

TOWNSHIP OF NEPTUNE
NOTICE OF FINAL ADOPTION OF ORDINANCE
ORDINANCE NO. 17-25

AN ORDINANCE AMENDING VOLUME I, SECTION 7-21.5 OF THE
CODE OF THE TOWNSHIP OF NEPTUNE, ENTITLED
"HANDICAPPED PARKING", "VIOLATIONS; PENALTIES"

Approved on First Reading: June 26, 2017

Approved, passed and adopted on final reading: July 10, 2017

NOTICE
ORDINANCE NO. 17-26
Township of Neptune
County of Monmouth

NOTICE is hereby given that at a regular meeting of the Township Committee of the Township of Neptune on the 10th day of July, 2017, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 24th day of July, 2017, at the Neptune Municipal Complex, Township Committee Meeting Room – 2nd Floor, 25 Neptune Blvd. Neptune, New Jersey at 7:00 p.m. to further consider this ordinance for final passage and to give all interested persons an opportunity to be heard concerning this ordinance. Copies of the full text of the ordinance published herewith are available for inspection by the members of the general public who shall request same at the office of the Township Clerk located at the above address. The ordinance is also posted on the Township web site at www.neptunetownship.org.

ORDINANCE NO. 17-26

AN ORDINANCE TO AMEND VOLUME I, SECTION 3-21 OF THE
CODE OF THE TOWNSHIP OF NEPTUNE TO PROHIBIT THE
SALE OF TOBACCO TO PERSONS UNDER THE AGE OF
TWENTY ONE

WHEREAS, the United States Department of Health, the American Cancer Society and surveys conducted by other entities linked increased dangers and health risks associated with smoking and using tobacco products by person who started smoking as teenagers; and,

WHEREAS, the Township Committee of the Township of Neptune has concluded that it is appropriate to prohibit the sale of tobacco and nicotine delivery products within the Township of Neptune to persons under the age of twenty-one (21) years,

THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Neptune, in the County of Monmouth, that Volume I, Section 3-21 of the Code of the Township of Neptune are hereby amended as follows:

SECTION 1.

3-21 SALE OF TOBACCO TO PERSONS UNDER THE AGE OF TWENTY-ONE (21) AND USE OF TOBACCO VENDING MACHINES PROHIBITED

3-21.1 Retail Sale of Tobacco Products

a. No person shall sell tobacco products or nicotine delivery products in the Township of Neptune unless the sale of such products is controlled by an employee of the establishment. A person may only sell tobacco products or nicotine delivery products in a direct, face-to-face exchange between the retailer and the consumer. Self-service displays of tobacco products or nicotine delivery products shall be prohibited.

b. No person shall sell tobacco products or nicotine delivery products to any person under the age of twenty-one (21) years or give tobacco products or nicotine delivery products to any person under the age of twenty-one (21).

c. Retail establishments where tobacco products or nicotine delivery products are sold shall conspicuously post and reasonably maintain signs having a minimum size of six (6) inches by eight (8) inches where these products are displayed and at all check-out counters notifying customers that proof of age is required to purchase tobacco products or nicotine delivery products.

3-21.2 Identification Required

a. All clerks, selling tobacco products or nicotine delivery products shall verify by means of government-issued photographic identification containing the bearer's date of birth that no person purchasing the tobacco or nicotine containing products is younger than twenty-one (21) years of age. No such verification is required for any person over the age of twenty-six (26). No clerk shall sell tobacco products or nicotine delivery products to a person under twenty-one (21) years of age who has a note from an adult requesting such sale.

b. No person selling tobacco products or nicotine delivery products shall allow an employee to sell or distribute such products until the employee has read the Monmouth County Board of Health regulations and State laws pertaining to the sale or distribution of tobacco products and nicotine delivery products and has signed a statement that the employee has read the regulations. Such form statement will be supplied by the Monmouth County Board of Health and kept on file at the establishment subject to review by the Monmouth County Board of Health.

(Sections 3-21.3 through 3-21.6 shall remain in full effect)

SECTION 2.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

SECTION 3.

This Ordinance shall become effective upon final passage and publication according to law.

Richard J. Cuttrel,
Municipal Clerk

NOTICE
ORDINANCE NO. 17-27
Township of Neptune
County of Monmouth

NOTICE is hereby given that at a regular meeting of the Township Committee of the Township of Neptune on the 10th day of July, 2017, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 24th day of July, 2017, at the Neptune Municipal Complex, Township Committee Meeting Room – 2nd Floor, 25 Neptune Blvd. Neptune, New Jersey at 7:00 p.m. to further consider this ordinance for final passage and to give all interested persons an opportunity to be heard concerning this ordinance. Copies of the full text of the ordinance published herewith are available for inspection by the members of the general public who shall request same at the office of the Township Clerk located at the above address. The ordinance is also posted on the Township web site at www.neptunetownship.org.

