

ORDINANCE NO. 2009-6

ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING
CHAPTER II, SECTION 50, ENVIRONMENTAL COMMISSION
AMENDING SECTIONS 2-50.1 AND 2-50.2
TO PROVIDE FOR THE APPOINTMENT OF TWO ALTERNATE COMMISSIONERS

WHEREAS, the Mayor and Council of the Borough of Red Bank believe that the work of the Borough's Environmental Commission will be enhanced by the addition of two alternate members;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter II of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, Section Fifty, "Environmental Commission" is hereby amended and supplemented as follows:

SECTION ONE: Subsections 2-50.1 and 2-50.2 are hereby amended and supplemented as follows (stricken text denotes deletions, underlined text denote additions):

2-50 ENVIRONMENTAL COMMISSION.

2-50.1 Created. There is hereby created, pursuant to N.J.S.A. 40:56A-1 an Environmental Commission which shall consist of seven (7) Commissioners plus two (2) Alternate Commissioners, who shall be designated at the times of their appointment as "Alternate No. 1" and "Alternate No. 2", all of whom shall be residents of the Borough of Red Bank and one of whom shall be a member of the Planning Board. Each member of the Environmental Commission shall be nominated and appointed by the Mayor only with the advice and consent of the Borough Council and shall serve without compensation. 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.

2-50.2 Terms of Office.

- a. *General.* The Commissioners of the Environmental Commission shall serve for a term of three (3) consecutive years, Alternate Commissioners shall serve for a term of two (2) years, and until the appointment and qualification of their successors.
- b. *Terms of Office of Initial Commissioners.* The initial commissioners, shall serve for the following initial terms:
 1. Two (2) Commissioners for a term of one (1) year;
 2. Two (2) Commissioners for a term of two (2) years;
 3. Three (3) Commissioners for a term of three (3) years;
 4. The terms of the alternate members first appointed shall be two (2) years for Alternate No. 1 and one (1) year for Alternate No. 2, so that the term of not more than one alternate member shall expire in any one year.

[...]

SECTION TWO: Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

SECTION THREE: If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION FOUR: This Ordinance shall take effect immediately upon its passage and adoption according to law.

First Reading: February 23, 2009

Final Reading: March 9, 2009