

ORDINANCE NO. 58-00
AN ORDINANCE AMENDING
AND SUPPLEMENTING CHAPTER
46, ENVIRONMENTAL
COMMISSION, OF THE CODE
OF THE TOWNSHIP OF SOUTH
BRUNSWICK
This Ordinance amends and
supplements Chapter 46 of the
Township Code by abolishing the
autonomous Environmental Com-
mission and creating an Advisory
Environmental Commission.
TAKE NOTICE that this ordi-
nance was introduced and
passed on first reading at a regu-
lar meeting of the Township
Council of the Township of South
Brunswick, Middlesex County,
New Jersey, held on June 20,
2000 and will be considered on
second and final reading and
final passage at a regular meet-
ing of the Township Council of
the Township of South Brunswick
to be held at the Municipal Build-
ing, Monmouth Junction, New
Jersey, at 8:00 PM on July 18,
2000, at which time and place
any person having an interest
therein will be given an op-
portunity to be heard.
Copies of this entire ordinance
may be obtained without charge
in the office of the Municipal
Clerk during normal business
hours.
Tammy L. Patterson
Township Clerk
CP: 6-29-00 TT
FEE: \$12.71

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lar meeting of the Township
Council of the Township of South
Brunswick, held on June 20,
2000 and was adopted on final
reading at a regular meeting held
on July 18, 2000 at the Municipal
Building, Monmouth Junction,
New Jersey.
Tammy L. Patterson
Township Clerk
CP: 7-27-00 TT
FEE: \$6.92

ORDINANCE 58-00

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 46,
ENVIRONMENTAL COMMISSION, OF THE CODE OF THE
TOWNSHIP OF SOUTH BRUNSWICK

WHEREAS, the Government Transition Task Force has reviewed the
Code provisions related to the Environmental Commission of South
Brunswick and has made certain recommendations for changes to the
structure and function of the Environmental Commission; and

WHEREAS, the Township Council heard a presentation by the
Government Transition Task Force, and considered whether to adopt
the changes recommended, including that the Council abolish the
existing Environmental Commission and replace it with an Advisory
Environmental Commission; and

WHEREAS, the Township Council believes that the recommended
changes are in the best interest of the Township;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the
Township of South Brunswick, County of Middlesex, State of New
Jersey, that:

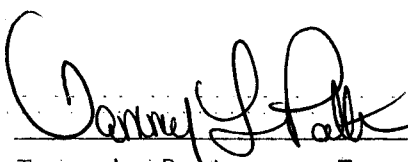
SECTION I. Chapter 46, describing a statutory Environmental
Commission, shall be and is hereby abolished and deleted in its
entirety and replaced with the following:

CHAPTER 46

ENVIRONMENTAL COMMISSION

- §46-1. Establishment; Purpose.
- §46-2. Composition; Alternates; Ex Officio Members.
- §46-3. Appointment; Terms; Compensation.
- §46-4. Removal; Absenteeism; Vacancies.
- §46-5. Officers; Election of Officers.
- §46-6. Meetings; Rules; Quorum.
- §46-7. Powers; Duties; Annual Report; Financial Estimate.
- §46-8. Appropriations.
- §46-9. Staff; Appointments; Compensation of Staff.

- §46-1. Establishment; Purpose.
 - A. An Environmental Commission of South Brunswick Township is hereby established.
 - B. The purpose of the Environmental Commission is for the protection, development or use of natural resources, including water resources, located within the territorial limits of South Brunswick.



Tammy L. Patterson, Township Clerk

§46-2. Composition; Alternates; Ex Officio Members.

The Environmental Commission shall be composed of:

- A. Seven (7) voting members, one of whom shall be a member of the Planning Board. All voting members shall be residents of South Brunswick.
- B. Two (2) alternates who shall be residents of South Brunswick. An alternate member may participate in discussion 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 that a choice must be made as to which alternate member is to vote, Alternate #1 shall vote first.
- C. One (1) non-voting ex officio staff representative from the Planning Department.
- D. One (1) non-voting ex officio member of the Township Council to serve as liaison.

§46-3. Appointment; Terms; Compensation.

- A. All members shall be appointed by the Township Council.
- B. (1) The regular voting members shall be appointed for three (3) year staggered terms.
(2) The Planning Board member appointed to serve on this Commission shall not be appointed beyond the expiration of his/her term of office as a member of the Planning Board.
(3) The alternate members shall be appointed for two (2) year staggered terms and shall serve until the appointment and qualification of their successors.
(4) The ex officio members shall each be appointed for a one (1) year term.
- C. Members shall serve without compensation.

