

THE TOWNSHIP OF SOUTH ORANGE VILLAGE

PASSED ORDINANCE

**AN ORDINANCE TO AMEND THE CODE OF THE
TOWNSHIP OF SOUTH ORANGE VILLAGE, CHAPTER
12 THEREOF, ENTITLED "ENVIRONMENTAL
COMMISSION"**

BE IT ORDAINED, by the Board of Trustees of the Township of South Orange Village, a municipal corporation of New Jersey located in Essex County thereof, as follows:

Section 1.

The Code of the Township of South Orange Village is hereby amended to add a chapter entitled "Environmental Commission."

There is hereby created by the Board of Trustees an Advisory Board to be known as the Environmental Commission.

Section 2.**Membership of the Environmental Commission: Terms: Vacancies.**

The membership of the Environmental Commission shall consist of seven (7) members appointed by the Village President, one of whom shall also be a member of the Planning Board, and all of whom shall be residents of the Township of South Orange Village. The members shall serve without compensation. The Village President shall designate one of the members to serve as Chairman and Presiding Officer of the Environmental Commission.

The terms of office of the first Commissioner shall be for one (1), two (2), or three (3) years, to be designated by the Village President in making his appointments and the successors shall be appointed for terms of three (3) years and, until the appointment and qualifications of their successors.

The first members of the Environmental Commission shall be appointed under the following terms:

Two members for a one (1) year term expiring December 31, 2000;

Two members for a two (2) year term expiring December 31, 2001; and

Three members for a three (3) year term expiring December 31, 2002.

A vacancy on the Environmental Commission occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as the original appointment.

The Village President or the Board of Trustees may remove any member of the Environmental Commission for cause, on written charges, served upon the member and, after a hearing thereon, at which the member shall be entitled to be heard in person or by counsel.

Section 3.

Alternate Members

The Board of Trustees may appoint not more than two (2) alternate members to be designated as Alternate #1 and Alternate #2.

The terms of the alternate member shall be for two (2) years, except that the terms of the alternate members first appointed shall be for two (2) years for Alternate #1 and one (1) year for Alternate #2. A vacancy occurring otherwise than by expiration of a term shall be filled by the Board of Trustees for the unexpired term only.

The Board of Trustees may remove any alternate member of the Environmental Commission for cause, on written charges, served upon the member and, after a hearing thereon, at which the member shall be entitled to be heard in person or by counsel.

An alternate member may participate in discussions in the proceedings but may not vote, except in the absence or disqualification of a regular member. The vote shall not be delayed in order for a regular member to vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate #1 shall vote first.

Section 4.

A member or an alternate member shall not be permitted to act on any matter in which he has, either directly or indirectly, any personal or financial interest.

Section 5.

The Environmental Commission organized, pursuant to this ordinance, shall have the following powers:

- (a) To conduct research into the use or possible use of open land areas in South Orange;
- (b) Coordinate the activities of unofficial bodies organized for similar purposes;

- (c) Advertise, prepare, print, and distribute books, maps, charts, plans, and pamphlets which, in its judgment, it deems necessary for its purposes;
- (d) Keep an index of all open areas publicly and privately owned, including open marsh lands, swamps, and other wetlands in order to obtain information on the proper use of such areas;
- (e) From time to time recommend to the Planning Board of South Orange plans and programs for inclusions in the municipal master plan in the development and use of such areas;
- (f) Recommend to the Board of Trustees the acquisition of property, both real and personal, by gift, purchase, grant, bequest, devise, or lease for any of its purposes; and
- (g) To study and make recommendations concerning open space preservation, water resources management, air pollution control, solid waste management, waste control, soil and landscape protection, environmental appearance, marine resources, and protection of flora and fauna.

Section 6.

Limitations on Environmental Commission's Activities.

The Environmental Commission may not perform the following activities:

- (a) Conduct any research into the use or possible use of the open land areas of South Orange located within any area designated in need of redevelopment;
- (b) Review any site plan application and make any recommendations with respect thereto;
- (c) Appear before the Planning Board or the Board of Adjustment in conjunction with any application being heard by those bodies; and
- (d) Shall not assume any other duties or functions other than those specifically granted to it by the Board of Trustees by ordinance or resolution.

Section 7.

Records and Annual Reports.

The Environmental Commission shall keep records of its meetings and activities in accordance with Village ordinances and shall make an annual report to the governing body which shall be submitted no later than February 15th of the succeeding year.

Section 8.

Appropriations and Personnel.

The Environmental Commission may, subject to the approval of the Board of Trustees, expend such funds as are appropriated to it in the Operating Budget of the Township of South Orange Village.

The Environmental Commission may recommend to the governing body the appointment of such clerks or other employees as it may, from time to time, require and as shall be budgeted for within the Operating Budget of the Township of South Orange Village.

Section 9.

Severability.

If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision, and the remainder of this ordinance shall be deemed valid and effective.

Section 10.

Repealer.

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 11.

This ordinance shall take effect upon final passage and publication as required by law.

The above ordinance was passed on second and final reading by the Board of Trustees of the Township of South Orange Village at a regular meeting held on Monday, October 25, 1999.

WILLIAM R. CALABRESE
VILLAGE PRESIDENT

MARJORIE O. SMITH
VILLAGE CLERK