

**ORDINANCE #03-23**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER II OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE TO AMEND**  
**SECTION 2-32 "ENVIRONMENTAL COMMISSION"**

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

**2-32 ENVIRONMENTAL COMMISSION.**

**\*\*\*2-32.1 Creation.** The Borough Environmental Commission is hereby established pursuant to R.R.S.S. 40:56A-1 to 40:56A-7.

**\*\*\*2-32.2 Members.** A Commission shall consist of seven (7) members appointed by the Mayor with the advice and consent of the Borough Council, for a three (3) year term, one (1) of whom shall also be a member of the Planning Board and all of whom shall be residents of the Borough. The members shall serve without compensation except as hereinafter provided. The Commission shall annually, upon reorganization, elect a Chairman from within. There shall, in addition, be appointed two (2) alternates to serve on said board. Each said alternate to be designated as Alternate 1 and Alternate 2 to serve for three (3) year terms.

The Borough Council may remove any member of the Commission for cause, on written charges served upon the member and after a hearing thereon at which the position shall be filled for the unexpired terms in the same manner as an original appointment.

**\*\*\*2-32.3 Powers of Commission.** The Commission shall have the following powers:

- a. The promotion of the conservation and development of all the natural resources of the Borough.
- b. Plan, inform and recommend to the Borough and to the public local conservation programs.
- c. Implement conservation programs as authorized by the Borough Council.
- d. Compile and keep an index of all open areas, publicly or privately owned, including open marshlands, swamps and other wetlands.
- e. The power to conduct research into the possible use of the open areas of the Borough.
- f. Recommend to the Planning Board plans and programs for inclusion in a municipal master plan and the development and use of such areas.
- g. Advertise, prepare, print and distribute books, maps, charts, plans and pamphlets, which in its judgment it deems necessary for its purposes.
- h. Act as the coordinating agency of the community on conservation needs and regional, State and Federal agencies ministering to those needs.
- i. 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 appearances, Marine resources and protection of fauna and farm.

**\*\*\*2-32.4 Acquisitions by Commission.** The Environmental Commission may, subject to the approval of the Borough Council, acquire property, both real and personal, in the name of the Borough 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 a conveyance on conditions or with limitations or reversions), as may be necessary to acquire, maintain, improve, protect, limit the future use or otherwise conserve and properly utilize open spaces and other land and water areas in the Borough.

**\*\*\*2-32.5 Records and Annual Report.** The Commission shall keep records of its meetings and activities and shall make an annual report on or before the first day of February and submit the same to the Council of the Borough, which report shall be comprehensive and detailed covering operations, receipts, disbursements and expenditures for the full year.

**\*\*\*2-32.6 Appropriation.** The Borough Council may appropriate funds for the expenses incurred by the employees of the Commission which shall be fixed and determined by the Mayor and Council.

#### **2-32.7 Sayreville Community Garden.**

- a. Preamble. The Sayreville Community Garden is hereby established for the support of recreational community gardens for residents to grow their own produce through best gardening practices. Benefits include the preservation of green space as residents work collaboratively and share information in gardening techniques. In addition, the Sayreville Community Garden will provide an educational forum for members to expand horticultural knowledge by way of cross-cultural and intergenerational connections as well as foster pride in a community-wide organization.
- b. Fees. Gardeners allotted a plot in the Community Garden will pay a fee ~~of fifty (\$50.00) dollars per year~~ **as defined and set forth in the by-laws of the ~~Commission~~ Sayreville Community Garden** to offset the cost **of operations** of the Community Garden. **Any fees established herein is subject to approval of the Borough Council.**

#### **2-32.8 Committee Established; Terms.**

- a. **The Sayreville Environmental Commission is authorized and empowered to appoint a committee to be known as the "Sayreville Community Garden," to consist of ~~nine~~ seven current members of the Community Garden.**
- b. **The initial terms of office of the first Sayreville Community Garden shall be for one, two or three years as designated by the Sayreville Environmental Commission, and their successors shall be appointed for terms of three years and/or until the appointment and qualification of their successors.**

- c. Any vacancy on the Sayreville Community Garden occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.*
- d. Any member of the Sayreville Community Garden may be removed by a majority vote of the Sayreville Environmental Commission.*
- e. Sayreville Community Garden members are volunteers and shall not be compensated for their service on this Committee.*

**2-32.9 Organization.** *The Sayreville Community Garden shall organize within 30 days after appointment and elect a Chairman, a Vice Chairman and a Secretary. The Chairman, Vice Chairman and/or Secretary shall report on a quarterly basis to the Environmental Commission.*

**2-32.10 By-Laws.** *The Sayreville Community Garden is hereby authorized to establish bylaws for its operation, which shall be approved by the Sayreville Environmental Commission prior to implementation. Any amendment to the bylaws shall also be approved in writing by the Sayreville Environmental Commission.*

**BE IT FURTHER ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that **Chapter Two, Section 2-32**, of the Revised General Ordinances of the Borough of Sayreville, shall be added to reflect said change.

**SECTION 2. Severability Clause.**

If any article, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable. (\*\* sections contain no changes and will remain in full force and effect).

**SECTION 3. Repealer.**

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions are hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 4. Effective Date.**

This Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

**INTRODUCED/APPROVED ON FIRST READING**

DATED: February 13, 2023

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Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

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Donna Roberts, Councilwoman  
(Water & Environmental Committee)  
Borough of Sayreville

**ADOPTED ON SECOND READING**

DATED: February 27, 2023

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Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

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Donna Roberts, Councilwoman  
(Water & Environmental Committee)  
Borough of Sayreville

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

\_\_\_\_\_  
Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

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SEAN KEAN, ESQ., Borough Attorney