may be combined into one position at the discretion of the Executive Fire Council. [Amended 3-9-1994]
2. Elections. Officers shall be elected annually at the organizational meeting of the Executive Fire Council, which meeting shall be held in December of each year. Voting shall be by secret ballot or an open showing of hands, the method to be decided upon by the Executive Fire Council membership at the said December meeting.
3. Duties of officers.
 - (a) The President shall preside at all meetings and be responsible for the conduct thereof. He or she shall call a special meeting of the Fire Council at the ~~written~~-request of ~~not fewer than~~ **three or more** members thereof. **The President may also call a special meeting at any time at their sole discretion.**
 - (b) The Vice President shall perform the duties of the President in the event of the President's absence.
 - (c) The Secretary shall keep an accurate attendance roll of all meetings and functions and a true record of all proceedings of all meetings. He or she shall be custodian and recipient of all correspondence or documents pertaining to the Executive Fire Council. He or she shall notify all members of the date, time and place of meetings and functions. [Amended 3-9-1994]
 - ~~(d)~~ The Treasurer shall be responsible for keeping records and accounts for all receipts and disbursements. The Treasurer shall not disburse any funds of the Executive Fire Council unless authorized by a majority vote of the entire Council. **Disbursements shall be made by electronic payment whenever possible. In the event electronic payments are not accepted, disbursements may be issued by a check, bearing the Treasurer's signature, or in the absence of the Treasurer, the President shall have authority to issue a check. , and by a check bearing his or her signature and countersigned by another officer of the Executive Fire Council. In the event of the absence or illnesses of the Treasurer, the President may sign checks in lieu of the Treasurer, and such checks may be countersigned by the Vice President or Secretary.** [Added 3-9-1994]
4. Duties of members. Each member of the Fire Council shall attend all meetings of the Council thereof, **unless approved by the President,** and perform all duties designated to him. In the event that a member is absent from two consecutive meetings **without prior approved absence,** the Vice President shall request the company to which such delinquent member belongs to replace such member with another representative.

5. The Fire Council may adopt such other rules and regulations for its government not inconsistent with this chapter or with any other rules and regulations, resolutions or ordinances of the Township Committee which may hereafter be adopted by the Township Committee, affecting the Executive Fire Council.

- D. The Executive Fire Council shall organize and supervise the annual fundraising drive by the Fire Department. The funds derived from this drive are to be shared equally by the companies in the Fire Department at the time of the drive.

§ 28-4 Department officers; hats to be worn on duty. This Section is left intentionally blank.

~~The officers of the Fire Department shall consist of a Chief and Deputy Chief. Upon the adoption of this chapter, the Chiefs and Assistant Chiefs of the present constituent fire companies and of any companies later admitted shall be designated as Captain and Lieutenants, respectively. The officers of the Fire Department, when on duty, shall wear hats on which is emblazoned the name of their respective office.~~

§ 28-5 Company officers; hats to be worn on duty. This Section is left intentionally blank.

~~Each constituent Fire Company shall have a Captain and two assistant officers of Lieutenant grade, a Chief Engineer and other such officers as each company deems necessary for its efficient and proper operation. The Captain, Lieutenants and Chief Engineer, when on duty, shall wear hats on which is emblazoned the name of their respective office. [Amended 3-9-1994]~~

§ 28-6 Membership; duties.

A. Membership.

1. All members of the fire companies as now constituted may continue as members thereof.
2. All new members of the Fire Department and of the constituent Fire Company shall be at least 18 years of age and in good physical condition. Each new member seeking enrollment in the Fire Department of the Township of Colts Neck shall represent that he or she is in good physical health. All applicants for membership shall successfully pass a physical examination and present a certificate executed by a practicing physician of the State of New Jersey attesting to the ability of such applicant, to perform the duties of an active or associate firefighter within the Township of Colts Neck. All applicants are subject to a background investigation, including an investigation of criminal, driving and police records to the extent permitted by law. The Fire Department reserves the right to reject any application if such investigation reveals that the applicant's driving record, or criminal record ~~or moral character~~ would be detrimental to the Fire Department or to the Township of Colts Neck. [Amended 12-26-1974; 10-30-1980; 10-28-1982; 2-24-1983; 3-9-1994; 10-8-1997]
3. Every person seeking to join the Fire Department shall make an application to the company which he or she desires to join, and, upon his or her election to membership according to the rules of the company he or she is joining ~~and confirmation by the Executive Fire Council~~, he or she shall become a member ~~in good standing~~ of the Fire Department, and his or her name shall be entered on a roll of firefighters of the Township of Colts Neck. He

or she shall be given a badge of membership in his or her unit by his or her company and a Fire Department ID upon satisfactory completion of his or her probation period. The Fire Department ID ~~shall be in his or her possession and the badge shall be worn at all times when on duty, and both said ID~~ and badge shall be delivered up to his or her company Secretary at any time upon or whenever he or she shall be suspended pending departmental or other charges involving **moral turpitude conduct unbecoming** or neglect of duty or found guilty of any charge resulting in the suspension or removal of such person from membership or for any cause shall cease to be a firefighter. Every member who satisfactorily completes 20 years of active service shall be designated a life member of the Fire Department. [Amended 3-9-1994]

