

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

ORDINANCE NO. 2022-09

**ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY AMENDING
AND SUPPLEMENTING CHAPTER 9, ARTICLE IX, SHADE TREE COMMITTEE AMENDING SECTIONS 9-35
AND 9.36 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 Shade Tree Committee 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 9 "Boards, Committees and Commissions" of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, Article IX "Shade Tree Committee", is hereby amended and supplemented as follows:

SECTION ONE: Subsections 9-35 and 9-36 are hereby amended and supplemented as follows (stricken text denotes deletions, underlined text denote additions):

ARTICLE IX SHADE TREE COMMITTEE

§9-35 Creation; Composition

There is hereby created a Shade Tree Committee, which will be known as "The Shade Tree Committee of the Borough of Red Bank." The Committee shall consist of five members, plus two (2) Alternate Commissioners, who shall be designated at the times of their appointment as "Alternate No. 1" and "Alternate No. 2", all to be appointed by the Mayor with the advice and consent of Council. The members shall be residents of the Borough and shall serve without compensation except as hereinafter provided. Members shall be appointed on the basis of their qualifications, fitness and desire to fulfill and advance the objectives and purposes of the Committee as set forth herein. 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.

§9-36 Terms of Appointment

The initial Committee members to be appointed shall be appointed for staggered terms so that the term of one member shall expire in one year and the terms of two members shall expire in each of the next two years. Thereafter, all members shall be appointed for a three-year term. All vacancies shall be filled for the unexpired term only. Members shall serve until their successors are appointed and qualified and they shall receive no compensation for their services. The initial 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.

