

COMMITTEE MEMBER PUHAK OFFERED THE FOLLOWING RESOLUTION AND MOVED ITS ADOPTION:

RESOLUTION #2017-95

**RESOLUTION AUTHORIZING NON-BINDING REFERENDUM
CONCERNING PUBLIC GARBAGE PICKUP AND DISPOSAL FOR SHREWSBURY
TOWNSHIP**

WHEREAS, the Mayor and Township Committee of the Township of Shrewsbury, County of Monmouth and State of New Jersey, called for a special referendum election pursuant to N.J.S.A. 40A:4-45.46 by Resolution of March 22, 2011, to determine the necessity of increasing its 2011 allowable tax levy by more than otherwise authorized by law; and

WHEREAS, the Mayor and Township Committee of the Township of Shrewsbury in 2011, determined that a 5.65% increase in the allowable tax levy, which was a \$42,905.00 increase over the permitted 2% in excess of the increase in allowable tax levy would only become effective upon authorization by the voters by referendum; and

WHEREAS, by Resolution of March 22, 2011, the Mayor and Township Committee of the Township of Shrewsbury passed a Resolution raising the public question by referendum as to whether the public would agree to an increase in its adjusted tax levy by \$42,905.00; more than the allowable adjusted tax levy, which was 5.65% more than the allowable adjusted tax levy as provided by N.J.S.A. 40A:4045.44, *et seq*; and

WHEREAS, the referendum was held on April 27, 2011, in which the majority vote of the voters of the Township of Shrewsbury was, “no,” meaning that the governing body under the referendum had to amend its budget through appropriation reductions or allowable non-property tax revenue increases, in order to adopt the budget for 2011 within the tax levy increase limit set forth by law; and

WHEREAS, as a result of that negative vote, the Township Committee had no choice but to discontinue one of its largest line-item budget items, namely, garbage removal by Shrewsbury Township for all private entities and residences in Shrewsbury Township, in order to reduce the budget by \$76,000.00, and so notified all private entities in Shrewsbury Township, namely Alfred Vail Mutual Association, Shrewsbury Arms and Shrewsbury Woods of the discontinuance of public garbage collection, commencing December 1, 2011 by Resolution of June 14, 2011; which public garbage collection did cease and required all property owners to seek private garbage collection in Shrewsbury Township; and

WHEREAS, there is now sentiment concerning allowing for a ballot question as to whether the voters of Shrewsbury Township desire restoration of public garbage collection; and

WHEREAS, N.J.S.A. 19:37-1 does allow municipalities to place non-binding referendum questions on the November ballot to determine the sentiment of the legal voters towards the question, which clearly appears to be related to whether or not Shrewsbury Township should restore public garbage collection; and

WHEREAS, based on information and belief by the Chief Financial Officer, it is estimated that restoration of public garbage collection, plus bulk pickup for all three residential complexes in Shrewsbury Township; namely, Alfred Vail Mutual Association, Shrewsbury Arms and Shrewsbury Woods, would now cost the municipality approximately \$100,760.00; translating into an \$18.66 addition to the tax rate, or an addition of \$247.00 per year in taxes for a house assessed at \$130,000.00, with a solid waste disposal contract increase of about 10% per year thereafter; and

WHEREAS, it is understood that the Township at present has approximately \$49,000.00 in appropriations cap relief, which further means that if the voters approve of the non-binding referendum in November, and the Township Committee proceeds according to the results of the non-binding referendum, the Township would have to have a binding referendum in February, 2018, and if approved by the public, would still require major cuts to the 2018 budget from in-cap S&W and O/E of approximately \$52,000.00.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Shrewsbury, that pursuant to a request for public sentiment with regard to restoration of public garbage collection, the following question will be placed on the ballot in the November election pursuant to N.J.S.A. 19:37-1 as follows:

Shall Shrewsbury Township restore public garbage collection to Alfred Vail Mutual Association, Shrewsbury Arms and Shrewsbury Woods, estimated to cost the municipality an additional \$100,760.00 per year, with an increase of approximately 10% per year thereafter.

Yes _____ No _____

Explanatory Statement: Garbage collection has been handled by the private entities of Shrewsbury Township since 2011, and a change to public garbage collection would cause an \$18.66 addition to the tax rate, or an additional \$247.00 per year in taxes for each household assessed at \$130,000.00, with an approximate 10% increase per year thereafter, and would require a subsequent binding referendum in 2018 if approved, and major cuts to the budget in 2018.

Seconded by Committee Member NOLAN and adopted on roll call by the

following votes:

ROLL CALL

Affirmative: PUHAK, NOLAN

Negative: BAILLY

Abstain: NONE

Absent: NONE

Dated: August 15, 2017

EDWARD NOLAN
Mayor

ATTEST:

TERI GIERCYK, RMC
Municipal Clerk

I hereby certify the foregoing to be a true copy of the resolution adopted by the Shrewsbury Township Committee on August 15, 2017.

TERI GIERCYK, RMC
Municipal Clerk