

ORDINANCE NO. 2536

AN ORDINANCE AMENDING CHAPTER II, ARTICLE IV, SECTION 2-34.2 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "ADMINISTRATION; BOARDS, COMMITTEES, AND COMMISSIONS; ENVIRONMENTAL COMMISSION; MEMBERS, TERMS, VACANCIES"

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter II, Article IV, Section 2-34.2 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. 2-34.2 Members; Terms; Vacancies.

a. *Regular Members.*

1. The Commission shall consist of ~~nine (9)~~**seven (7)** members appointed by the Mayor, one of whom shall also be a member of the ~~Planning Board~~ **Municipal Land Use Board** and all of whom shall be residents of the Borough of Roselle Park. Members shall serve without compensation except as hereinafter provided. The Mayor shall designate one (1) of the members to serve as Chairman and presiding officer of the Commission. Members shall be appointed for terms of three (3) years and until the appointment and qualification of their successors- **pursuant to N.J.S.A. 40:56A-1 et seq.**

2. The Mayor or Governing Body may remove any member of the Commission for cause, on written charges served upon the member and after ~~the~~ 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.

Reasoning for a removal for cause may include, but shall not be limited to, a continued absence of a member for five (5) consecutive meetings (regular or special meeting) of the Environmental Commission without good cause shown.

b. *Alternate Members.*

1. The ~~Governing Body~~ **Mayor** may appoint not more than two (2) alternate members, to be designated "Alternate No. 1" and "Alternate No. 2."

2. The terms of the alternate members shall be for two (2) years. A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority for the unexpired term only.

3. 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. An alternate member may, after public hearing if he or she requests one, be removed by the Governing Body for cause.

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

SECTION 2. Invalidity

If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

SECTION 3. Inconsistent Ordinances Repealed.

All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4. Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

SECTION 5. Effective Date.

This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

1. Alternate Number 2 for a term of four (4) years terminating on December 31, 2012;
2. Alternate Number 1 for a term of five (5) years terminating on December 31, 2013.

e. At the completion of each term of the alternate members, the Mayor shall appoint or reappoint members, **who shall be residents of the Borough of Roselle Park**, for a term of five (5) years, terminating on December 31 of each subsequent year.

f. An alternate member may participate in discussions of proceedings but may not vote except in the absence or disqualification of a regular member of the Recreation Committee. A vote shall not be delayed in order that a regular member may vote in stead of the alternate member. In the event that a choice must be made as to which alternate is to vote, Alternate Number 1 shall vote.

SECTION 2. Invalidity

If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

SECTION 3. Inconsistent Ordinances Repealed.

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