ORDINANCE NO. 17-27

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE
CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING RESIDENT
ONLY HANDICAPPED PARKING ZONES ON COOKMAN AVENUE,
ABBOTT AVENUE AND HECK AVENUE

BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Code of the Township of Neptune is hereby amended as follows:

SECTION 1

Volume I, Chapter VII, Section 7-21.7 – Resident Handicapped On-Street Parking, is hereby amended by adding the following:

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
Cookman Avenue	1	North side of Cookman Avenue beginning 25 feet east of the northeast intersection of Cookman Avenue and New York Avenue
Abbott Avenue	1	South side of Abbott Avenue beginning 25 feet east of the southeast intersection of Abbott Avenue and Beach Avenue
Heck Avenue	1	South side of Heck Avenue beginning 25 feet west of the southwest intersection of Heck Avenue and Delaware Avenue

SECTION 2

Volume I, Chapter VII, Section 7-21.1 – Handicapped Parking on Street, is hereby amended by deleting the Cookman Avenue and Abbott Avenue locations being added to Section 7-21.7.

SECTION 3

This ordinance shall take effect upon publication in accordance with law.

Richard J. Cuttrel,
Municipal Clerk

NOTICE
ORDINANCE NO. 17-28
Township of Neptune
County of Monmouth

NOTICE is hereby given that at a regular meeting of the Township Committee of the Township of Neptune on the 10th day of July, 2017, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 24th day of July, 2017, at the Neptune Municipal Complex, Township Committee Meeting Room – 2nd Floor, 25 Neptune Blvd. Neptune, New Jersey at 7:00 p.m. to further consider this ordinance for final passage and to give all interested persons an opportunity to be heard concerning this ordinance. Copies of the full text of the ordinance published herewith are available for inspection by the members of the general public who shall request same at the office of the Township Clerk located at the above address. The ordinance is also posted on the Township web site at www.neptunetownship.org.

ORDINANCE NO. 17-28

AUTHORIZE GRANT OF DEED OF OPEN SPACE EASEMENT TO
THE COUNTY OF MONMOUTH ON BLOCK 1807, LOT 2
(FORMERLY KNOWN AS BLOCK 307.26, LOT 5) OWNED BY THE
TOWNSHIP OF NEPTUNE

WHEREAS, the Township of Neptune has, or will make improvements to property used for a public park, recreation and open space uses, located at Block 1807, Lot 2 (Formerly known as Block 307.26, Lot 5) and owned by the Township of Neptune; and

WHEREAS, the Township has received, or will received an Open Space Grant of \$232,000.00 for development of said park, with the condition that the Township grant the County a Deed of Open Space Easement, which guarantees forever that the property be maintained for public park, recreation and open space uses, and prevents any use of the property that will significantly impair or interfere with the park, recreation and open space values of the property.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Neptune of the County of Monmouth in the State of New Jersey, that pursuant to State Statute allowing municipalities to accept a grant for an Open Space Easement, the governing body hereby authorizes and grants a Deed of Open Space Easement to Monmouth County with regard to

property located at Block 1807, Lot 2 (Formerly Block 307.26, Lot 5) on the Tax Map of the Township of Neptune granted at the time of development and improvement of said property, and that this Open Space Easement shall be granted to Monmouth County pursuant to the Deed of Open Space Easement attached hereto as Exhibit A.

All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Richard J. Cuttrel,
Municipal Clerk

NOTICE
ORDINANCE NO. 17-29
Township of Neptune
County of Monmouth

NOTICE is hereby given that at a regular meeting of the Township Committee of the Township of Neptune on the 10th day of July, 2017, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 24th day of July, 2017, at the Neptune Municipal Complex, Township Committee Meeting Room – 2nd Floor, 25 Neptune Blvd. Neptune, New Jersey at 7:00 p.m. to further consider this ordinance for final passage and to give all interested persons an opportunity to be heard concerning this ordinance. Copies of the full text of the ordinance published herewith are available for inspection by the members of the general public who shall request same at the office of the Township Clerk located at the above address. The ordinance is also posted on the Township web site at www.neptunetownship.org.

ORDINANCE NO. 17-29

AN ORDINANCE TO AMEND VOLUME I, CHAPTER II, SECTION 2-10 OF THE CODE OF THE TOWNSHIP OF NEPTUNE, ENTITLED "POLICE DEPARTMENT"

BE IT ORDAINED by the Township Committee of the Township of Neptune of the County of Monmouth in the State of New Jersey that the general ordinances of the Neptune Township, and in particular, Chapter II, Article II, Section 2-10, entitled, "Police Department," shall be amended as follows:

§2-10.1 Department Established.

There is hereby created in and for the Township of Neptune Police Department, which shall consist of such employees and officers as shall be deemed necessary by the Township Committee and may include a Police Chief in accordance with N.J.S.A. 40A:14-118. The Township Committee

shall, from time to time determine the number of employees and officers of the Police Department together with their compensation. The structure of the Police Department will include at a maximum one (1) Police Chief; one (1) Deputy Police Chief; three (3) Captains, seven (7) Lieutenants, in addition to the number of Sergeants and Patrolmen determined by the Township Committee. The governing body shall also appoint from among its members a Police Committee composed of two (2) Township Committeepersons, and a third member who may be a designee from the Police Department, or another employee from another department within the Township as chosen by the Township Committee, or a non-employee volunteer or paid professional, in the Township Committee's discretion. The governing body shall designate a person to serve as the Chairperson or Township Police Commissioner of the Police Committee from one of the two members appointed to the Police Committee from the Township Committee. The Police Committee is hereby designated as the appropriate authority as provide for in the New Jersey Statutes, and shall be responsible for the overall performance of the Police Department, as set forth more fully below.