4. Notwithstanding the provisions of § 28-6A(2), aforesaid, each Fire Company may accept applications for membership from persons willing and able to perform duties as Fire Police, company administrative officers and other positions designated by the Fire Company who, by reasons of health or other, cannot undergo the requirements of an active firefighter. Each company may limit the number of members accepted under this subsection and shall designate those accepted as associate members. [Amended 10-30-1980; 7-25-1985; 12-19-1991]
5. The above-described residency requirements may be waived at the discretion of the individual companies for good cause. "Good cause" is defined as when an individual meeting all other qualifications is employed full-time within the Township of Colts Neck and expresses an interest in becoming an active member of the Fire Department of the Township of Colts Neck; or when a member in good standing of an individual company moves to another community and expresses an interest in remaining an active member of the Fire Department of the Township of Colts Neck, when he or she meets all other requirements. Residency requirements do not apply to § 28-6, Membership; duties. [Added 3-9-1994]

§ 28-8 Chief and Deputy Chief: hours, place and procedure of election.

~~The incumbent Chief serving in such office as of January 1, 1994, shall serve for a term which shall expire on December 31, 1995. Thereafter, the~~ The Chief and Deputy Chief of the Fire Department shall be elected for a term of two years and shall have been active members in good standing at the time of election and meet all eligibility requirements set forth in § 28-9 of the Revised General Ordinances of the Township of Colts Neck. They shall be elected by a majority vote of all life ~~;~~ active and associate members in good standing of the Fire Department. They shall assume the office on January 1 of every other year and shall be sworn in by a representative of the Township Committee authorized to administer oaths. Elections shall be held at the firehouse of the outgoing Department Chief; provided, however, that in no event shall the election be held at the firehouse of the nominee for the office of Department Chief, in which case the election shall be held at a place to be designated by the Executive Fire Council. Elections shall be held between the hours of 7:00 p.m. and 9:00 p.m. on the first Tuesday of December of every other year. The Captain of each company shall prepare a list in the month of October of the current year of life, ~~;~~ active and associate members in good standing and submit the list for verification to the Executive Fire Council at the meeting of the Executive Fire Council in November preceding the election for verification. Each active and life member in good standing may vote in person by affixing his or her signature next to his or her name on the prepared list or by absentee mail ballot, provided that the sealed vote is received by the Executive Fire Council prior to the 9:00 p.m. close of elections. The Executive Fire Council shall make said absentee ballots available to all active and life members in good standing, and the Executive Fire Council shall verify the validity of each ballot received. The said list of members shall be placed in the ballot box at the close of elections.

§ 28-10 Nominations; counting of ballots; disputes.

