

ORDINANCE #32-18

ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER XVI, "STREETS, SIDEWALKS AND SANITATION," SECTION 6.6, "RECYCLING COMMITTEE," TO REFLECT REVISIONS TO THE MEMBERSHIP AND MEETING SCHEDULE OF THE COMMITTEE

WHEREAS, the Borough of Keyport (the "**Borough**") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Borough Code of General Ordinances (the "**Code**") provides regulations related to sanitation and waste disposal within the Borough; and

WHEREAS, the Code provides for the establishment of a Recycling Committee (the "Committee"), pursuant to *N.J.S.A. 40A:60-7(d)*, to make recommendations to the Mayor and Borough Council concerning the management and promotion of recycling within the Borough, undertake projects and activities pertaining to recycling and related environmental concerns and provide an annual report of its activities to the Mayor and Borough Council; and

WHEREAS, the Mayor and Borough Council hereby desire to amend Chapter XVI, "Streets, Sidewalks and Sanitation," Section 6.6, "Recycling Committee," to reflect the following changes (additions are underlined and deletions are in [brackets]):

... [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] ...

16-6.6 Recycling Committee.

a. There shall be a Recycling Committee, an advisory committee, which shall meet on a quarterly basis or as needed by circumstance, established pursuant to *N.J.S.A. 40A:60-7 (d)*, comprised of up to [nine (9)] seven (7) members [and one (1) alternate] as follows:

<i>Title</i>	<i>Term</i>
Recycling Coordinator	One (1) Year
Deputy Recycling Coordinator	One (1) Year
Council Liaison	One (1) Year
Department of Public Works Liaison	One (1) Year
[Five (5)] <u>Three (3)</u> Resident Citizen Members	Three (3) Years
[One (1) Resident Citizen Alternate]	[One (1) Year]

The Department of Public Works Liaison may also serve as Recycling Coordinator or Deputy Recycling Coordinator in which case the Recycling Committee will consist of [eight (8)] six (6) members. Otherwise, it will consist of [nine (9)] seven (7) members.

b. The term of each member shall commence on January 1 and expire on December 31 of the final year of the term.

c. [The initial terms of the resident citizen members appointed in the year 2012 shall be staggered so that those terms commence and expire in successive years, as follows: 2, 2, and 1

1. There shall be two (2) resident citizen members who shall have initial terms expiring on December 31, 2012.

2. There shall be two (2) resident citizen members who shall have initial terms expiring on December 31, 2013.
3. There shall be one (1) resident citizen member who shall have an initial term expiring on December 31, 2014.]

All persons appointed to terms that begin after 2012 shall have three-year terms[, except that vacancies will be filled for the unexpired term only.] Appointments for vacancies of unexpired terms shall be for the remainder of that term.

- d. The powers and duties of the Recycling Committee shall be as follows:
1. Make recommendations to the Mayor and Council concerning the management and promotion of materials recycling in or by the Borough of Keyport, and other issues bearing upon the concerns of this Committee.
 2. Undertake such projects and activities pertaining to recycling and related environmental and public safety concerns that the Mayor and Council may allow, authorize or direct. Such projects and activities may include the preparation of public notices issued by the Mayor and Council, pursuant to *N.J.S.A. 13:1E-99.16(f)*, to notify, at least every six (6) months, all persons occupying residential, commercial, and institutional premises within its municipal boundaries of local recycling opportunities, and the source separation requirements of the Borough's recycling program; and
 3. Provide an annual report of its activities and projects to the Mayor and Council at the end of each calendar year.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Keyport as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Chapter XVI of the Borough Code shall be amended as follows:

... [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] ...

16-6.6 Recycling Committee.

a. There shall be a Recycling Committee, an advisory committee, which shall meet on a quarterly basis or as needed by circumstance, established pursuant to *N.J.S.A. 40A:60-7 (d)*, comprised of up to seven (7) members as follows:

<i>Title</i>	<i>Term</i>
Recycling Coordinator	One (1) Year
Deputy Recycling Coordinator	One (1) Year
Council Liaison	One (1) Year
Department of Public Works Liaison	One (1) Year
Three (3) Resident Citizen Members	Three (3) Years

The Department of Public Works Liaison may also serve as Recycling Coordinator or Deputy Recycling Coordinator in which case the Recycling Committee will consist of six (6) members. Otherwise, it will consist of seven (7) members.

b. The term of each member shall commence on January 1 and expire on December 31 of the final year of the term.

c. All persons appointed to terms that begin after 2012 shall have three-year terms. Appointments for vacancies of unexpired terms shall be for the remainder of that term.

d. The powers and duties of the Recycling Committee shall be as follows:

1. Make recommendations to the Mayor and Council concerning the management and promotion of materials recycling in or by the Borough of Keyport, and other issues bearing upon the concerns of this Committee.

2. Undertake such projects and activities pertaining to recycling and related environmental and public safety concerns that the Mayor and Council may allow, authorize or direct. Such projects and activities may include the preparation of public notices issued by the Mayor and Council, pursuant to *N.J.S.A. 13:1E-99.16(f)*, to notify, at least every six (6) months, all persons occupying residential, commercial, and institutional premises within its municipal boundaries of local recycling opportunities, and the source separation requirements of the Borough's recycling program; and

3. Provide an annual report of its activities and projects to the Mayor and Council at the end of each calendar year.

Section 3. All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed.

Section 4. Each section, subsection, sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

Section 5. This ordinance shall be in full force and effect from and after its adoption and publication as required by law.

Introduced: December 4, 2018
Public Hearing: December 18, 2018
Adopted: December 18, 2018



Valerie T. Heilweil, RMC, CMR
Borough Clerk
Borough of Keyport



Harry M. Aumack, II, Mayor
Borough of Keyport