§2-10.2 Designation of Appropriate Authority.

In accordance with N.J.S.A. 40A:14-118, the Police Committee, as set forth above, is hereby designated as the Appropriate Authority, and is hereby vested with the powers and duties of an Appropriate Authority as delegated by law.

§2-10.3 Responsibilities of Police Department, Police Committee and Chief of Police.

- a. Police Department: The Police Department shall preserve the public peace; protect life and property; detect, arrest and prosecute offenders of the laws of New Jersey and the ordinances of the Township of Neptune; direct and control traffic; provide attendance and protection during emergencies; provide appearances in court; cooperate with all other law enforcement agencies; provide training for the efficiency of its members and officers.

- b. Police Committee:
 1. The Police Committee shall report to the Township Committee and shall be responsible to review the performance of the Police Department. It shall serve as the administrative and executive head of the Police Department. It shall review and recommend to the Township Committee all adopted and promulgated rules and regulations for the government of the Police Department and for the discipline of its employees. The Police Committee's duties include, but are not limited to:
 - (a) Establishing the procedures to be followed by the Chief of Police and other subordinate officers for the purchase of equipment and supplies. Such procedures may include the requirement that the Police Committee approve all expenditures with regard to the equipment and supplies.
 - (b) The Police Department and Chief Financial Officer shall keep a record of all business transacted by the Police Department and approve all bills for the expense of the Police Department after review and approval of the Police Committee.

- (c) The Police Department shall keep and maintain accurate records and submit an annual report to the Township Committee, on or before January 31, which shall assess the operations of the Police Department, and its personnel, equipment and property.
 - (d) The Police Department shall keep and maintain all records, reports, documents and other data required to be kept and maintained by the Federal and/or State government, with the Police Committee's right of review to the extent allowed by law.
 - (e) The Police Department shall keep and maintain a record of all appointments, dismissals, removals, resignations and deaths of officers and other department employees as they take place, with such other information as may be necessary, with the Police Committee's right of review to the extent allowed by law.
 - (f) The Police Department and Chief Financial Officer shall develop the annual budget for the Police Department, subject to the Police Committee overseeing any and all expenditures of the Police Department, and reviewing and approving said annual budget.
 - (g) The Police Chief shall analyze crime trends and statistics to ensure that the Police Department makes the best use of available funds, personnel, equipment and supplies, with the Police Committee's right of review.
 - (h) The Police Committee, in conjunction with the Police Department, shall evaluate the effectiveness of work program and procedures of all organizational components within the police Department and developing effective work methods for subordinates.
 - (i) The Police Committee, in conjunction with the Police Department, shall undertake special studies pertaining to police functions and promoting close coordination of planning efforts.
 - (j) The Police Committee, in conjunction with the Police Department, shall establish and maintain helpful and cooperative relations with civic and business organizations, schools, and court offices, and with other groups and public authorities and other jurisdictions, and with others interested in the maintenance of law and order.
 - (k) All such other duties not specifically reserved to the Chief of Police pursuant to N.J.S.A. 40A14-118.
2. The Chief of Police or designee shall report directly to the Police Committee and the Police Committee shall receive daily or other periodic reports, as designated by the Police Committee, from the Chief of Police or designee.
 3. The Police committee shall also be responsible for ensuring that all Police Officers and employees are compensated in accordance with State and Federal Wage and Hour Requirements.

4. The Police Committee shall be appointed by the Township Committee. The members of the Police Committee shall serve at the pleasure of the Township Committee and may be removed by the Township Committee at their discretion.
 5. In addition to the two (2) members of the Township Committee appointed to the Police Committee, and a third member, the governing body may also appoint, or the Police Committee may request, any professional needed to accomplish its duties, including Labor Counsel, the Township Attorney, Chief Financial Officer or any other consultant or professional that the Police Committee may feel appropriate.
- c. Chief of Police:
1. If a Police Chief is appointed, he/she shall exercise any and all of the rights, authorities, powers and responsibilities reserved solely to the Chief of Police pursuant to N.J.S.A. 40A:14-118. Any other rights, authorities, powers and responsibilities not reserved solely to the Chief of Police by N.J.S.A. 40A:14-118 shall be assumed or delegated by the Police Committee.
 2. If a Police Chief is not appointed, any and all of the rights, authorities, powers and responsibilities reserved solely to the Chief of Police pursuant to N.J.S.A. 40A:14-118, which cannot be performed by the Police Committee, shall be delegated to a Chief Law Enforcement Officer, which shall be highest ranking sworn officer, as designated by the Police Committee.

All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

The amended Ordinance shall become effective immediately upon its final passage and publication as required by law.

Richard J. Cuttrell,
Municipal Clerk