- ~~A. The first Chief to be elected following the adoption of this chapter shall be from among the members of the one of the constituent fire companies within the Fire Department which is the oldest in existence, and the Deputy Chief is to be a member of the second oldest company. The following year, the Chief shall be elected from the members of the second oldest company in existence and the Deputy Chief from the third oldest company, except that the Chief can be re-elected if nominated to the office by the Executive Fire Council, in which event such rotation as to the Chief shall be suspended until the following election, at which time the rotations shall be continued by nomination of the Chief from the third oldest company and so on, unless a re-election intervenes, in which case the rotation shall again be suspended. Nothing herein shall prevent the suspension of the rotation in the event of the re-election of the initial Chief from the oldest company or the re-election of the Chief from any other company. If the company scheduled to nominate members for Chief or Deputy is unable to nominate an eligible candidate, its turn in rotation shall be held in abeyance until the following term and the selection made from the next company in line of rotation. The rotation for Deputy Chief shall continue among companies despite the suspension of rotation for Chief in the event of a Chief's re-election, except that the Chief and Deputy Chief shall not be elected from the same company. [Amended 3-9-1994]~~
- A. ~~B.~~ The company whose turn it is to nominate the Chief shall submit names for nomination to the Executive Fire Council **at the October meeting**, but only those names shall be placed on the ballot as shall have been first approved by the Executive Fire Council, together with the name of the existing Chief if nominated by the Executive Fire Council. [Amended 10-30-1980]
- B. ~~C.~~ **Except as noted in Subsection A of this section, the** The nomination of Deputy Chief shall be rotated from company to company every other year **for a two year period, and he or she shall not be eligible for consecutive re-election.** [Amended 10-30-1980; 3-9-1994]
- D. ~~D.~~ **Upon approval of the nominees by the Executive Fire Council, the list thereof shall be delivered to each Fire Company 15 days prior to the election date. Delivery of the list of nominees shall be deemed complete when handed to either the Secretary or President of each company.**
- C. ~~E.~~ After the ballots have been cast, the ballot boxes shall be delivered to the Board of Elections of the Executive Fire Council, consisting of the following: a member from each company, a member of the Fire Committee of the Township Committee and a member of the Executive Fire Council. They shall meet at such place as designated by the Executive Fire Council, and there the total ballots cast shall be counted and the results transmitted to the Executive Fire Council, in writing. The election of the Chief and Deputy Chief shall be by majority of the votes cast. In case of a tie vote, length of active service within the Department shall prevail. Thereafter, the Executive Fire Council shall certify the results to the Township Committee of the Township of Colts Neck. [Amended 10-30-1980]
- D. ~~F.~~ Any disputes, challenges or complaints unable to be satisfactorily resolved by the Board of Elections shall be presented to the Executive Fire Council for adjudication by said Council. In the event that the Executive Fire Council is unable to resolve the issue within 15 days within which the same shall have been presented to it, the dispute or question shall be forwarded to the Mayor and Township Committee, whose decision in this respect shall be final. In the event that the dispute concerns the legality of the election, the incumbents shall retain the office of the one in dispute until such time as a successor qualifies.
- E. ~~G.~~ In the event of the death, resignation, incapacity or removal of the Chief or Deputy Chief, the Executive Fire Council shall appoint qualified members from any of the fire companies to serve for the unexpired term. In the event that the Chief

or Deputy Chief fails to perform his or her duties and complaint is made with respect thereto, such complaint must be made, in writing, to the Executive Fire Council. The Executive Fire Council shall have the power to reprimand, suspend or remove from office any Chief or Deputy Chief by a majority vote of the entire membership of the Executive Fire Council.

§ 28-11 Duties of Chief and Deputy Chief.

B. The Chief shall be a member of the Executive Fire Council and shall be responsible, through the Executive Fire Council, to the Mayor and Township Committee for the training, efficiency and proper conduct of the Department and the proper maintenance and repair of all equipment, the reduction of fire hazards and reports and records and, in addition:

...

6. He or she shall keep or cause to be kept an accurate record of all activities of the Department, ~~on standard forms.~~

...

9. He or she shall have the power to suspend from duty any member for disobeying orders or dereliction of duty or ~~any immoral or~~ other conduct that is detrimental to the well-being of the Fire Department or fire companies or the well-being of the Township of Colts Neck or its residents. [Amended 3-9-1994]

§ 28-15 General regulations.

I. ~~Exempt f~~ Firemen shall be so certified, in accordance with the laws of New Jersey, to the Township Clerk by December 1 of each year, and of any changes during the year as they occur.

NOW, BE IT FURTHER ORDAINED modifications to Chapter 68, Volunteer Incentives, shall be as follows:

§ 68-1 Definitions.

The following definitions shall apply to the provisions of this chapter:

ACTIVE MEMBER

Individuals that are members in the Volunteer Fire Department, **Fire Police**, First Aid Squad, Fire Department Ladies Auxiliary and Fire and First Aid Cadets who meet the definition of active member as established by the bylaws of the volunteer organization as are in effect on the effective date of this chapter and have served at least one year of service with the volunteer organization.

....

VOLUNTEER ORGANIZATION

The Fire Department, **Fire Police**, First Aid Squad, Fire Department Ladies Auxiliary and Fire and First Aid Cadets of the Township of Colts Neck.

§ 68-2 Incentives.

To be eligible for the benefits contained in this chapter, each fire company and the First Aid Squad shall present a certified list of active and lifetime members on or before February 1 to the Municipal Clerk. **The certification must be in writing, signed by the chief executive officer of their respective company or squad, and indicate that the active member or active life member has served the required percentage of activity or participation to qualify as a bona fide member of the organization. A new certification must be filed with the Township Clerk each year by February 1, and the certification from the preceding year shall be null and void.** Failure to produce said list shall result in this benefit being withheld from any member of the volunteer organization who does not submit the annual list. In the event that there are any additions or deletions to the list during the year, it shall be the responsibility of the organization to update same. All active and lifetime members of a volunteer organization and their immediate families who reside in the same household [spouse, domestic partner, child(ren), mother, father, siblings] shall be eligible for the following benefits:

- A. Exemption from fees for municipal recreational programs sponsored by the Colts Neck Department of Parks and Recreation.
- B. Partial exemption from the municipal portion of the Uniform Construction Code fees, **a full exemption of fees up to \$300 annually, and then a 50% exemption of fees exceeding \$300 annually,** for all construction-related permits required in connection with either the construction of an addition or completion of repairs to an existing one-family dwelling owned and occupied by an active member of a volunteer organization.
- C. Partial exemption from the municipal portion of the Uniform Construction Code fees, **not to exceed a maximum of a full exemption of fees up to \$600 annually, and a 50% reduction of fees exceeding \$600 annually,** for the issuance of a building permit required in connection with the construction of a new one-family dwelling to be occupied by the active member of a volunteer organization.
- D. Exemption from the municipal portion of miscellaneous fees, licenses and permits, including but not limited to dog licenses, police accident reports, marriage licenses, certificates of continued occupancy for any dwelling personally occupied by the active member, smoke detector inspection fees, private or public horse shows and zoning permits.
- E. Exemption from the municipal portion of any well or septic permit issued by the Township of Colts Neck.

§ 68-4 Administration.

- A. On or about ~~January 1~~ **February 1** of each calendar year, each volunteer organization shall submit to the Township ~~Administrator~~ **Clerk** a list of all individuals who meet the definition for active member status. Such list shall be updated on a periodic basis by the volunteer organization to add those individuals who have completed their probationary status and one year of service or to delete individuals who have been dropped from their membership or who no longer meet the criteria for active member status.
- B. All active **and lifetime** members and their families must comply with all registration procedures and complete all application forms established by the Township of Colts Neck or the volunteer organization.

BE IT FURTHER ORDAINED, 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.

BE IT FURTHER ORDAINED, the remainder of all other sections and subsections of the afore mentioned ordinances not specifically amended by this ordinance shall remain in full force and effect.

BE IT FURTHER ORDAINED, all ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

BE IT FURTHER ORDAINED, this ordinance shall take effect immediately upon passage, publication and filing according to law.

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. 2020-7, introduced at a duly convened meeting of the Township Committee on the 26th day of February 2020, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 8th day of April 2020

Frank Rizzuto, Mayor

Trina Lindsey, Municipal Clerk

RECORD OF VOTE												
Committeeman	First Reading					Second Reading						
	February 26, 2020					April 29, 2020						
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Rizzuto			X									
Deputy Mayor Viola	M		X									
Bartolomeo			X									
Fitzpatrick			X									
Orgo		S	X									
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												

ORDINANCE 2020-9

AN ORDINANCE AMENDING CHAPTER 98 SECTION 98-3 ENTITLED "CONSTRUCTION PERMIT FEES" OF THE CODE OF COLTS NECK TOWNSHIP

WHEREAS, on September 3, 2019, the State of New Jersey amended portions of the New Jersey Uniform Construction Code, N.J.A.C. 5:23-3.20, including the Mechanical Subcode; and

WHEREAS, in order for the Township of Colts Neck to be in compliance with the amendments of the New Jersey Uniform Construction Code, the Township must amend Chapter 98, Section 98-3 of the Code of Colts Neck; and

WHEREAS, the Township Committee has determined that it is in the best interest of the citizens of Colts Neck to amend Chapter 98, Section 98-3 of the Code of Colts Neck.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck Township in the County of Monmouth, State of New Jersey amends Chapter 98, Section 98-3 of the Township Code as follows (additions to text indicated by underline; deletions to text indicated by ~~strikeout~~):

§ 98-3 Construction permit fees.

- A. Plan review fee. The plan review fee shall be 20% of the amount to be charged for a permit. Plan review fees are not refundable. Plan review fee for initial submission: Two hundred dollars will be deducted from final cost of the permit.
- B. Basic construction fee. The basic construction fee shall be the sum of the parts computed on the basis of the volume or the cost of construction, the number of plumbing fixtures and devices, the number of sprinklers, standpipes and the heat and smoke detectors at the unit rates, electrical devices and equipment provided herein, plus any special fees.
- C. Building subcode fees.
 - (1) New construction: The fee shall be based on the total volume in cubic feet of the structure or structures, as the case may be, multiplied by the applicable cost per cubic foot.
 - (a) Use Groups H, I-1, I-2, I-3, E, R-1, R-2, R-3, R-4, and R-5: \$0.034 per cubic foot.
 - (b) Use Groups A-1, A-2, A-3, A-4, A-5, F-1, F-2, B, M, U, S-1 and S-2 structures on farms, including commercial farm buildings: \$0.030 per cubic foot.
 - (2) Additions. The fees for additions shall be computed on the same basis as for new construction for the added portion.
 - (3) Reconstruction alterations, renovations and repairs.
 - (a) For estimated cost up to and including \$100,000:
 - [1] Use Groups R-1, R-2, R-3, R-4, R-5, and U: \$32 per \$1,000.
 - [2] Use Groups A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H, I-1, I-2, I-3, M, S-1 and S-2: \$36 per \$1,000.
 - (b) If the cost exceeds \$100,000, there shall be an additional charge as follows:
 - [1] Use Groups R-1, R-2, R-3, R-4, R-5, and U: \$20 per \$1,000.

