

AN ORDINANCE ESTABLISHING AN ENVIRONMENTAL
COMMISSION IN THE BOROUGH OF EATONTOWN AND
SETTING FORTH ITS STRUCTURE AND POWERS.

7-74

WHEREAS, the preservation of our natural environment should and must be along the highest priorities of this governing body, and

WHEREAS, the residential and commercial development of the Borough has reduced the amount of open space remaining, threatened the purity of our air and water, and limited the land area devoted to wild plant and animal life, and

WHEREAS, the Legislature of the State of New Jersey taking cognizance of similar environmental concerns throughout the state, has enacted laws permitting each municipality to establish an Environmental Commission for the protection, development of use of natural resources, within its boundaries,

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Eatontown as follows:

SECTION 1. Creation and Purpose: There is hereby established and Environmental Commission for the Protection, development, or use of natural resources, including water resources, located within the territorial limits of the Borough of Eatontown, pursuant to the provisions of Chapter 245 of the Laws of New Jersey, 1968, and Chapter 35 of the Laws of New Jersey 1972. (N.J.S.A. 40:56A-1 et seq.).

SECTION 2. Structure:

(A) The Commission shall consist of seven members, appointed by the Mayor, one of whom shall also be a member of the Borough Planning Board and one of whom shall also be a member of the Borough Council, and all of whom shall be residents of the Borough of Eatontown,

(B) The members shall serve without compensation except as hereinafter provided.

(C) The Mayor shall designate one of the members to serve as chairman and presiding officer of the commission.

(D) The terms of office of the first Commissioners shall be for one, two or three years, to be designated by the Mayor in making his appointments so that the terms of approximately 1/3 of the members will expire each year, and their successors shall be appointed for terms of three years and until the appointment and qualification of their successors.

(E) The Mayor and 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 member shall be entitled to be heard in person or by Counsel.

(F) A vacancy on the Commission occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as in original appointments.

(G) The Commission shall keep records of its meeting and activities and shall make an annual

report to the Mayor and Council.

(H) The Mayor and Council may appropriate funds for expenses incurred by the Environmental Commission.

(I) The Mayor and Council may appoint such clerks and other employees in the Commission as it determines the Commission to require.

(J) The Commission shall have seven associate members, all of whom shall be residents of the Borough of Eatontown and all of whom shall be appointed by the Mayor with the advice and consent of Council for a term of one year, and all of whom shall have the right to participate fully in the work on the Commission except that they shall not have a vote.

SECTION 3. Powers:

(A) The Commission shall have the power to conduct research into the use or possible use of the open land areas of the Borough 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.

(B) The Commission shall keep an index of all open areas, publicly or privately owned, including open marsh lands, 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 Borough Master Plan and the development and use of such areas.

(C) The 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.

(D) The Commission may, subject to the approval of the Mayor and Council, acquire property, both real and personal, in the name of the Borough of Eatontown by gift, purchase, grant, request, 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 acquisition may be to acquire the fee or any lesser interest, development right, easement (including conservation easement), convent 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 of, or otherwise conserve and properly utilize open spaces or other land and water areas in the Borough of Eatontown.

INTRODUCED: March 13, 1974

PASSED: April 10, 1974

APPROVED: Herbert E. Werner
Herbert E. Werner, Mayor

ATTEST: Marjorie L. Becker
Marjorie L. Becker, Borough Clerk