

TOWNSHIP OF NEPTUNE
NOTICE OF FINAL ADOPTION OF ORDINANCE
ORDINANCE NO. 16-30

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

Approved on First Reading: August 22, 2016

Approved, passed and adopted on final reading: September 12, 2016

NOTICE
ORDINANCE NO. 16-31
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 12th day of September, 2016, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 26th day of September, 2016, 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. 16-31

AN ORDINANCE TO AMEND VOLUME I, CHAPTER III OF THE
CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED, "POLICE
REGULATIONS" AND VOLUME I, CHAPTER XII, ENTITLED,
"PROPERTY MAINTENANCE"

BE IT ORDAINED by the Township Committee of the Township of Neptune in the County of Monmouth in the State of New Jersey, that the Code of the Township of Neptune be and is hereby amended as follows:

SECTION 1.

Chapter III, entitled, "Police Regulations" shall be amended as follows:

Sections 3-3, 3-3.1, 3-3.2, 3-3.3 and 3-3.4 shall now be rescinded.

SECTION 2.

Chapter XII, entitled "Property Maintenance" shall be amended as follows:

Section 12-1.2 – Additions, Insertions and Changes

p. Section PM 303.8 (Page 10, line 4)

The section is amended to read as follows:

Except as provided for in in other regulations, and subject to §411.04 of the Land Development Ordinance, entitled, "Motor Vehicle Parking in Residential Areas," not more than one currently unregistered and/or uninspected motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in the state of major disassembly, disrepair or in the process of being stripped or dismantled.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside of a structure or similarly enclosed area designed and approved for such purposes.

SECTION 3.

All Ordinances or parts of Ordinances that are inconsistent herewith are repealed, but only to the extent of such inconsistency.

SECTION 4.

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

Richard J. Cuttrell,
Municipal Clerk

NOTICE
ORDINANCE NO. 16-32
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 12th day of September, 2016, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 26th day of September, 2016, 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. 16-32

AN ORDINANCE AMENDING AND SUPPLEMENTING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING SECTION 605, ENTITLED, "POWERS AND RESPONSIBILITIES OF THE HISTORIC PRESERVATION COMMISSION", SECTION 913, ENTITLED, "PENALTY; CERTIFICATE OF APPROPRIATENESS" AND SECTION 1105, ENTITLED, "PENALTIES"

BE IT ORDAINED by the Township Committee of the Township of Neptune in the County of Monmouth in the State of New Jersey that the Land Development Ordinance be and is hereby amended as follows:

SECTION 1

Section 605 be and is hereby amended as follows:

§605 – Powers and Responsibilities of the Historic Preservation Commission.

Subsection J and Subsection O are rescinded.

SECTION 2

Section 913 be and is hereby amended as follows:

§913 – Penalty; Certificate of Appropriateness.

A. Failure to Obtain Approval or Comply with Approval

Any person who shall undertake any activity in violation of any provisions relating to historic zoned districts and designated historic sites without first having obtained a Certificate of Appropriateness or any other required approval, or who fails to comply with the terms, conditions and limitations of an approval granted, shall be deemed in violation of these provisions.

B. Service of Notice of Violation

Upon learning of the violation, the Township Zoning Officer or Zoning Officer's designee shall personally serve upon the owner of the lot whereon the violation is occurring a notice describing the violation in detail. The violator shall be required to file an application for the Certificate of Appropriateness to the Historic Preservation Commission or in case of non-compliance with an existing Certificate of Appropriateness, comply with said approval within 10 days of receipt of the Notice of Violation. If the owner cannot be personally served within the municipality with the notice, a copy of the same shall be posted on the site in question, and a copy shall be sent by Certified Mail/RRR to the owner at his or her last known address as it appears on the Township Tax Rolls.

C. Issuance of Summons and Complaint

In the event that the violator fails to file an application for a Certificate of Appropriateness, or comply with a prior Certificate of Appropriateness granted within the specified 10 day period following service and/or posting on the site in question, whichever is earlier, the Zoning Officer or Zoning Officer's designee shall cause to be issued a Summons and Complaint, returnable in the Municipal Court charging violation of the Land Development Ordinance. Each separate day the violation exists shall be deemed to be a new and separate violation of the Land Development Ordinance.

D. Penalties Designated

All penalties and form of relief available under this Section shall be pursuant to Section 1105 of the Land Development Ordinance.

Subsection E shall be rescinded and superseded by Section 1105.

SECTION 3

Section 1105 be and is hereby amended as follows:

§1105 – Penalties.

A. Fines

- (1) Any person, firm or corporation that shall violate any provisions of this Ordinance shall, upon conviction thereof by any court authorized by law to hear and determine the matter, be fined such sum not exceeding \$2,000.00 as such court in its discretion may impose; or if the parties so convicted be a natural person, such person may be imprisoned for such term not exceeding 90 days as such court in its discretion may impose, or appear at community service not exceeding 90 days or any combination thereof as such court in its discretion may impose. Each day that such violation exists shall constitute a separate offense.

C. Additional Remedies

- (1) In addition to the remedy or remedies hereinbefore provided, any person, persons, company or corporation violating the Land Development Ordinance or any provision or section thereof, may be proceeded against by the Township of Neptune or by the Zoning Officer of the Township of Neptune or any designee of the Township of Neptune or Zoning Officer or by the owner of any property in the Township of Neptune by appropriate action or by proceeding in equity or otherwise to prevent and enjoin any threatened violation or any existing violation or continuing violation of the Land Development Ordinance or any provision or section thereof.

SECTION 4

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

SECTION 5

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

Richard J. Cuttrell,
Municipal Clerk

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
MONMOUTH COUNTY, NEW JERSEY**

PUBLIC NOTICE

NOTICE OF INTRODUCED/PENDING BOND ORDINANCE NO. 16-33 AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey, on September 12, 2016. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at Township Municipal Complex, 25 Neptune Boulevard, Neptune, New Jersey, on September 26, 2016 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

- Title:** BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO BRIGHTON AVENUE, LAKEWOOD ROAD AND ADJOINING ROADWAYS, BY AND IN THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR (INCLUDING A \$264,194 NEW JERSEY TRANSPORTATION TRUST FUND GRANT) AND AUTHORIZING THE ISSUANCE OF \$235,806 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF
- Purpose(s):** Improvements to Brighton Avenue, Lakewood Road and adjoining roadways, including, but not be limited to, reconstruction and repaving of roadways, drainage improvements, curbing improvements, ADA accessibility improvements and other related improvements
- Appropriation:** \$500,000
- Bonds/Notes Authorized:** \$235,806
- Grant:** \$264,194 New Jersey Transportation Trust Fund Grant
- Section 20 Costs:** \$80,000

Useful Life: 20 years

**RICHARD J. CUTTRELL,
Clerk of the Township of Neptune**

NOTICE
ORDINANCE NO. 16-34
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 12th day of September, 2016, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 26th day of September, 2016, 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. 16-34

AN ORDINANCE TO AUTHORIZE A DECLARATION OF DEED
RESTRICTION FOR RECREATION/CONSERVATION FOR BLOCK
615, LOT 5, ALSO KNOWN AS 1825 WEST LAKE AVENUE, TO
THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

WHEREAS, the Township is the owner in fee simple of certain real property and the improvements thereon located in the Township of Neptune and County of Monmouth, State of New Jersey designated as Lot 5, Block 615 (formerly Block 225.01, Lots 597, 598-601) of the official Tax Map of the Township of Neptune, commonly known as 1825 West Lake Avenue (former Chidnese property), hereinafter referred to as the "Property"; and

WHEREAS, the soils of the Property have been contaminated by discharges of hazardous substances within the meaning of the New Jersey Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 (the "Spill Act"), and

WHEREAS, Declarant represents that remediation of the contamination is estimated to cost at least \$52,314.75; and

WHEREAS, the New Jersey Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-1.1 et seq. (the "Remediation Act"), authorizes New Jersey Economic Development Authority (EDA) to award a municipality with a grant from the Hazardous Discharge Site Remediation Fund (the "HDSRF Grant") pursuant to the Remediation Act of up to 75% of the costs

of the remedial action for a project involving the redevelopment of contaminated property for recreation and conservation purposes, provided that the use of the property for recreation and conservation purposes is included in the comprehensive plan for the development or redevelopment of the contaminated property, and provided that use of the property is preserved for recreation and conservation purposes by conveyance of a deed restriction, which shall be recorded and indexed with the deed in the registry of deeds for the county in which the Property is located; and

WHEREAS, subject to the Declarant's compliance with the Remediation Act, and based on Declarant's representations regarding the intended use of the Property for public open space, the New Jersey Department of Environmental Protection ("DEP") has recommended to the EDA that the Declarant be awarded a HDSRF Grant of up to 75% of the costs of the remedial action with respect to the Property because the remedial action would foster public outdoor recreation or conservation; and

WHEREAS, in reliance on DEP's recommendation and subject to, among other things, Declarant entering into this Declaration of Deed Restriction, the EDA has awarded Declarant an HDSRF Grant in the amount of \$39,237; and

WHEREAS, the grant of this Deed Restriction by Declarant will help to ensure that the Property is rehabilitated and reused consistent with the West Lake Avenue Redevelopment Plan; and

WHEREAS, the Declarant, having the authority to do so, intends to enter into this Deed Restriction in order to ensure that the Property is preserved for open space for the benefit of the public,

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune that in consideration of the award of the HDSRF Grant to the Township, and the facts recited above and the terms, conditions and restrictions contained herein, the Township hereby irrevocably grants, bargains, sells, and conveys unto the NJ EDA, a Deed Restriction for Recreation/Conservation for 1825 West Lake Avenue; and,

BE IT FURTHER ORDAINED, that the Mayor and Clerk are hereby authorized to execute a Declaration of Deed Restriction to effectuate said action.

Richard J. Cuttrel,
Municipal Clerk