

**TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 16-24**

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS AMENDING AND READOPTING CHAPTER 9, ARTICLE 1 OF THE TOWNSHIP CODE

WHEREAS, the Township Committee of the Township of Morris (the "Township") desires to amend Chapter 9, Article 1 of the Code of the Township of Morris entitled Environmental Commission; and

WHEREAS, the Township Committee desires to codify the provisions of N.J.S.A. 40:56A-1, et seq. and add certain protections for student members; and

WHEREAS, the Mayor and Township Committee have determined that it is in the best interests of the Township to amend and readopt Chapter 9, Article 1 of the Township's Code; and

NOW, THEREFORE, BE IT ORDAINED by the Township of Morris of the County of Morris and State of New Jersey as follows:

Section 1. Chapter 9, Section 1 of the Code of the Township of Morris is hereby amended and readopted as follows:

ARTICLE I

Environmental Commission

§ 9-1. Creation. ~~[Amended 11-12-2020 by Ord. No. 23-20]~~

~~(+)A. There is hereby established Pursuant to the provisions of N.J.S.A. 40:56A-1 et seq., an Environmental Commission of seven members, is hereby created for the protection, development and use of natural resources, including water resources, located within the territorial limits of the Township of Morris. The members shall serve without compensation except as hereinafter provided. The Mayor shall designate one of the members to serve as Chairman and presiding officer of the Commission.~~

~~(2)B. In addition, the Mayor may appoint one or more adult persons as associate members and one or more students as student members. Associate members and student members shall not be members of the Commission but may be involved as volunteers in Commission matters as assigned by, and under the supervision of, the Commission chairperson. The term term of the associate members shall be two years, and the term of the student members shall be two years one year. The associate member members and student members need not be residents of Morris Township. Student members shall be high school students age 18 or less.~~

§ 9-2. Title designated.

Said Commission shall be known as the "Environmental Commission of the Township of Morris."

§ 9-3. Membership; appointment; terms of office. ~~[Amended 8-18-2021 by Ord. No. 23-21]; vacancies.~~

~~A. 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 appointment, and their successors shall be appointed for terms of three years and until the appointment and qualification of their successors.~~

~~A.B. In addition, the Mayor may appoint one or more adult persons as associate members and one or more students as student members. Associate members and student members shall not be members of the Commission but may be involved as volunteers in Commission matters as assigned by, and under the supervision of, the Commission Chairperson. The term of the associate members shall be two years, and the term of the student members shall be one year. The associate members and student~~

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members need not be residents of Morris Township. Student members shall be high school students age 18 or less. The student members shall complete the Township's application process.

B-C. In order to protect the safety of the student members, all Environmental Commission members shall be subject to a criminal background check. Same shall be reviewed by the Township Administrator, and it shall be in the Township Administrator's discretion to determine whether an identified past criminal offense is of a nature that warrants disqualification from membership. Further, all Environmental Commission members must sign and agree to abide by a code of conduct, to be created at the direction of the Township Administrator.

D. The Mayor or Committee 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. 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 an original appointment.

§ 9-4. Powers and duties.

The Environmental Commission shall have all of the powers and duties as set forth in said statute and herein, including but not limited to:

A. The power to conduct research into the use and possible use of the open land areas of the Township and may coordinate the activities of unofficial bodies organized for similar purposes.

B. The Commission may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which, in its judgment, it deems necessary for its purposes.

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

D. The Commission may from time to time recommend to the Planning Board plans and programs for inclusion in a Township Master Plan and the development and use of the open areas of the Township.

§ 9-5. Funds to be appropriated for expenses.

The Township Committee may appropriate funds for the expenses incurred by the Environmental Commission. The Commission may appoint such clerks and other employees as it may from time to time require and as shall be within the limits of funds appropriated to it.

§ 9-6. Alternate members; appointment; terms; vacancies.

A. The Mayor shall provide for the appointment of not more than two alternate members to the Commission. At the time of appointment by the Mayor, the alternate members shall be designated as "Alternate No. 1" and "Alternate No. 2."

B. The terms of the alternate members shall be for two years, except that the terms of the alternate members first appointed shall be two years for Alternate No. 1 and one year for Alternate No. 2 so that the term of not more than one alternate member shall expire in any one year. A vacancy occurring otherwise than by expiration of term shall be filled by the Mayor for the unexpired term only.

A.C. An alternate member shall not be permitted to act on any matter in which he has either directly or indirectly any personal or financial interest.

D. An alternate member may, after public hearing if he requests one, be removed by the Mayor or Committee for cause.

E. An alternate member may participate in discussions of the proceedings but may not vote except in the

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absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote first.

§ 9-7. Acquisitions by Commission.

The Commission may, subject to the approval of the Committee, acquire property, both real and personal, in the name of the Township 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 of or otherwise conserve and properly utilize open spaces and other land and water areas in the Township.

§ 9-8. Records and annual report.

The Commission shall keep records of its meetings and activities and shall make an annual report to the Council.

§ 9-9. Appropriations.

The Committee may appropriate funds for the expenses incurred by the Commission. The Commission may appoint such clerks and other employees as it may from time to time require, and payment for the same shall be within the limits of funds appropriated to the Commission.

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Section 2. Each clause, section or subsection of the ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

Section 3. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

Section 4. This ordinance shall take effect immediately upon adoption and publication according to law; and as otherwise provided by for by law.

Township of Morris

Donna J. Guariglia, Mayor

ATTEST:

Suzanne V. Walsh, Township Clerk

INTRODUCTION: 5-15-2024

ADOPTION: 6-19-2024