

TOWNSHIP OF NEPTUNE
NOTICE OF FINAL ADOPTION OF ORDINANCE
ORDINANCE NO. 09-40

AN ORDINANCE TO AMEND VOLUME I, CHAPTER VII OF THE
CODE OF THE TOWNSHIP OF NEPTUNE BY ADDING A
HANDICAPPED PARKING ZONE ON MT. HERMON WAY

Approved on First Reading: October 26, 2009

Approved, passed and adopted on final reading: November 9, 2009

NOTICE
ORDINANCE NO. 09-41
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 9th day of November, 2009, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 23rd day of November, 2009, in the Cafeteria at the Summerfield School, 1 Summerfield Lane (adjacent to Green Grove Road), 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 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. 09-41

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XXI OF THE
CODE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE
TOWNSHIP'S RECYCLING PROGRAM TO COMPLY WITH THE
COUNTY SOLID WASTE PLAN

WHEREAS, the County of Monmouth has adopted amendments to the County Solid Waste Plan; and,

WHEREAS, it is necessary for the Township to update the Recycling Program section of its Solid Waste Management ordinance,

THEREFORE, 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 XXI, Section 21-5 – Enforcement and Administration, hereby amended as follows (additions are indicated in **bold**):

21-5 ENFORCEMENT AND ADMINISTRATION

21-5.1 Enforcement

This chapter shall be enforced in Municipal Court upon a complaint signed by a member of **the Monmouth County Solid Waster Enforcement Team, a designated representative of the Monmouth County** Board of Health, **the Municipal Recycling Coordinator**, the Public Works Department, **the Code Enforcement Department**, or the Police Department of the Township of Neptune. Further, once a complaint has been signed and issued, the responsibility for disposal of solid waste shall lie with the violator, and/or shall be processed as a lien against the property in accordance with law.

21-5.5 Appointment **and Duties of Municipal Recycling Coordinator**

The Township Committee **shall** appoint a **Municipal** Recycling Coordinator selected from Public Works personnel who shall be required to act as liaison with Monmouth County and New Jersey Solid Waste Officials, keep records, perform the annual Tonnage Grant application process, **prepare reports as required by state or county agencies or the municipal governing body regarding local solid waste and recycling programs, review performance of local schools and municipal agencies in conducting recycling activities, periodic review of local residential and business recycling practices and compliance.**

SECTION 2

Volume I, Chapter XXI, Section 21-6 – Recycling Program, is hereby amended as follows (additions are indicated in **bold**):

21-6 RECYCLING PROGRAM

21-6.1 Designation of Recycling Materials and Services

a. Upon classification of an item or material, presently or prospectively a part of commingled solid waste flow, as recyclable, residential and other property owners, except for the United States Government and the State of New Jersey, shall cause themselves or their agents, lessees, tenants or their occupants to separate said item or materials separately for collection, whether said collection is performed by a municipal agency or private contractor.

b. On and after the date fixed in the regulations and in accordance with the terms thereof, it shall be mandatory for all persons who are owners, lessors, renters, or occupants of residential dwellings and commercial, industrial and institutional properties in the Township of Neptune to separate recyclable materials from all other solid waste generated. Commercial, industrial and institutional properties that are not serviced by the Township shall be required to negotiate with their private hauler/contractor in accordance with the provisions of the Monmouth County District Recycling Plan.

c, **All waste containers must be labeled as either “trash” or “recycling” containers wherever appropriate. All apartment and other multi-family complexes, schools, businesses and institutions shall provide separate and clearly marked containers for use of**

residents, students, employees, customers or other visitors, for trash and the types of recyclables as indicated in 21-6.1(d) 1 through 7.

d. At the present time, the waste materials to be recycled by the New Jersey State mandate and designated as recyclable by the Township of Neptune are:

1. Aluminum cans
2. **Tin & Bi-Metal Cans**
3. Glass Bottles & Jars
4. Plastic Pourable Containers (#1 & #2)
5. Newspapers
6. Corrugated Cardboard
7. Mixed Paper (including chipboard, office paper, stationary envelopes, magazines and colored sheets in newspapers)
8. Yard waste – branches, vegetative waste
9. **Leaves – (must be separate from yard waste)**
10. Tree parts (stumps and limbs over 3” in diameter)
11. **Concrete**
12. **Asphalt**
13. **Bulk Ferrous and Non-ferrous Scrap Metal (any amount over 5 pounds in weight or bigger than one cubic foot)**
14. **Automotive batteries**
15. **Used Motor Oil**
16. **Computers, Monitors & Televisions (effective January 1, 2011)**

Note: Additional recyclable materials shall be added in accordance with the time line of the New Jersey Source Separation and Recycling Act: S-1478/A-1781 and the Monmouth County District Recycling Plan, in order that the Township meets the volume requirements of said laws. The Public Works Department shall issue further regulations classifying recyclables and providing for the method and manner of collection. Said classification shall be dependent upon the existence of lawful disposal, users or markets for said recyclables.

21-6.2 Municipal Drop-Off Center

The Township of Neptune will operate a Municipal Drop-Off Center and be open to the public at hours prescribed in the Neptune Township Municipal Calendar disseminated by the Department of Public Works. Only residents with a valid Neptune Township Driver’s License will be allowed to utilize the Municipal Drop-Off Center

Small businesses operating in Neptune Township and in possession of a valid Neptune Township Mercantile License will be permitted to utilize the Drop-Off Center for commingled paper, cardboard, junk mail, telephone books, cans, bottles and electronics only.

a. **The following items are accepted at the Municipal Drop-Off Center:**

Aluminum cans

Glass bottles and jars

Newspaper – paper of the type commonly known as newsprint.

Pourable plastics – plastic containers, such as food, drink, and laundry

Telephone books

Cardboard – type used to make cardboard boxes, cartons, and kraft paper

Commingled – includes glass bottles, tin and aluminum cans

Mixed paper – magazines, junk mail, colored sections of the newspaper, **colored cardboard** (almost all paper products except newspaper and **brown cardboard**)

Yard Waste – leaves and plant materials (must not be in plastic bags, **no grass clippings**)

Metal – all metal products except for refrigerators, air conditioners, dehumidifiers and products with Freon

Brush and branches

Bulk items – couches, chairs, furniture, rugs

Demolition and construction material (maximum of two (2) forty-two (42) gallon containers)

Concrete – up to a 2 x 2 x 2 piece (combined)

Electronics (computers, monitors and televisions)

Latex paint in non-leaking paint cans

b. The following items will be accepted at the Drop-Off Center only if a ticket is purchased at the Department of Public Works Office, 2201 Heck Avenue, Monday through Friday from 7:30 a.m. to 2:30 p.m., at an amount established in the schedule of fees by the Township Committee:

Tires

Freon products

c. The following items are prohibited at the Drop-Off Center:

Demolition, construction materials and concrete in excess of amount permitted in subsection 21-6.2a.

Roof shingles

Oil

Household Garbage

Car batteries and car parts with oil

Asphalt

Asbestos shingles

Oil paint cans

Hazardous waste as defined in Section 21-1

Prohibited materials **that are required to be recycled but are prohibited at the Drop-Off Center** can be disposed of at the Monmouth County Reclamation Center, Shafto Road, Tinton Falls 732-922-8686 or call the Monmouth County Health Department at 732-922-4788.

21-6.3 Disposal of Recyclable Items

Materials classified as recyclable shall only be disposed of by:

a. Placing them for collection by the municipality pursuant to the terms of this chapter and regulations issued by the Public Works Department in accordance with the provisions set forth in the Neptune Township Municipal Calendar.

b. Disposing of giving, donating or selling them or permitting them to be collected by any person, partnership or corporation, whether operating for profit or not, provided that the material shall:

1. Be Recycled

2. Be collected from a point other than the curbside in districts with municipal collection of recyclable items or materials or at a municipal drop-off center, except with the permission of the Township of Neptune.

