

ORDINANCE 13-71

AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OR THE BOROUGH OF MADISON ENTITLED "REVISED ORDINANCES OF THE BOROUGH OF MADISON, NEW JERSEY" ADOPTED MAY 11, 1970, SPECIFICALLY SUPPLEMENTING SAID CODE WITH A NEW ARTICLE, ARTICLE 14, ENTITLED "AN ORDINANCE TO ESTABLISH AND CONSTITUTE A CONSERVATION COMMISSION IN THE BOROUGH OF MADISON, COUNTY OF MORRIS, NEW JERSEY"

BE IT ORDAINED, by the Council of the Borough of Madison, in the County of Morris, State of New Jersey, as follows:

SECTION 1. That the Code of the Borough of Madison entitled "REVISED ORDINANCES OF THE BOROUGH OF MADISON, NEW JERSEY" adopted May 11, 1970, be and the same is hereby supplemented in accordance with the provisions of this ordinance.

SECTION 2. That the Code be supplemented by the addition of a new article, Article 14 as follows:

ARTICLE 14

CONSERVATION COMMISSION

AN ORDINANCE TO ESTABLISH AND CONSTITUTE A CONSERVATION COMMISSION IN THE BOROUGH OF MADISON, COUNTY OF MORRIS, NEW JERSEY

§ 14.1 Commission Created.

There is hereby created and established a Conservation Commission for the protection, development or use of natural resources, including water resources, including water resources, located within the territorial limits of the Borough of Madison pursuant to provisions of Chapter 245 of the Laws of 1968 of the State of New Jersey.

§ 14.2 Members, Qualifications, Terms and Vacancies.

a. The Conservation Commission shall consist of seven (7) members appointed by the Mayor, one of whom shall be a member of the Borough Planning Board and all of whom shall be residents of the Borough of Madison.

b. The members shall serve without compensation.

c. The Mayor shall designate one of the members to serve as chairman and presiding officer of the Commission.

d. The terms of the first Commissioners shall be for 1, 2 or 3 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 3 years and until appointment and qualification of their successors.

e. The Mayor or Council of the Borough may remove any member of the Commission for cause, on written charges served upon the member and after hearing thereon at which the member shall be entitled to be heard in person or by counsel.

f. A vacancy of 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.~~

§ 14.3 Powers and Duties.

The Conservation Commission shall have the following duties:

a. To study and make recommendations to the Mayor and Council in areas of conservation and environmental protection which shall include, but not be limited to, pollution control of all types, waste disposal including sewage, garbage, and solid waste, open space preservation with emphasis on outdoor recreation needs, aesthetic flora and fauna preservation and beautification, and water resources.

b. To plan local conservation programs and to inform the public about those programs.

c. To prepare, print, and distribute informational materials, such as books, maps, charts, plans, and pamphlets which in its judgment it deems necessary for its purposes within the limits of funds appropriated to the Commission.

d. To keep an index of all open areas, publicly and privately owned in order to obtain information on the proper use of such areas.

e. To recommend, from time to time, to the Planning Board, plans and programs for inclusion in the Master Plan of the Borough of Madison, for development and use of such areas.

f. To operate conservation programs on lands donated or purchased for conservation purposes by the Borough of Madison.

g. To do such other acts and things as are reasonable related to and assigned to carry out the purposes and objectives of the Commission.

§ 14.4 Acquisitions.

The Conservation Commission may, subject to the approval of the Borough Council, acquire property, both real and personal, in the name of the Borough of Madison, 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 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 Borough of Madison.

§ 14.5 Appointments.

The Commission may appoint such clerks and other employees as it may require provided they shall be within the limits of funds appropriated for such purposes by the Borough Council.

§ 14.6 Meetings.

a. Regular meetings of the Commission shall be held at the call of the Chairman, or in his absence or disability, at the call of the Vice Chairman.

b. At all meetings a quorum shall consist of a majority of the members of the Commission.

c. The Commission shall keep records of its meetings and shall make an annual report to the Mayor and Council of the Borough of Madison on or before the 15th day of December.

§ 14.7 Appropriations.

The Council in its discretion may annually fix, determine and appropriate sums sufficient for the care, custody, leasing and maintenance of such land acquired for these uses and purposes herein stated, if necessary, and for the expenses of the said Commission.

SECTION 3. This ordinance shall take effect as provided for by law.

ADOPTED AND APPROVED
June 14, 1971

Attest:

S/ William G. Nordling
William G. Nordling, Mayor

S/ Arnold C. Matthies
Arnold C. Matthies, Borough Clerk

STATEMENT

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Council of the Borough of Madison at a Regular Meeting thereof, held Monday, June 14, 1971, at which a quorum was present.

I, Elizabeth Osborne, Clerk of the Borough of Madison in the County of Morris and State of New Jersey, hereby certify the foregoing to be a true and exact copy of an Ordinance finally adopted at a Regular Meeting of the Council held

S/ Arnold C. Matthies
Borough Clerk

on this 14 day of June 1971
Elizabeth Osborne
Elizabeth Osborne, Borough Clerk