[2] Use Groups A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H, I-1, I-2, I-3, M, S-1 and S-2: \$20 per \$1,000.

- (c) The applicant shall submit to the Construction Code Official such data as may be available to provide a bona fide estimated cost. The Construction Official shall make the final decision regarding estimated cost.
- (4) The combination fee for renovations and additions shall be the sum of the fees computed separately in accordance with Subsections C, D, & E.
- (5) Roofing and siding fees.
 - (a) As per alteration fee: \$25 per thousand (minimum charge \$100).
- (6) Minimum fee for building subcode permits: \$75.
- (7) Wind/solar electric systems:
 - (a) R-5 roof or ground installation: as per Subsection E.
 - (b) All other types: \$32 per thousand.
- (8) Installation of swimming pools.
 - (a) Construction of a swimming pool, inground or aboveground: \$32 per \$1,000.
- (9) Temporary pools/spas/hot tub (maximum 90 days): \$75.
- (10) Construction of accessory structures, storage sheds, etc.: \$25 per \$1,000.
- (11) Demolition and removal of structures:
 - (a) Accessory structure (Type U) under 300 square feet: \$200.
 - (b) One- and two-family structures (Use Group R-5) up to 3,000 square feet: \$500.
 - (c) All structures (except multistory structures) above 3,001 square feet: \$1,000.
 - (d) Multistory structures will be priced to the alteration cost schedule.
- (12) Demolition or removal or abandonment of tanks:
 - (a) Demolition or removal of tanks up to 1,000 gallons: \$175.
 - (b) Demolition or removal of tanks 1,001 to 5,000 gallons: \$225.
 - (c) Demolition or removal of tanks above 5,001 gallons: \$300.
- (13) Satellite dishes and radio transceiver equipment:
 - (a) Installation of a satellite dish or radio, television or other transceiver equipment for residential use: \$40.
 - (b) Installation of a satellite dish or radio, television or other transceiver equipment for nonresidential or commercial use: \$250.
- (14) Asbestos hazard abatement, for each construction permit issued: \$75.

- (15) Lead hazard abatement, for each construction permit issued: \$75.
- (16) Tents and temporary structures. For purposes of this subsection, tents and temporary structures are defined by N.J.A.C. 5:23-2.14(b)4.
 - (a) Tents without appurtenances in excess of 900 square feet or more than 30 feet in any dimension, excluding canopies: \$100.
 - (b) The permit fee for a temporary structure used for construction or other activities whose life is limited to not more than one year: \$200.
- (17) Signs. The fee to construct a sign shall be in the amount of \$2 per square foot of surface area of the sign, computed on one side only for double-faced signs, which are in allowance with the UCC regulations.
- (18) Change of contractor (permit update): minimum fee per subcode.

D. Electrical fees.

- (1) Switching, lighting, receptacle and solar panels (devices of less than one horsepower or one kilowatt included):
 - (a) One to 50: \$75.
 - (b) Each additional 25: \$25.
- (2) Each service panel, meter, subpanel, disconnect or meter stack, etc.:
 - (a) Up to 200 amperes: \$75.
 - (b) Up to 201 to 400 amperes: \$150.
 - (c) Larger than above 401 to 600 amperes: \$300.
 - (d) Above 601 to 1,000 amperes: \$500.
 - (e) Over 1,000 amperes: \$700.
- (3) Transformers, generators, alternative generating systems, each:
 - (a) One to 10 kilowatts: \$50.
 - (b) Eleven to 45 kilowatts: \$125.
 - (c) Forty-six to 112.5 kilowatts: \$300.
 - (d) Larger than 112.5 kilowatts: \$525.
 - (e) Solar, wind, hydro inverters, each: \$50.
- (4) Motors and electrical devices (control equipment, heating, air handling, compressor, heat pump, air handler, strip heater, water heater, dryer, oven, range, furnace and dishwasher, etc.):
 - (a) One to 10 horsepower: \$25.
 - (b) Eleven to 50 horsepower: \$50.
 - (c) Fifty one to 100 horsepower: \$100.
 - (d) Larger than 100 horsepower: \$325.

