

# **BOROUGH OF HILLSDALE**

## **ENVIRONMENTAL COMMISSION**

### **BY-LAWS GOVERNING INTERNAL AFFAIRS**

#### **Article 1 – Establishment, Purpose**

Pursuant to Hillsdale Ordinance 69-2, an Environmental Commission was formed in the Borough of Hillsdale, in Bergen County, for the protection, development or use of natural resources, including water resources within the territorial limits of the Borough.

#### **Article II – Powers and Duties**

**II.1 Advisory Body.** The Environmental Commission shall have the power to study and make recommendations concerning open space preservation, water resources management, air pollution control, solid waste management, noise control, soil and landscape protection, environmental appearance, marine resources and protection of flora and fauna.

**II.2 Research and Inventory.** The Environmental Commission shall, within the confines of required funding, have the power to:

- a) conduct research into the use and possible use of open land areas in the Borough,
- b) coordinate the activities of unofficial bodies organized for similar purposes,
- c) advertise, prepare, print, and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its purpose,
- d) keep an index of all open areas, publicly or privately owned, including open marshland, swamps or other wetlands, in order to obtain information on the proper use of such areas,
- e) recommend, from time to time, to the Planning Board certain sustainable programs or environmental initiatives for inclusion in the Master Plan of the Borough and the development and use of such areas,
- f) do such other acts and things as are reasonably related to and designed to carry out the purposes and objectives of the Commission, including, without limitation, the payment of employees as the Commission may from time to time require.

**II.3 Acquisitions.** Subject to the prior approval of the Borough Council after favorable recommendation by the Planning Board, the Environmental Commission may acquire property, both real and personal, in the name of the municipality by gift, pledge, grant, bequest, devise or lease for any of the purposes of the Commission, and shall administer the same for such purposes subject to the terms of such conveyance or gift. The interest so acquired may be the fee or any lesser interest, developmental right, easement (including conservation easement), covenant or other contractual right (including a conveyance or conditions, or with limitations or reversions), as may be necessary to acquire, maintain, improve, protect, or limit the future use of, or otherwise conserve and properly utilize, open spaces and other land and water areas in the Borough.

**II.4 Records and Annual report.** The Environmental Commission shall keep records of its meetings and activities and shall make an annual report to the Borough Council.

**II.5 Appropriation of Funds and Grant Fund Requests.** The Borough Council may appropriate funds for the expenses incurred by the Environmental Commission. The Commission may submit resolutions to the Borough Council requesting that the Borough pursue grant funding for various environmental studies, inventories, initiatives, public outreach or as described by the grant.

## **Article III – Membership and Officers**

**III.1 Membership.** The Environmental Commission shall consist of seven (7) members appointed by the Mayor, one (1) of whom shall be a member of the Planning Board and all of whom shall be residents of the Borough of Hillsdale. In addition there shall be two (2) alternate members, designated as first and second alternate, who may participate in the discussions of the proceedings, but shall vote only in the absence or disqualification of a regular member of the Commission. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. An alternate member who has been designated to serve in place of an absent or disqualified regular member shall, during the period of his/her service, enjoy all of the duties pertaining to a regular member, but no alternate shall be eligible to serve as an Officer of the Commission.

**III.2 Term.** The full term of office of each Commissioner shall be three (3) years; provided, however, that the terms of the Commissioners first appointed pursuant hereto shall be as follows: three (3) members shall be appointed for one-year terms, two (2) members shall be appointed for two-year terms, and two (2) members shall be appointed for three year terms. Thereafter, the successor of each member shall be appointed for the full term of three (3) years, or until the appointment and qualification of his/her successor. The terms of the alternate members first appointed shall be for two (2) years, except that the alternate members first appointed shall be for two (2) years for Alternate No. 1 and one (1) year for Alternate No. 2.

**III.3 Vacancies.** A vacancy on the Environmental Commission occurring other than by expiration of a term shall be filled for the unexpired term only, in the same manner as the original appointment.

**III.4 Removal of Members.** The Borough Council may remove any member of the Environmental 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.

**III.5 Attendance.** Members shall be in attendance at all meetings of the Environmental Commission. In the event that a member will not be able to attend said meeting, he/she shall contact the Chairperson or Secretary at least two (2) hours prior to said meeting. An unexcused absence of a member from two (2) consecutive meetings or four (4) total within a calendar year will justify removal of such member from the Commission with cause, upon request for same by the Commission to the Mayor.

**III.6 Officers.** The annual reorganization meeting shall be the regularly scheduled meeting of the Environmental Commission during the month of January each year. At that meeting the Commission shall elect a Chairperson, a Vice-Chairperson, and a Secretary from the regular membership for terms of one (1) year.

**A. Chairperson.** The Chairperson shall preside at all meetings of the Commission, decide all points of order and matters of procedure governing said meeting and perform all duties normally pertaining to the office of Chairperson as set forth in "Roberts Rules of Order" or the Commission. In the event the Chairperson resigns, becomes incapacitated, or is otherwise unable to perform his/her duties, the responsibilities of the Chairperson will fall to the Vice-Chairperson.

**1) Duties of the Chairperson.** The Chairperson shall be responsible for:

- a) appointing such subcommittees as necessary,
- b) establishing a regular meeting schedule in consultation with Commission members,
- c) presiding over Commission meetings, including deciding upon all points of order or procedure,
- d) reviewing future agenda items,
- e) considering other such matters and concerns of the Commission as set forth in these By-Laws or as directed by the Mayor or Council.

**B. Vice-Chairperson.** The Vice-Chairperson shall, in the absence of the Chairperson, assume the responsibilities of the Chairperson and conduct the meetings and perform the duties as stated in III.6.A.1.

**C. Secretary.** The Secretary shall, under the direction of the Chairperson;

- a) take and record attendance at all regular and special meetings of the Commission,
- b) take and record all motions, seconds and roll call votes noting ye or nay of each member with Chairperson being called on last,
- c) take and record the minutes of all regular and special meetings of the Commission and cause same to be delivered, in draft form, to each member by mail or electronically, within thirty (30) days after each meeting,
- d) incorporate any additions and/or corrections made to the minutes by the Commission members for approval as the Official Minutes. The Official Minutes shall be distributed to the Commission.
- e) Keep track of membership terms and expiration dates and verify this information with the Borough Clerk annually.

**III.7 Subcommittees.** The Chairperson, at his/her discretion, shall appoint standing sub-committees to aid the duties of the commission. Said sub-committees shall not exceed three regular members, and may include alternate members. Standing sub-committees may consist of, but not be limited to, the following;

- a) Regulatory Review - To review existing and proposed new ordinances, and propose new ordinances for approval by the Borough Council. To review and comment on other proposed and pending regulatory actions that may impact the Environmental Resources of the Borough.
- b) Public Outreach - to propose, advertise and administer public service projects such as: a recycling programs, home energy audits, park clean-ups, Earth Day celebrations, and to provide public information on environmental initiatives.
- c) Site Plan Review - to review Environmental considerations on plans provided by the Planning Board regarding proposed development projects and make recommendations to that board during the application period.
- d) Environmental Resource Inventory - to prepare, maintain and update an environmental resource inventory, and research ongoing issues regarding water resources and land preservation needs, as well as other natural resources, and report findings and recommendations.

**III.8 Compensation.** Members of the Environmental Commission shall serve without compensation.

## **Article IV – Meetings**

**IV.1 Schedule.** The Environmental Commission will hold an annual reorganization meeting at the regularly scheduled January meeting of the Commission. Regular meeting locations, dates, and times shall be established for the entire year at this meeting and be properly noticed in compliance with the NJ Open Public Meetings Act. If a regular meeting falls on a legal holiday, the meeting shall be held on such other date as the Commission may select at a prior meeting. The Commission shall also fix the date of the following year's reorganization meeting.

**IV.2 Quorum.** At all meetings of the Environmental Commission, a quorum for conducting any business shall consist of four (4) regular or alternate members. In the absence of a quorum, the members present may continue the meeting, but may not move on any business; or they may adjourn the meeting to another date. If such other date is not a regularly scheduled meeting proper notices must be sent and posted in compliance with the Open Public Meetings Act.

**IV.4 Public participation.** Public participation shall be limited to five minutes per person unless otherwise stated by the Chairman.

**IV.5 Agenda.** The order of business at all meetings of the Environmental Commission shall be as follows:

- Call meeting to order
- Roll call / designate alternates
- Approval of minutes from previous meeting
- Unfinished business
- Sub-Committee reports
- New Business
- Chairperson's comments
- Public comments
- Adjournment

## **Article V – Miscellaneous**

**V.1 Conflict of Interest.** No Commissioner or alternate member shall be permitted to act on any matter either directly or indirectly, in which he/she has any personal or financial interest.

**V.2 Amending By-Laws.** Proposed amendments shall be brought before the Environmental Commission for discussion and tabled for one (1) month. At the following meeting, the amendments discussed at the previous meeting shall be voted on for approval. Proposed amendments shall be declared approved by a simple majority affirmative vote of a quorum of regular members of the Commission present.

***By-Laws Adopted at Meeting December 19, 2013***