§46-4. Removal; Absenteeism; Vacancies.

- A. The Township Council may remove any member of the Environmental Commission after written notice has been served upon the member and after a hearing on the issues raised, at which time the member shall be entitled to be heard in person or by counsel. At the discretion of the member, the hearing may be in private.
- B. Cause for removal may be found where a member has absences from three (3) consecutive meetings, or from fifty (50%) percent of the Commission's regularly scheduled meetings for a year, without prior notification to the Chairperson. The Chairperson shall submit a written report to the Township Council as to such absenteeism.
- C. In the event of a vacancy occurring on the Commission other than by expiration of term, such vacancy shall be filled for the unexpired term in the same manner as the

2

(6) With prior approval of the Township Council, to apply for and accept grant funds from any Federal, State or local governmental agency or authority, in the name of South Brunswick, for any of its purposes.

B. The Environmental Commission shall have the following duties:

- (1) To study, review and make recommendations to the Planning Board, on proposed land development within the Township. Recommendations shall be confined to the environmental impact on the quality of life, air and water quality, noise control, radiation hazard, pesticide and herbicide management, protection of natural resources and energy resources.
- (2) To study, review and make recommendations to the Zoning Board, on zoning variances, other than bulk variances, on preliminary and final site plans for proposed land development within the Township. Recommendations shall be confined to those areas set forth in Section B (1).
- (3) To study, review and make recommendations to the Planning Department, concerning the environmental impact of proposals regarding tenant occupation. Recommendations shall be confined to those set forth in Section B(1).
- (4) To keep and maintain an index of all open areas, publicly and privately owned, including open marshlands, swamps or other wetlands, in order to obtain information on the proper use of such areas. Such an index may be a joint index prepared in conjunction with the Open Space Advisory Committee.
- (5) To recommend to the Planning Board plans and programs for inclusion in a Municipal Master Plan and the development and use of all open areas listed in the above index.
- C. (1) The Commission shall keep records of its meetings and activities and shall make an annual report to the Township Council.
(2) To submit to the Planning Department in the month of October an estimate of its financial needs for the coming year.

§46-8. Appropriations.

The Township Council may appropriate such funds as it deems necessary for the expenses incurred by the Environmental Commission.

§46-9. Staff; Appointments; Compensation of Staff.

- A. The Environmental Commission may make recommendations to the Township Manager for the appointment of such clerks and other employees as the Township may from time to time require.
- B. Such appointments shall be made by the Township Manager. All such appointments shall be within the

4

original appointment.

§46-5. Officers; Election of Officers.

- A. The Environmental Commission shall elect one (1) of its regular voting members to serve as Chairperson and one (1) of its voting members to serve as vice-chairperson, each for a one (1) year term.
- B. Election of the officers shall be held annually at the first meeting of the year.

§46-6. Meetings; Rules; Quorum.

- A. Meetings shall be held at least once a month on a day and at a time to be set by the Commission.
- B. The Commission may establish bylaws and rules for the conduct of its meetings.
- C. A majority of the voting members shall constitute a quorum. Passage of any motion requires an affirmative vote by a majority of the members present.

§46-7. Powers; Duties; Records; Annual Report; Estimate of Financial Needs.

- A. The Environmental Commission shall have the following powers:
 - (1) To conduct research into the possible use of open land areas of the Township.
 - (2) To study and make recommendations concerning environmental issues which shall include, but not be limited to, 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.
 - (3) To coordinate its activities with the activities of unofficial bodies which are organized for purposes similar to that of the Environmental Commission.
 - (4) To advertise, prepare, print and distribute books, maps, charts, plans, and pamphlets which, in its judgment, are necessary for its purpose.
 - (5) To make recommendations to the Township Council for the acquisition of property, both real and personal, in the name of South Brunswick Township, by gift, purchase, bequest, devise or lease for any of its purposes. 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 a conveyance on condition 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 space and other land and water areas in the Township.

3

limits of the funds appropriated to the Commission by the Township Council.

SECTION II. If any clause, sentence, paragraph, section or part of this ordinance or any other codes or ordinances incorporated herein shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof, directly involved in the controversy in which said judgment shall have been rendered.

SECTION III. This ordinance shall become effective twenty (20) days after its final passage.

The above ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of South Brunswick held on June 20, 2000, and will be considered on second and final reading and final passage at a regular meeting of the Township Council of the Township of South Brunswick to be held at the Municipal Building, Monmouth Junction, New Jersey, at 8:00 p.m. on July 18, 2000, at which time and place any person having an interest therein will be given an opportunity to be heard.