- (5) Annual electrical inspection fee for bonding and grounding certificates for commercial pools, spas and hot tubs: \$75 (commercial).
 - (6) Five-year bonding and grounding test: \$125 (commercial).
 - (7) Furnace and air conditioner replacement, residential only:
 - (a) Direct replacement HVAC equipment: \$75 each for the first two, \$25 per piece after the first two.
 - (8) Wind/solar electric systems as per item cost above.
 - (9) The minimum fee for electrical permits shall be \$75.
- E. Fire protection fees.**
- (1) Smoke, heat and CO detectors:
 - (a) Five or less: \$40.
 - (b) Each additional 15: \$20.
 - (2) Alarm devices (heat pulls, water flow):
 - (a) Five or less: \$40.
 - (b) Each additional 15: \$25.
 - (3) Supervisory devices (tamper, low/high air) or signaling devices (horns/strobes, bells):
 - (a) Five or fewer: \$40.
 - (b) Each additional 15: \$25.
 - (4) Sprinkler heads (wet or dry):
 - (a) Ten or fewer: \$50.
 - (b) Eleven to 100: \$120.
 - (c) One hundred one to 200: \$250.
 - (d) Two hundred one to 400: \$600.
 - (e) Four hundred one to 600: \$1,000.
 - (5) Standpipes: \$300 each.
 - (6) Kitchen exhaust systems (commercial): \$100 each.
 - (7) All fireplaces (wood or gas): \$50 each.
 - (8) Gas- and oil-fired appliance that is connected to plumbing system: \$50 each.
 - (9) Tank installation:
 - (a) Up to 550 gallons: \$100 each.
 - (b) Over 550 gallons: \$200 each.

- (c) Incinerators: \$500 each.
 - (d) Crematoriums: \$500 each.
 - (e) Alarm panel: \$75 each.
 - (f) Fire pumps: \$200 each.
 - (g) Preaction valves: \$50 each.
 - (h) Dry pipe/alarm valve: \$50 each.
 - (i) Smoke control systems: \$65 each.
- (10) Incinerators: \$500 each.
 - (11) Crematoriums: \$500 each.
 - (12) Installation of factory-built chimneys and chimney liners shall be \$25 each.
 - (13) The minimum fee for fire permits shall be \$75.
 - (14) Independent preengineered systems: \$150 for each system.
 - (15) Gas- or oil-fired appliances: \$25 for each appliance.
 - (16) Kitchen exhaust systems (residential): \$50 each.

F. Plumbing fees.

- (1) Fixtures and appliances connected to or components of a plumbing system: \$25 per fixture/appliance.
- (2) Waste/vent stacks: \$25 each.
- (3) Special devices, including, but not limited to, grease traps, separators, interceptors, air-conditioning units, refrigeration units, sewer connections, gas-fired appliances, water service connections, backflow preventer, sewer pumps and fuel oil piping, pool drains, generators, well connections, septic connections, pool heaters, steam units, water conditioners: \$75 each.
- (4) Direct replacement HVAC equipment: \$75 each for the first two, \$25 per piece after the first two.
- (5) Steam/hot-water boilers: \$75 each.
- (6) Gas piping service: \$75 per system.
- (7) Appliances added to a gas piping system: \$25 per appliance.
- (8) Water heaters:
 - (a) Conventional type: \$75 each.
 - (b) Tankless water heater: \$75 each.
 - (c) Boiler type add-on: \$25.
- (9) Installation of liquefied petroleum containers: \$100 for each container.
- (10) Fuel oil tanks installation:

(a) Up to 1,000 gallons: \$150;

(b) Over 1,000 gallons: \$250.

(11) Removal of AST or UST: \$200.

(12) The minimum fee for plumbing permits shall be \$75.

G. Construction permit surcharge fee. In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act,¹¹¹ an enforcing agency shall collect a surcharge fee, to be based upon the volume of new construction or estimated cost of alteration/renovation, in accordance with N.J.A.C. 5:23-4.19(b).

[1] *Editor's Note: See N.J.S.A. 52:27D-119 et seq.*

H. State of New Jersey permit fees. The fees shall be computed in accordance with N.J.A.C. 5:23-2.28 except preengineered systems of commercial farm buildings. No fee shall be collected for preengineered systems of commercial farm buildings.

I. Certificate of occupancy.

(1) New construction/additions/tenant fit up/reconstruction: 10% of total construction permit fee.

(2) Change in use: \$100.

(3) Continuation of use under N.J.A.C. 5:23-2.23(c): \$125.

(4) Variation:

(a) Submission: \$75.

(b) Resubmission: \$50 each.

(5) Temporary certificate of occupancy extension: \$35.

J. ~~Annual review of fee schedules. The construction official shall, with the advice of the subcode officials, prepare and submit to the Township Committee, annually, a report recommending a fee schedule based on the operating expenses of the agency and other expenses of the municipality attributable to the enforcement of the State Uniform Construction Code Act and subcodes. Mechanical subcode fees.~~

(1) Heating equipment: \$75 per system.

