

ORDINANCE #28-24

**BOROUGH OF SAYREVILLE
COUNTY OF MIDDLESEX
ORDINANCE REGARDING
ENVIRONMENTAL COMMISSION**

WHEREAS, the Borough of Sayreville (“Borough”) created an Environmental Commission pursuant to N.J.S.A. § 40:56A-1 to 50:56A-7; and

WHEREAS, the Borough seeks to clarify the membership of the Environmental Commission and its powers and duties.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Sayreville, in the County of Middlesex and the State of New Jersey, as follows:

SECTION 1. Chapter II, entitled “Administration” is hereby amended and supplemented as follows:

§ 2-32 Environmental Commission.

§ 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. In addition to the foregoing, the Commission shall include two (2) student representatives from the Sayreville War Memorial High School.

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.~~
- d. e. The power to conduct research into the possible use of the open areas of the Borough.

- e. 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.~~
- ~~g. 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.~~

§ 2-32.64 Appropriation.

[No change].

§ 2-32.75 Sayreville Community Garden.

[No change].

§ 2-32.86 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 seven (7) current members of the Community Garden and two (2) alternates with a staggered one (1) year and (2) year term.
- b. [No changes].
- c. [No changes].
- d. [No changes].
- e. [No changes].

§ 2-32.97 Organization.

[No change].

§ 2-32.108 By-Laws.

[No change].

SECTION 2. Severability.

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 3. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 4. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

INTRODUCED/APPROVED ON FIRST READING

DATED: May 28, 2024

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

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

ADOPTED ON SECOND READING

DATED: June 17, 2024

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

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

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2024.

Kennedy O'Brien, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

Borough Attorney