



UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

ORDINANCE NUMBER: *800-2018*
 DATE OF INTRODUCTION: *11/28/2018*
 DATE OF ADOPTION:

11/28/2018

AN ORDINANCE TO AMEND THE UNION COUNTY SOLID WASTE MANAGEMENT PLAN BY INCLUDING A GENERAL CLASS "B" RECYCLING FACILITY OWNED AND OPERATED BY NJ RUBBER, LLC, LOCATED AT 475 DIVISION STREET, Lot 8, BLOCK 1875, ELIZABETH, NEW JERSEY, TO ACCEPT, PROCESS AND TRANSFER USED TIRES FROM GOVERNMENTAL ENTITIES AND COMMERCIAL BUSINESSES IN THE AREA.

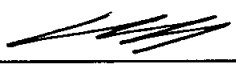
WHEREAS, pursuant to the Solid Waste Management Act, N.J.S.A 13:1E-1 et seq., the County of Union is designated as a Solid Waste Management District and by law did develop and prepare a District Solid Waste Management Plan ("County Plan") that was adopted by the Union County Board of Chosen Freeholders on June 7, 1979, pursuant to and in accordance with the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq.; and

WHEREAS, the County Plan was approved, with modifications, by the Department of Environmental Protection ("NJDEP") on August 13, 1980, and has since been amended and modified from time to time; and

Continued...

**NO SUFFICIENCY
 OF FUNDS REQUIRED**
Janley 11/28/18

INTRODUCTION				RECORD OF VOTE				FINAL ADOPTION							
FREEHOLDER	Aye	Nay	Abs	Pass	Ord.	Sec	NP	FREEHOLDER	Aye	Nay	Abs	Pass	Ord.	Sec	NP
BERGEN	✓							BERGEN							
ESTRADA	✓							ESTRADA							
GARRETSON	✓							GARRETSON							
HUDAK							✓	HUDAK							
JALLOH							✓	JALLOH							
MIRABELLA	✓					✓		MIRABELLA							
WILLIAMS	✓							WILLIAMS							
KOWALSKI VICE CHAIRMAN	✓				✓			KOWALSKI VICE CHAIRMAN							
GRANADOS CHAIRMAN	✓							GRANADOS CHAIRMAN							

APPROVED AS TO FORM  COUNTY ATTORNEY	I hereby certify the above is an original ordinance adopted by the Board of Chosen Freeholders of the County of Union on the aforementioned date.
	_____ CLERK

I hereby certify this is a true copy of a ordinance adopted by the Board of Chosen Freeholders of the County of Union on the aforementioned date.
_____ CLERK

WHEREAS, on December 11, 1986, the Union County Board of Chosen Freeholders designated the Union County Utilities Authority (“UCUA”) as the agency responsible for the implementation of the County Plan, as amended from time to time, and the UCUA is empowered to plan, acquire, construct, maintain and operate facilities for the processing, disposal and/or recycling of solid waste generated in the County; and

WHEREAS, the UCUA has formulated a Plan Amendment, and recommends that this Board set a public hearing for the purpose of taking public testimony on the proposed plan amendment, and review and enact said amendment that is now on file with the Clerk of this Board and available for public inspection and is made a part hereof by reference; and

WHEREAS, the subject amendment is summarized as follows:

This Plan Amendment is prepared as a result of a determination by the UCUA to:

TO MODIFY THE UNION COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN BY INCLUDING A GENERAL CLASS “B” RECYCLING FACILITY TO BE OWNED AND OPERATED BY NJ RUBBER, LLC, LOCATED AT 475 DIVISION STREET, Lot 8, BLOCK 1875, ELIZABETH, NEW JERSEY. THE PROPOSED FACILITY WILL HAVE A 300 TONS PER DAY CAPACITY TO ACCEPT, PROCESS AND TRANSFER USED TIRES FROM GOVERNMENTAL ENTITIES AND COMMERCIAL BUSINESSES IN THE AREA.

WHEREAS, pursuant to the Solid Waste Management Act, the County's Solid Waste Advisory Committee (“SWAC”) must be consulted with respect to amendment to the County Plan; and

WHEREAS, by Resolution No. 58-2018, duly adopted October 17, 2018, the UCUA approved the Plan Amendment and recommended that the Plan Amendment be approved by the Board of Chosen Freeholders of the County, after public hearing in accordance with the Solid Waste Management Act; and

WHEREAS, pursuant to and in accordance with the provisions of the Solid Waste Management Act, the Plan Amendment was presented to SWAC:

NOW, THEREFORE, BE IT ORDAINED, by the Board of Chosen Freeholders of the County of Union, that:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Plan Amendment, as prepared and recommended by the Union County Utilities Authority, is hereby adopted as an Amendment to the Union County District Solid Waste Management Plan.
3. Any provision of the County Plan that is inconsistent with the Plan Amendment is hereby repealed to the extent of said inconsistency and the provisions of the Plan Amendment shall be fully effective and shall control.
4. A certified copy of this Ordinance, as finally adopted, together with the Plan Amendment, shall be forwarded to the New Jersey Department of Environmental Protection, the County Clerk of the County of Union, and the Union County Utilities Authority.
5. The Clerk of this Board shall publish and disseminate notice of this Ordinance as provided by law.
6. The aforesaid Plan Amendment and a copy of the transcript of the public hearing to be held at such time as may be scheduled by said Board of Chosen Freeholders, and the necessary deliberations shall be submitted to the Commissioner of the New Jersey Department of Environmental Protection.
7. This Ordinance shall take effect in the manner prescribed by law.