(2) Cooling equipment: \$75 per system.

(3) After two (2) units: \$25 per unit thereafter.

(4) Generator/water heater/pool heater: \$75 per unit.

(5) LPG tank install and/or removal: \$150 per unit.

(6) Oil Tank UST removal: \$150.00 per unit.

(7) Oil Tank AST removal: \$150.00 per unit.

(8) Fuel tanks 1,000 gallons and higher: \$300 per unit, install and removal above 1,000 gallons: \$500.

(9) Gas piping: \$100 per system.

- (10) Gas type appliances: \$25 per unit.
- (11) Gas fireplace or like equipment: \$75 per unit.
- (12) Hydronic piping, pumps, etc.: \$75 per system.
- (13) Duct work, new/replace: \$100.
- (14) Chimney/vent, new/replace: \$100 per unit.
- (15) Split units: \$75, plus \$25 per head unit.

K. Annual review of fee schedules. The construction official shall, with the advice of the subcode officials, prepare and submit to the Township Committee, annually, a report recommending a fee schedule based on the operating expenses of the agency and other expenses of the municipality attributable to the enforcement of the State Uniform Construction Code Act and subcodes.

BE IT FURTHER ORDAINED, 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.

BE IT FURTHER ORDAINED, all ordinances of parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

BE IT FURTHER ORDAINED, this ordinance shall take effect immediately upon passage, publication and filing according to law.

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. 2020-9, introduced at a duly convened meeting of the Township Committee on the 8th day of April 2020, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 29th day of April 2020

Frank Rizzuto, Mayor

Trina Lindsey, Municipal Clerk

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

ORDINANCE 2020-10

AN ORDINANCE VACATING THE 25 FOOT DRAINAGE EASEMENT PREVIOUSLY GRANTED TO THE TOWNSHIP AFFECTING 34 PADDOCK LANE

WHEREAS, the Colts Neck Township Planning Board (the “Planning Board”) is a duly organized Land Use Board, operating and existing in accordance with the Rules and Regulations of the State of New Jersey and the Township of Colts Neck; and

WHEREAS, Mr. John Kling (the “Applicant”) proposed to the Planning Board the development of property located at 34 Paddock Lane, in the Township of Colts Neck, County of Monmouth, and State of New Jersey, which property is further known and designated as Block 7.30, Lot 3.16 on the Tax Map of the Township of Colts Neck; and

WHEREAS, in January 2005, the Township Planning Board granted a two lot major subdivision to the Applicant’s predecessor, Ms. Suzanne Dalmazio for 34 Paddock Lane. The Final Plat was recorded in the County Clerk’s Office under Case No. 303-16; and

WHEREAS, a Corrective Deed of Drainage Easement dated February 9, 2007 granted a 25 foot wide Drainage Easement affecting a portion of 34 Paddock Lane to the Township; and

WHEREAS, the Applicant’s proposal requested a Deviation from the previous subdivision approval in order to eliminate the 25 foot Drainage Easement affecting a portion of 34 Paddock Lane; and

WHEREAS, the Township Planning Board heard sworn testimony of the Applicant’s witnesses, examined the exhibits presented and considered all the evidence in favor and in opposition of the application; and

WHEREAS, the Township Planning Board approved the Applicant’s proposal for Deviations of the prior subdivision approval via Resolution of Approval dated September 10, 2019. The Resolution of Approval accepted the Applicant’s proposal to vacate the 25 foot wide Drainage Easement.

WHEREAS, the Planning Board determined that an Ordinance would be required to vacate the 25 foot Drainage Easement; and

WHEREAS, for good cause having been shown, the Planning Board are of the belief that vacating the 25 foot wide Drainage Easement affecting 34 Paddock Lane will be in the best interest of the Township of Colts Neck, the Township Committee and the residents of the Township of Colts Neck.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck Township in the County of Monmouth, State of New Jersey hereby vacates the 25 foot Drainage Easement affecting 34 Paddock Lane.

BE IT FURTHER ORDAINED, the property located at 34 Paddock Lane is further subject and conditioned upon compliance with all conditions imposed by the Planning Board of the Township of Colts Neck, contained in the prior Major Subdivision Approval for Application No. 618, dated January 11, 2005, and the Resolution Granting Deviation from Major Subdivision Approval dated September 10, 2019.

BE IT FURTHER ORDAINED, 34 Paddock Lane remains subject to any other covenants restrictions and easements of record, if any, except those that have expired by their own limitations.

BE IT FURTHER ORDAINED, that, pursuant to N.J.S.A. 40:67-1, the provisions of this Ordinance shall not be deemed to vacate any rights and privileges which may be possessed by any public utility company, as defined in R.S. 48:2-13, or by any cable

television company, as defined in N.J.S.A. 48:5A-1, et. seq., to maintain, repair and replace any existing facilities in, adjacent to, over or under the said vacated area.