3. Be reported to the municipality by both the generator and receiver of the recyclable items or materials in accordance with the regulations of the Public Works Department.

c. Recycling documentation in the form of weight slips or a signed business form letter shall be required from all those who market, collect, haul and/or generate recyclable materials, whether they be residential, commercial and/or institutional premises located within the boundaries of the Township of Neptune, as required by the Monmouth County District Recycling Plan. These records and reports shall be submitted to the Neptune Township Recycling Coordinator on a quarterly basis, specifically, not later than the close of business January 1, April 1, July 1 and October 1 of a given year.

d. Used Tires. Depending upon the availability of markets or other disposal means for used tires, the department may, at its discretion, provide for the disposal of used tires by residents. The Township Committee shall be empowered to fix fees by regulation for the disposal of used tires; and the disposal method shall be established by regulation of the Department.

21-6.4 Enforcement

SECTION 2. This ordinance shall take effect upon publication in accordance with law.

Richard J. Cuttrel,
Municipal Clerk

NOTICE
ORDINANCE NO. 09-42
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 9th day of November, 2009, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 14th day of December, 2009, in the Cafeteria at the Summerfield School, 1 Summerfield Lane (adjacent to Green Grove Road), 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 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. 09-42

AN ORDINANCE AMENDING AND SUPPLEMENTING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING SECTION 907 ENTITLED "DEMOLITION WITHIN A HISTORIC DISTRICT" BY AMENDING AND ADDING DEFINITIONS

WHEREAS, the Township Committee previously adopted significant revisions to Section 907 of the Land Development Ordinance related to demolition within an Historic District through Ordinance 07-46; and,

WHEREAS, the Township Committee has been advised that certain technical changes are required to further advance the objectives of that Ordinance; and,

WHEREAS, the Township Committee is resolved to enact those technical changes required within the Historic District,

THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Land Development Ordinance of the Township of Neptune is hereby amended as follows:

SECTION 1.

Section 907, Demolition Within An Historic District, Section 2 is hereby amended and supplemented as follows to repeal and replace the "Definitions" contained in Section 2 (a)

Demolition and (b) Partial Demolition with the revised Definitions contained herein:

(a) **Demolition:** shall mean the total demolition of fifty (50%) per-cent or more of the exterior walls, visible pier foundations and, as applicable, alterations, refinements or removal to the roof assembly (as defined herein) including any ornamentation, eyelids, soffits, overhangs, dormers, turrets, towers or roof form of any structure, as determined by a qualified professional, situate within the Historic District and which shall consist of the razing or removal of said structure and/or the removal of such of the distinguishing or defining characteristics (as applicable) to the style of such structure or the removal of any architecturally or historically significant exterior elements from the structure which define or contribute to its classification within the Historic District. Demolition, as defined herein, shall require any owner to obtain a demolition permit in accordance with the requirements established herein and any such additional requirements as established by the Construction Department. Any such Demolition Permit shall be issued by the Construction Official. Nothing herein shall excuse compliance with all applicable ordinances of the Township of Neptune related to Land Use.

(b) **Partial Demolition:** shall mean the removal or demolition of not less than fifteen (15%) per-cent nor more than fifty (50%) per-cent of the exterior walls visible pier foundations and, as applicable, alterations, refinements or removal to the roof assembly (as defined herein) including any ornamentation, eyelids, soffits, overhangs, dormers, turret, towers or roof form of any Key, Supporting or Contributing Structure located within the Historic District, as determined by a qualified professional and approved or confirmed by the Commission and/or the removal of such architecturally or historically significant features which would compromise the classification of a structure within the Historic District as determined by the Commission. An Owner seeking to partially demolish a portion of a Key, Supporting or Contributing Structure shall obtain a demolition permit in accordance with the requirements established herein and any such additional requirements established by the Construction Department. Any such Demolition Permit will be issued by the Construction Official. Partial Demolition shall not include those structures classified as "Other Structures", by the Commission, which shall not require a formal demolition application for a partial demolition. However, an Applicant shall be required to obtain a Certificate of Appropriateness from the Commission upon application and approval. Nothing herein shall excuse compliance with all applicable ordinances of the Township of Neptune related to Land Use.

SECTION 2

Neptune Township Ordinance Section 907, Demolition Within A Historic District, Section 2 is hereby amended and supplemented to insert the following additional terms as "Definitions" as listed herein:

(s) **Pier Foundations:** shall mean and consist of any isolated masonry or cast-in-place concrete structural elements extending into firm materials which are visible on the structure.

(t) **Roof Assembly:** shall mean a system designed to provide weather protection and resistance to design loads. The system consists of a roof covering and roof deck or a single component serving as both the roof covering and roof deck. A roof assembly includes the roof deck, vapor retarder, substrate or thermal barrier, insulation, vapor retarder and roof covering.

SECTION 3

Effective Date: This ordinance shall take effect upon final passage and publication as

required by law.

SECTION 4

Inconsistent Ordinances: All ordinances or parts thereof inconsistent with the provisions of this ordinance section are hereby repealed to the extent of such inconsistency.

SECTION 5

Severability: If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid by a Court of competent jurisdiction, such adjudication shall apply only to that section, paragraph, clause or provision and the remainder of this ordinance shall be deemed to be valid and enforceable.

Richard J. Cuttrell,
Municipal Clerk

TOWNSHIP OF NEPTUNE

PUBLIC NOTICE FOR THE SOLICITATION OF PROFESSIONAL SERVICE CONTRACTS FOR THE YEAR 2010

NOTICE IS HEREBY GIVEN that sealed submissions will be received by the Municipal Clerk, or designated representative, for the Township of Neptune, County of Monmouth, State of New Jersey on Wednesday, December 3, 2009 at 10:30 a.m. prevailing time, in the Executive Conference Room, Neptune Municipal Complex. 25 Neptune Blvd., Neptune, NJ 07753 then publicly opened and read aloud for the following:

1. Township Attorney/Deputy Township Attorney
2. Municipal Prosecutor
3. Public Defender
4. Township Auditor
5. Bond Counsel
6. Labor Attorney
7. Township Planner
8. Planning Board Attorney
9. Planning Board Engineer
10. Board of Adjustment Attorney
11. Board of Adjustment Engineer
12. Historic Preservation Commission Attorney
13. Regional Contribution Agreement Attorney
14. Special Redevelopment Council
15. Transcript Reporting Services
16. Rooming & Boarding Licensure Board Attorney
17. Alternate Prosecutor

18. Alternate Public Defender
19. Township Architect

Standardized submission requirements, selection criteria and submission packages are on file and available in the Office of the Municipal Clerk (732) 988-5200, extension 234 during regular business hours, 8:30 AM to 4:30 PM, Monday through Friday, excluding holidays and are also available on our web site: www.neptunetownship.org.

All professional service contractors are required to comply with the requirements of N.J.S.A. 52:32-44 (Business Registration of Public Contractors), N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. (Contract Compliance and Equal Employment Opportunities in Public Contracts).

Submissions by Corporations and Partnerships shall include a completed Disclosure of Ownership form (N.J.S.A. 52:25-24.2) and shall include a completed Non-Collusion Affidavit.

The Township Committee reserves the right to reject any and all submissions due to any defects or waive informalities and accept any submissions that in their judgment will be in the best interest of the Township. The Township Committee, Planning Board or Board of Adjustment shall award the contract or reject all submissions no later than 60 days from receipt of same.

By authorization of the Municipal Clerk, of the Township of Neptune, Monmouth County, New Jersey

Richard J. Cuttrell,
Municipal Clerk
November 12, 2009