

AN ORDINANCE AMENDING AND REPLACING CHAPTER II, SECTION 2-47.1, ET SEQ., OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE ENTITLED “ENVIRONMENTAL COMMISSION”.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, in the County of Essex, State of New Jersey, that Chapter II, Section 2-47, of the Revised General Ordinances of the Township of West Orange, entitled “Environmental Commission”, shall be amended and replaced to repeal the Ordinances previously enacted with respect to the Environmental Commission, which has been defunct for many years, and to replace them with this Ordinance, reestablishing the Environmental Commission and providing for its membership and operation as set forth herein.

Section 1. The Revised General Ordinances of the Township of West Orange are amended and supplemented to read as follows:

CHAPTER II, 2-47 ENVIRONMENTAL COMMISSION

2-47.1 ESTABLISHMENT OF COMMISSION.

An Environmental Commission is hereby established in the Township of West Orange pursuant to N.J.S.A. 40:56A-1 to 40:56A-12, and as the same may be amended, the mission of which shall be the protection, development or use of natural resources, including water resources, located within territorial limits of West Orange.

2-47.2 MEMBERSHIP

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 West Orange; the members shall serve without compensation. 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:

- 2 members for the 1-year term expiring December 31, 2014,
- 2 members for the 2-year term expiring December 31, 2015,
- 3 members for the 3-year term expiring December 31, 2016.

The Mayor or Township Council 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.

2-47.3 POWERS AND DUTIES

The Environmental Commission :

- a. Shall have the power to conduct research into the possible use of municipal open land areas within the Township.
- b. Shall conduct research and analyze green initiatives that make environmental and financial sense to the Township.
- c. Shall serve as the West Orange Green Team and support the municipality's efforts to work in accordance with the Township's Sustainable Element in the Master Plan.
- d. Shall collaborate with Township employees, service providers, other governmental agencies and the West Orange Board of Education: Administration, Facilities Director and Student Green Teams, to share resource information and ideas consistent with the Commission's mission to protect and or develop natural resources.

- e. Shall inform, educate and encourage participation with Township employees, residents and local businesses the solicitation of ideas on efficient green initiatives.
- f. May prepare, advertise, print, and distribute books, maps, charts, plans and pamphlets for the promotion of environmental goals and educational purposes.
- g. Shall work with the Open Space Index of all natural resource 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 recommend to the Planning Board plans and programs for inclusion in the Master Plan for the preservation or development and use of such areas.
- h. Shall prepare a report of suggested best management practices to create and promote a 'greener' municipality.

2-47.4 MEETINGS

Environmental Commission meetings shall be open to all West Orange residents and interested parties and shall comply with all requirements under the Open Public Meetings Act whether or not required by law.

2-47.5 MINUTES AND REPORTS

The Environmental Commission shall maintain minutes of its regular meetings, keep records of its activities and make an annual report to the governing body.

2-47.6 STUDIES AND RECOMMENDATIONS

The Environmental Commission shall have the power, subject to the Municipal Land Use Law and any other Statutes which may apply, to make recommendations to the Planning Board, Open Space Commission or the Township Council concerning open space preservation, water resource management, air pollution control, solid waste management, noise control, soil and landscape protection, environmental appearance, marine resources and protection of flora and fauna within the Township

Section 2. If any part of this Ordinance is determined to be invalid, such part shall be severed and its invalidity shall not affect the remaining parts of this Chapter.

Section 3. Any and all parts of ordinances which are inconsistent with any of the terms and provisions of this Ordinance shall be and the same are hereby repealed as to and to the extent of such inconsistency.

Section 4. This Ordinance shall take effect upon final passage and publication as required by law.

Susan McCartney, Council President

Karen J. Carnevale, Municipal Clerk

Robert D. Parisi, Mayor

Introduction: October 1, 2013

Adopted: October 29, 2013

LEGISLATIVE HISTORY

The Township previously had an Environmental Commission, but it has been defunct for many years, the positions of Commissioners having gone unfilled. The governing body, through this ordinance, is seeking to reinstate and re-energize the Environmental Commission, re-stating the provisions of the Administrative Code, adding to and omitting some of the powers and duties of the Commission, but intending to be consistent with the enabling statute, N.J.S.A. 40:56A-1, et seq..