BE IT FURTHER ORDAINED, this Ordinance shall take effect immediately upon passage, publication and filing according to law.

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. 2020-10, introduced at a duly convened meeting of the Township Committee on the 29th day of April 2020, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 13th day of May 2020

Frank Rizzuto, Mayor

Trina Lindsey, Municipal Clerk

RECORD OF VOTE												
	First Reading					Second Reading						
	April 29, 2020					May 13, 2020						
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Committeeman												
Mayor Rizzuto												
Deputy Mayor Viola												
Bartolomeo												
Fitzpatrick												
Orgo												
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												

ORDINANCE 2020-11

AN ORDINANCE RESCINDING ORDINANCE 2006-20

WHEREAS, the Colts Neck Township Planning Board (the “Planning Board”) is a duly organized Land Use Board, operating and existing in accordance with the Rules and Regulations of the State of New Jersey and the Township of Colts Neck; and

WHEREAS, Mr. John Kling (the “Applicant”) proposed to the Planning Board the development of property located at 34 Paddock Lane, in the Township of Colts Neck, County of Monmouth, and State of New Jersey, which property is further known and designated as Block 7.30, Lot 3.16 on the Tax Map of the Township of Colts Neck; and

WHEREAS, in January 2005, the Township Planning Board granted a two lot major subdivision to the Applicant’s predecessor, Ms. Suzanne Dalmazio for 34 Paddock Lane. The Final Plat was recorded in the County Clerk’s Office under Case No. 303-16. As a part of this approval, Paddock Lane was to be extended by approximately 175 feet, eliminating the Paddock Lane cul-de-sac; and

WHEREAS, the Township Committee previously introduced Ordinance 2006-20, which vacated the existing Paddock Lane cul-de-sac, and permitted Paddock Lane to be extended approximately 175 feet; and

WHEREAS, Paddock Lane was never extended and the cul-de-sac still exists today; and

WHEREAS, the Applicant’s proposal requested a Deviation from the previous subdivision approval in order to leave the Paddock Lane cul-de-sac in place and not extend Paddock Lane approximately 175 feet; and

WHEREAS, the Planning Board heard sworn testimony of the Applicant’s witnesses, examined the exhibits presented and considered all the evidence in favor and in opposition of the application; and

WHEREAS, the Township Planning Board approved the Applicant’s proposal for Deviations of the prior subdivision approval via Resolution of Approval dated September 10, 2019. The Resolution of Approval accepted the Applicant’s proposal to vacate the Paddock Lane extension and keep the existing Paddock Lane cul-de-sac; and

WHEREAS, the Resolution of Approval dated September 10, 2019 eliminated the need for Ordinance 2006-06; and

WHEREAS, for good cause having been shown, the Planning Board are of the belief that rescinding Ordinance 2006-20 will be in the best interest of the Township of Colts Neck, the Township Committee and the residents of the Township of Colts Neck.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck Township in the County of Monmouth, State of New Jersey hereby rescinds Ordinance 2006-06.

BE IT FURTHER ORDAINED, the property located at 34 Paddock Lane is further subject and conditioned upon compliance with all conditions imposed by the Planning Board of the Township of Colts Neck, contained in the prior Major Subdivision Approval for Application No. 618, dated January 11, 2005, and the Resolution Granting Deviation from Major Subdivision Approval dated September 10, 2019.

BE IT FURTHER ORDAINED, 34 Paddock Lane remains subject to any other covenants restrictions and easements of record, if any, except those that have expired by their own limitations, or otherwise have been rescinded.

BE IT FURTHER ORDAINED, That, pursuant to N.J.S.A. 40:67-1, the provisions of this Ordinance shall not be deemed to vacate any rights and privileges which

may be possessed by any public utility company, as defined in R.S. 48:2-13, or by any cable television company, as defined in N.J.S.A. 48:5A-1, et. seq., to maintain, repair and replace any existing facilities in, adjacent to, over or under the said vacated area.

BE IT FURTHER ORDAINED, this Ordinance shall take effect immediately upon passage, publication and filing according to law.

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. 2020-11, introduced at a duly convened meeting of the Township Committee on the 29th day of April 2020, and will be considered for adoption after public hearing at a duly convened meeting of the Township Committee on the 13th day of May 2020

Frank Rizzuto, Mayor

Trina Lindsey, Municipal Clerk

RECORD OF VOTE												
	First Reading					Second Reading						
	April 29, 2020					May 13, 2020						
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Committeeman												
Mayor Rizzuto												
Deputy Mayor Viola												
Bartolomeo												
Fitzpatrick												
Orgo												
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent												