

**ORDINANCE #998**

**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING §29, ARTICLE IV AND REPEALING §250-13 OF THE CODE OF THE BOROUGH OF OCEANPORT DISSOLVING THE BOROUGH OF OCEANPORT ENVIRONMENTAL COMMISSION AND CREATING AN ENVIRONMENTAL ADVISORY COMMITTEE OF THE BOROUGH OF OCEANPORT**

**WHEREAS**, the Borough Council of the Borough of Oceanport deems it in the best interest of the Borough to dissolve the Borough of Oceanport Environmental Commission and create an Environmental Advisory Committee,

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

**SECTION 1.** Chapter 29, Article IV (Environmental Commission), is hereby repealed and replaced as follows:

Article IV. Environmental Advisory Committee

**§ 29-37. Establishment and purpose.**

There is hereby established an Environmental Advisory Committee for the Borough of Oceanport, to be known as the "Environmental Advisory Committee (EAC) of the Borough of Oceanport." The EAC shall generally make recommendations to the Mayor and Council regarding sustainability research, initiatives and funding opportunities, as well as technological advances that will assist the Borough in implementing energy conservation and efficiency measures. The EAC will also make recommendations to the Mayor and Council regarding open space preservation, protection of wetlands, water resources and watershed property, management, air pollution control, solid waste management, recycling, noise control, soil and landscape protection, environmental appearance and protection of flora and fauna.

**§ 29-38. Appointments; terms of office; compensation.**

- A. The EAC shall consist of seven members who shall be residents of the Borough of Oceanport. The members of the EAC shall be appointed by the Mayor, subject to Council approval. The members first appointed shall be those members and their term previously serving on the Environmental Commission. All appointments thereafter shall be for a three-year term.
- B. The Mayor, in addition to the regular members of the Committee appointed pursuant to Subsection A, shall appoint not more than two alternate members. Alternate members shall be designated at the terms of appointment as "Alternate No. 1" and "Alternate No. 2." The members first appointed as Alternates No. 1 and 2, shall be those members and their term previously serving as Alternates on the Environmental Commission. All appointments thereafter shall be for a two-year term.
- C. The members shall receive no compensation for their services.

**§ 29-39. Powers and duties.**

- A. Make recommendations to the Mayor and Council regarding sustainability research, initiatives and funding opportunities, as well as technological advances that will assist the Borough in implementing energy conservation and efficiency measures.
- B. Conduct research into the use and possible use of the open land areas of the Borough.
- C. Study and make recommendations to the Mayor and Council regarding open space preservation, protection of wetlands, water resources and watershed property, management, air pollution control, solid waste management, recycling, noise control, soil and landscape protection, environmental appearance, and protection of flora and fauna.
- D. Coordinate with the activities of unofficial bodies at the local, state and federal levels organized for similar purposes.

E. Advertise, prepare, print and distribute books, maps, charts, plans and pamphlets as may be required, subject to funding by the Mayor and Council for such purposes.

**§ 29-40. Index to be maintained.**

The Commission shall compile and keep an index of all open areas, publicly or privately owned, including marshlands, swamps and other wetlands, in order to obtain information on the proper use of such areas.

**§ 29-41. Meetings.**

Meetings of the Environmental Advisory Committee shall be held at regular intervals on such dates as it shall determine and at the call of the Chairman.

**§ 29-42. Records, annual report.**

The Environmental Advisory Committee shall keep minutes of its meetings and shall make written reports to the Borough Council concerning its activities, proposals and plans and shall submit an annual report to the Borough Council. Agendas and minutes of the Committee shall be filed with the Borough Clerk.

**§ 29-43. Organization.**

The Environmental Advisory Committee shall organize annually and select a chairman from amongst its members.

**§ 29-44. Removal from office.**

The Borough Council may remove any member of the Committee 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.

**§ 29-45. Appropriations.**

The Environmental Advisory Committee shall incur no financial obligations and shall expend no monies without authorization of the Borough Council by duly adopted resolution. All requests for purchases must be approved pursuant with the Borough's Purchasing Policy prior to the Committee incurring such debt.

**SECTION 2.** Chapter §250 (Land Use Procedures), Article II (Procedural Requirements), Section §250-13 (Environmental Commission) is hereby repealed.

**SECTION 3.** All ordinances and resolutions or parts of ordinances and resolutions, inconsistent with this amending ordinance be and the same are hereby repealed.

**SECTION 4.** This amending ordinance shall become effective upon due passage and publication according to law.

INTRODUCED: February 21, 2019  
ADOPTED: March 21, 2019  
APPROVED: April 4, 2019

*I HEREBY CERTIFY that the above ordinance adopted by the Borough Council on the 21st day of March, 2019, was delivered to me on the 22nd day of March 2019, together with the Mayor's statement of the reasons for which he has to withhold his approval of such ordinance item or part thereof. On reconsideration thereof on the 4th day of April, 2019 [the Council duly resolved by the affirmative vote of two-thirds (2/3) of its members to enact such ordinance item or part thereof notwithstanding the Mayor's veto.*

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JEANNE SMITH  
BOROUGH CLERK