

**UPPER FREEHOLD TOWNSHIP
RECYCLING PLAN ELEMENT
OF THE MASTER PLAN**

**Adopted By Resolution of the Upper Freehold Township
Planning Board on October 25, 2011**

Prepared For:
Planning Board
Township of Upper Freehold
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*The original of this document was signed and sealed in accordance with N. J. A. C. 13:41-1.3(b)
and is on file with the Upper Freehold Township Planning Board.*

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RECYCLING PLAN ELEMENT

Introduction

A recycling plan element is required in a municipal master plan pursuant to the New Jersey Statewide Mandatory Source Separation and Recycling Act of 1987, and as further amended by the NJ Recycling Enhancement Act (P.L. 2007, Chapter 311; effective date Jan. 13, 2008). This plan element includes provisions for the collection, disposition, and recycling of recyclable materials designated in the municipal recycling ordinance. In addition, the Township's Land Development Ordinance should include provisions for the collection, disposition and recycling of materials for multifamily dwelling units and certain non-residential development proposals.

Goal

The goal of the Upper Freehold Township Recycling Plan Element is to recycle 50% of municipal solid waste and a 60% of overall solid waste, consistent with the State Recycling Act.

Township Recycling Program

Upper Freehold Township adopted a mandatory recycling program in 1986 for residential and non-residential properties in compliance with state law and the Monmouth County Solid Waste Management Plan. The municipality is not required to provide curbside recycling services pursuant to the Monmouth County Solid Waste Plan since the Township has a population density less than 200 persons per square mile. Chapter 17 of the Municipal Code also established the position of the Recycling Coordinator.

Upper Freehold Township operates a recycling center the Public Works Yard behind the municipal building on Route 539. The center has limited hours and is staffed by municipal personnel. Residents and small businesses can drop off the following recyclables: bundled newspapers, glass, tin cans, and plastic containers; aluminum cans; mixed office paper; used motor oil; white goods; cardboard, branches, leaves, auto and button batteries and limited other materials.

Recycling tonnage for the year 2010 in the municipality is provided on the following page in Table One to show the town's current recycling effort. Residents and businesses recycled over 3,000 tons of materials last year.

Recycling Coordinator

Upper Freehold has appointed a Recycling Coordinator to assist the Township Committee in the municipal recycling efforts. State regulations require that the Recycling Coordinator comply with the requirements for certification as a "Certified Recycling Professional".

Publicity

Upper Freehold Township maintains a separate page on the Township municipal website for the Recycling Center, listing items that can be dropped off at the Center, the location of the center and the operating hours.

Table One
**Recycling Program
 2010
 Upper Freehold Township**

Category	Item	Tons
Glass		115.12
Metals	Aluminum	2.82
	Steel Containers	24.67
	Scrap Metal (White Goods)	45.23
Plastic	Containers	25.04
Paper	Newspaper	63.23
	Other Paper	88.29
	Mixed Paper	14.55
	Corrugated Cardboard	97.58
Vegetable Waste	Brush and Tree Parts	284.8
	Leaves	46.12
	Stumps	59.04
	Wood Scraps	35.37
Batteries	Auto	1.75
	Dry Cell	10.92
Automotive	Tires	0
	Motor Oil (used)	14.42
	Antifreeze	1.48
Other	Concrete/Asphalt/Brick	2064.86
Other	Not Listed	34.61
	Nonferroius/Aluminum Scrap	0.28
	Oil Contaminated Soil	30.95
TOTAL		3061.13

Source: Upper Freehold Township Recycling Tonnage Grant Application

Recommendations

1. The recycling statute requires the Township to mail recycling information requirements to all residents and businesses at least once every six months. Monmouth County has indicated that municipalities that send out information once a year and provide information on their municipal website have been determined to meet the statutory requirement. The Township should address this mandate.
2. The Township should maintain and enhance, as needed, its recycling program, and ensure that the municipality remains consistent with any future changes to the New Jersey Recycling Rules and Regulations as may be amended by the NJ Department of Environmental Protection.
3. Consideration of recyclable collection programs in the “developed “ areas of the Township should be considered to increase recycling volumes and rates.
4. Due to the Township’s size of over 47 square miles of land area, residents and businesses must travel a good distance to recycle at the Municipal Building. To address the convenience issue and possibly boost recycling rates in the Township, the feasibility of “satellite” recycling centers at public facilities or property should be investigated. Alternatively the concept of sharing the recycling services with the Borough of Allentown may create some cost efficiencies for both municipalities.
5. Upper Freehold should continue to keep accurate records of materials collected and claimed by the Township and continue to submit for Recycling Tonnage Grants for the current recycling program.

6. Development Regulations:

The State Recycling Act mandates that the Township’s Land Development Ordinance include provisions for the collection, disposition and recycling of materials for any development proposal for the construction of 25 or more multifamily dwelling units and any commercial or industrial development proposal for the utilization of 1,000 square feet or more of land. The ordinance at this time does not contain the appropriate language and should be amended accordingly.

7. Mandatory Recycling Ordinance:

A revised Monmouth County Solid Waste Management Plan was adopted by the County Board of Freeholders in March of 2009. The County Plan updated the minimum provisions of municipal recycling ordinances. As a result, Chapter 17 (Recycling) of the Upper Freehold Township Code should be updated to comply with the most current County Solid Waste Management Plan.

APPENDIX A

APPENDIX A

DRAFT AMENDMENT TO SUBDIVISION /SITE PLAN REGULATIONS

New Developments of Multi-Family or Commercial, Institutional, or Industrial Properties

(Pursuant to N.J.S.A. 13:1E-99.13a and 99.16c.)

- A. Any application to the Planning or Zoning Board of the Township of Upper Freehold, for subdivision or site plan approval for the construction of multi-family dwellings of twenty - five or more units, and any commercial, institutional, or industrial development for the utilization of 1,000 square feet or more of land, must include a recycling plan. This plan must contain, at a minimum, the following:
 - 1) A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development,

and,
 - 2) Locations documented on the applicant's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the municipal recycling coordinator.
- B. Prior to the issuance of a Certificate of Occupancy by the Township of Upper Freehold, the owner of any new multi-family housing or commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the municipality does not otherwise provide this service.
- C. Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste, to be approved by the municipal engineer.

APPENDIX B

SAMPLE

MUNICIPAL MANDATORY RECYCLING ORDINANCE

(Prepared by the Monmouth County Planning Board)

This draft ordinance was prepared to serve as a guideline for those Monmouth County municipalities reviewing and updating their existing Mandatory Recycling Ordinance in order to comply with additional requirements of the Monmouth County Solid Waste Management Plan. The Updated County Solid Waste Plan was adopted by the Board of Chosen Freeholders in March 2009, and certified by the NJDEP in August 2009. This draft ordinance addresses the minimum requirements as established by Section 6.A.3 (a) through (k) of the County Plan, and as discussed at the Municipal Recycling Workshops held in September 2009. While every attempt has been made to design this ordinance in a fashion which would allow a local municipality to replace and/or amend the existing ordinance with minimum effort, it is not a final 'attorney reviewed' document and may not be a precise fit to the municipality's traditional code requirements. Please have any changes or replacement to your Mandatory Recycling Ordinance reviewed, read and adopted in accordance with N.J.S.A. 40:48-1 and your usual procedures.

AN ORDINANCE ESTABLISHING A MANDATORY PROGRAM FOR

THE SEPARATION AND COLLECTION OF RECYCLABLE MATERIALS

A. PREAMBLE

Proper management of solid waste is an important matter of public health and safety. The source separation and recovery of certain recyclable materials will serve the public interest by conserving energy and natural resources, and reducing waste disposal expenses. In accordance with the requirements of the New Jersey Mandatory Source Separation and Recycling Act (N.J.S.A. 13:1E-99.11 et seq) and the 2009 Update to the Monmouth County Solid Waste Management Plan, it is therefore necessary to update and amend existing municipal rules and regulations for the separation, storage, collection and recovery of designated recyclable materials.

B. SOURCE SEPARATION OF RECYCLABLE MATERIALS

1. It shall be mandatory for all persons who are owners, lessees and occupants of residential property, of business and industrial properties, and of private or public and government institutions and buildings, to separate newspaper, corrugated cardboard, clean mixed paper, aluminum cans, tin and bi-metal cans, glass bottles and jars, and pourable plastic bottles ("designated recyclables"), from all other solid waste produced by such residences and establishments, for the separate collection and ultimate recycling of such materials.

- (a) Newspaper shall mean and include paper of the type commonly referred to as newsprint, and includes any inserts which are normally included in the newspaper. Specifically excluded are any pages of the newspaper used for

household projects and crafts, such as painting or paper mache projects, or used for cleanup of pet waste.

- (b) Corrugated cardboard shall mean layered cardboard including a waffled section between the layers, of the type commonly used to make boxes and cartons. Specifically excluded are waxed cardboard and any cardboard contaminated by direct contact with food, such as pizza boxes.
 - (c) Clean mixed paper shall mean high grade bond paper, mixed office and school papers, such as stationary, construction paper and writing tablets, including computer printouts, magazines, gift wrapping paper, soft cover books, junk mail and single layer cardboard (chipboard). Specifically excluded are carbon papers, hard cover books (unless cover and binder are removed), paper cups and plates, food wrappers or any other paper contaminated by direct contact with food products, and paper products used for personal hygiene, such as tissues.
 - (d) Aluminum cans shall mean all disposable cans made of aluminum used for food or beverages. Specifically excluded are aluminum foils, pie tins, trays, cookware and other aluminum products.
 - (e) Tin and bi-metal cans shall mean all disposable cans made of tin, steel or a combination of metals including, but not limited to, containers commonly used for food products. Specifically excluded are cans which contain toxic products, such as paints and oils.
 - (f) Glass bottles and jars shall mean transparent or translucent containers made from silica or sand, soda ash and limestone, used for the packaging or bottling of various products. Specifically excluded are dishware, light bulbs, window glass, ceramics and other glass products.
 - (g) Pourable plastic containers shall mean plastic bottles where the neck is smaller than the body of the container, and is limited to plastic resin type #1 PET and plastic resin type #2 HDPE. Specifically excluded are other resin types (#3 through #7) and non-bottle plastic containers such as margarine tubs and other consumer items and packages, such as film plastics, blister packaging, boxes, baskets, toys and other products.
2. Residences, businesses and institutions provided with recyclables collection service by municipal forces or through municipal contract shall place all designated recyclables in the appropriate containers at curbside or other area(s) in the manner and schedule as regularly published and distributed by the municipality.
 3. Any multi-family complex, business or institution not provided recyclables collection service by municipal forces or through municipal contract shall be responsible for arranging the appropriate separation, storage, collection and ultimate recycling of all designated recyclables.
 4. Any multi-family complex, business or institution which is not provided recyclables collection service by municipal forces or through municipal contract shall provide the municipality with, at a minimum, an annual report describing arrangements for both solid waste and recyclables collection services, including the size, number and location of storage containers, frequency of pickup service, the name and address of any contractor hired to provide such service, and phone and other contact information for the contractor.

5. Leaves shall be kept separate from other vegetative waste, and shall only be placed for collection in the manner and schedule as shall be published and distributed by the municipality. Grass clippings shall not be placed with other materials for solid waste collection. This requirement shall not prohibit any person or establishment from making arrangements to collect leaves and grass directly from their property through their own efforts or via contract with a landscape service or other appropriate company, for direct transportation to a permitted recycling operation.
6. The following bulky recyclables shall not be placed with solid waste at the curbside or in containers provided for waste collection and transportation to a disposal facility: concrete, asphalt, brick, block, tree stumps, tree limbs over three inches in diameter, metal appliances or bulk metal items larger than one cubic foot and/or heavier than five pounds.
7. Automotive and other vehicle or wet cell batteries, used motor oil and anti-freeze shall not be disposed as solid waste. Such items are to be kept separate from other waste materials and recyclables, and brought to local service stations, scrapyards, or publicly-operated recycling facilities designed and permitted to handle such products.
8. Common, non-rechargeable dry cell batteries, commonly labeled A, AA, AAA, C, D and 9-Volt, may be disposed with regular municipal solid waste; however, rechargeable dry cell and button batteries still contain significant amounts of various toxic metals, including mercury, and shall be separated and brought to retail outlets or publicly-operated recycling facilities providing specific arrangements for the proper packaging and shipment of rechargeable and/or button batteries to appropriate processing facilities.
9. Computers, computer monitors and other related electronic hardware, as well as analog and digital televisions, are prohibited from being placed with other solid waste for disposal. These and other electronic devices shall be kept separate and brought to retail outlets or publicly-operated recycling facilities providing specific arrangements for shipment of these items to appropriate processing facilities.

C. OWNERSHIP OF RECYCLABLES; SCAVENGING PROHIBITED

1. All designated recyclables become the property of the municipality and/or the contracted collector once placed at the curbside, in a container provided by the contractor, or brought to and accepted at the Municipal Recycling Depot.
2. It shall be a violation of this section for any unauthorized person to pick up or cause to be picked up, any recyclable materials as defined herein. Each such collection shall constitute a separate and distinct offense.
3. Notwithstanding anything herein to the contrary, any person may donate or sell self-generated recyclable materials to any person, partnership or corporation, whether or not operating for profit. The person, partnership or corporation, however, shall not pick up the recyclable materials at curbside.

D. LIQUID AND HAZARDOUS WASTE EXCLUSIONS

1. No liquids of any type shall be placed with recyclables, or with solid waste for collection and disposal.
2. No chemicals, liquid paints, pesticides, herbicides, reactive polishes or cleansers, cleaning or automotive products, or other hazardous wastes shall be placed with recyclables, or with solid waste for collection and disposal.

E. PROVISION AND LABELING OF RECYCLING CONTAINERS

1. All apartment and other multi-family complexes, businesses, schools and other public or private institutions shall provide separate and clearly marked containers for use by residents, students, employees, customers or other visitors, for trash and the various types of recyclables, as appropriate.
2. Any company or agency providing dumpsters, rolloff or other containers to any apartment or other multi-family complex with shared disposal and recycling areas, or to any business, school or other institution, or for any construction/demolition project, shall clearly mark such container for trash or for specific recyclables, as may be appropriate.

F. DEBRIS MANAGEMENT PLAN FOR CONSTRUCTION PERMITS

1. The municipality shall issue construction and demolition permits only after the applicant has provided a Debris Management Plan identifying the estimated number and types of containers to be used for the handling of all solid wastes and recyclables generated during the project, and arrangements for the proper disposition of the generated materials.
2. A refundable deposit of \$ 50.00 to \$ 1,000.00 shall be submitted with the Debris Management Plan, which will be returned after completion of the project and submittal of appropriate records documenting the quantity and disposition of solid wastes and recyclables. Inadequate or incomplete documentation may result in the forfeiture of some or all of the required deposit.

G. APPOINTMENT AND DUTIES OF RECYCLING COORDINATOR

1. The position of Recycling Coordinator is hereby created and established within the municipality, to be appointed by the Governing Body, for a term of ____ expiring _____.
2. The duties of the Recycling Coordinator shall include, but are not limited to: the preparation of annual or other reports as required by state and county agencies regarding local solid waste and recycling programs, reviewing the performance of local schools and municipal agencies in conducting recycling activities, periodic review of local residential and business recycling practices and compliance, review and

recommendation on local subdivision and site plan submittals and local construction and demolition projects for appropriate waste disposal and recycling provisions, reports to the Governing Body on the implementation and enforcement of the provisions of this ordinance, and such other reports and activities as may be requested by the Governing Body.

3. The Recycling Coordinator shall be required to comply with the Certification Requirements for Municipal Recycling Coordinators, as established by the State of New Jersey. The Recycling Coordinator shall have completed or be in the process of completing the requirements for certification as a "Certified Recycling Professional" (CRP) no later than January 13, 2012, as required by the New Jersey Recycling Enhancement Act.

H. ENFORCEMENT

1. The duly appointed Municipal Recycling Coordinator, the Monmouth County Health Department, and ~~---~~ (at least one other official or agency) ~~---~~ are hereby jointly and severally empowered to inspect solid waste and recycling arrangements and compliance at local residences, businesses, schools and institutions, and to enforce the provisions of this Ordinance, by issuance of warnings, notices, summonses and complaints. A typical inspection may consist of sorting through containers and opening bagged solid wastes to detect the presence of recyclable materials.
2. The authorized inspector may, in his or her discretion, issue a warning rather than a summons following an initial inspection(s), with a follow up visit to determine compliance within a stated period of time.

I. VIOLATIONS AND PENALTIES

1. Violation or non-compliance with any of the provisions of this Ordinance, or the rules and regulations promulgated hereunder, shall be punishable by a fine as follows:
 - (a) for a first offense - \$25.00 to \$100.00
 - (b) for a second offense - \$50.00 to \$250.00
 - (c) for third and subsequent offense - \$100.00 to \$1,500.00 and/or the performance of community service in the recycling program, for a period not to exceed ninety (90) days
2. Each day such violation or neglect is committed or permitted to continue shall constitute a separate offense and be punishable as such.
3. Fines levied and collected in Municipal Court pursuant to the provisions of this Ordinance shall be deposited into the Municipal Recycling Trust Fund. Monies in the Municipal Recycling Trust Fund shall be used for the expenses of the municipal recycling program.

J. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

This SAMPLE MANDATORY MUNICIPAL RECYCLING ORDINANCE was prepared at the request of several municipalities, and was designed to address, in a relatively simple and straightforward manner, all basic requirements of the NJ Mandatory Source Separation and Recycling Act, as amended, and in accordance with the most recent Update to the Monmouth County District Solid Waste Management Plan. It does not include several of the usual clauses, such as the standard 'Repealer' and 'Severability' sections, found in many municipal ordinances. It does suggest some additional language which is recommended, but not required, by the language in the adopted County Plan.

Specific penalties listed in the 'Violations and Penalties' section may be adjusted as each municipality sees fit. We have left blank spaces in the "Appointment and Duties of Recycling Coordinator" for the municipality to decide on the term of appointment and, as noted, an additional municipal official or agency needs to be included in the "Enforcement" section.

We have seen differences in the few draft or updated Municipal Ordinances submitted to date. In some cases, the requirements are part of a broader "Solid Waste Management" ordinance. In other cases, additional language has been added to cover other requirements that have been adopted as part of the County Plan. A few ordinances include many pages of definitions, and become quite specific regarding collection methods and schedules. This sample ordinance only defines the most common household recyclables, and suggests reference to "the manner and schedule as published" to avoid unnecessary detail and the need for frequent changes to the ordinance.

Some of the language in this draft ordinance has been adapted directly from existing municipal draft or adopted ordinances already submitted to our office. Lettered and numbered sections of this draft ordinance would, of course, change based on the numbering system used for the local municipal codes.

Prepared by: Lawrence Zaayenga, Solid Waste Coordinator
Monmouth County Planning Board 11/9/09