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the remaining portions of this Ordinance shall not be effected thereby and shall remain in full force and effect, and to this end, the provisions of this Ordinance are hereby declared severable.

SECTION 10. Ordinance shall take effect immediately upon final passage and publication, according to law.

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☐

APPROVED
REJECTED

11/15/01

DAVID D. SPAULDING, MAYOR
Township of North Brunswick

RECONSIDERED BY COUNCIL

OVERRIDE VOTE

☐ YES☐ NO

PRESIDENT

CLERK, TOWNSHIP OF NORTH BRUNSWICK

ROLL CALLFirst Reading 10-15-01Second Reading 11-05-01

<u>Councilperson</u>	Yes	No
Little	☒	☐
Baldini	☒	☐
Ryan	☒	☐
Scarillo	☒	☐
Socio	☒	☐
Womack	☒	☐

<u>Councilperson</u>	Yes	No
Little	☒	☐
Baldini	☒	☐
Ryan	☒	☐
Scarillo Absent	☒	☐
Socio	☒	☐
Womack	☒	☐

c. J. Scarillo
M. Hommer
L.A. Benson

ORDINANCE # 01 - 25AN ORDINANCE ESTABLISHING AN ENVIRONMENTAL COMMISSION
IN THE TOWNSHIP OF NORTH BRUNSWICK, COUNTY OF
MIDDLESEX AND STATE OF NEW JERSEY.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey, as follows:

SECTION 1. CREATION: The Township of North Brunswick Environmental Commission is hereby established pursuant to Chapter 245 of the Laws of 1968 (N.J.S.A. 40:56A-1 to 40:56A-12), as amended by Chapter 35, P.L. 1972, Chapter 334, P.L. 1975, Chapter 168, P.L. 1989.

SECTION 2. MEMBERS: The Commission shall consist of seven (7) members appointed by the Mayor, one of whom shall also be a member of the Planning Board and all of whom shall be residents of the Township of North Brunswick; the members shall serve without compensation except as hereinafter provided. The Mayor shall designate one of the members to serve as Chairman and presiding officer of the Commission. The terms of the office of the first commissioners shall be for 1, 2 or 3 years, to be designated by the Mayor in making his appointments and their successors shall be appointed for terms of 3 years and until the appointment and qualification of their successors. The first members of the Commission shall be appointed for the following terms:

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2 members for the 1-year term expiring December 31, 2002,
2 members for the 2-year term expiring December 31, 2003,
3 members for the 3-year term expiring December 31, 2004.

The Mayor or governing body may remove any member of the Commission for cause, on written charges served upon the member and after the hearing thereon at which the member shall be entitled to be heard in person or by counsel. A vacancy on the Commission occurring otherwise than expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

ALTERNATE MEMBERS: The governing body may appoint not more than two alternate members, to be designated "Alternate No. 1" and "Alternate No. 2".

The terms of the alternate members shall be for two years, except that the terms of the alternate members first appointed shall be two years for Alternate No. 1 and one year for Alternate No. 2. A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority for the unexpired term only.

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. An alternate member may, after public hearing if he or she requests one, be removed by the governing body for cause.

An alternate member may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event

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that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote first.

SECTION 3. POWERS OF COMMISSION: The Commission is established for the protection, development or use of natural resources, including water resources, located within territorial limits of the Township of North Brunswick. The Commission shall have power to conduct research into the use and possible use of the open land areas of the municipality and may coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print, and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its purposes. It shall keep an index of all open areas, publicly or privately owned, including open marshland, swamps and other wetlands, in order to obtain information on the proper use of such areas and may from time to time recommend to the Planning Board plans and programs for inclusion in the Master Plan and the development and use of such areas.

SECTION 4. ACQUISITIONS BY COMMISSION: The Environmental Commission may, subject to the approval of the governing body, acquire property, both real and personal, in the name of the municipality by gift, purchase, grant, bequest, devise or lease for any of its purposes and shall administer the same for such purposes subject to the terms of the conveyance or gift. Such an acquisition may be to acquire the fee or any lesser interest, development right, easement (including conservation easement), covenant or other contractual right (including

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a conveyance on conditions or with limitations or reversions), as may be necessary to acquire, maintain, improve, protect, limit the future use of, or otherwise conserve and properly utilize open spaces and other land and water areas in the municipality.

SECTION 5. RECORDS AND ANNUAL REPORTS: The Environmental Commission shall keep records of its meetings and activities and make an annual report to the governing body.

SECTION 6. APPROPRIATIONS: The Commission may appoint such clerks and other employees and incur such expenses as it may from time to time require, providing the same shall be within the limits of funds appropriated to it by the governing body or otherwise available to it.

SECTION 7. STUDIES AND RECOMMENDATIONS: The Environmental Commission shall have power to study and make recommendations concerning open space preservation, water resources management, air pollution control, solid waste management, noise control, soil and landscape protection, environmental appearance, marine resources and protection of flora and fauna.

SECTION 8. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 9. Should any section, paragraph, sentence or clause of this Ordinance be declared unconstitutional or invalid for any reason,