

ORDINANCE 54-2004

AN ORDINANCE OF THE BOROUGH OF MADISON ESTABLISHING AN OPEN SPACE, RECREATION AND HISTORIC PRESERVATION ADVISORY COMMITTEE

WHEREAS, the Mayor and Council wish to establish an Open Space, Recreation and Historic Preservation Advisory Committee; and

WHEREAS, the Council has determined that it is in the best interest of the Borough of Madison to establish such committee.

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

SECTION 1: The Madison Borough Code is amended to include the following Chapter:

Chapter 25. Open Space, Recreation and Historic Preservation Advisory Committee.

§25-1. Establishment.

An Open Space, Recreation and Historic Preservation Advisory Committee is hereby established to be known as "The Open Space, Recreation and Historic Preservation Advisory Committee of the Borough of Madison." (hereafter referred to as "the Committee"). The Committee shall consist of ten members.

§25-2. Purpose and Responsibilities.

(A) To make recommendations to Mayor and Council to implement the Madison Borough Open Space and Recreation Plan subject to Mayor and Council approval.

(B) To make recommendations to the Mayor and Council as to the properties to be acquired or otherwise protected for open space preservation; natural resources preservation, including water supplies; active and passive recreation preservation; and historic preservation.

(C) To prioritize acquisitions and recommend the method of acquisition or preservation, including but not limited to the following:

- 1) acquisition of development rights only for the preservation of open space,
- 2) outright purchases
- 3) owner-donations
- 4) conservation, scenic, and/or historic easements (purchased or donated),
- 5) the issuance of bonds,
- 6) long-term lease, or
- 7) other methods for the same purposes, at the discretion of the Mayor and Council.

(D) To recommend that the Mayor and Council apply for County, State, and non-profit foundation grants to supplement the Borough's Open Space, Recreation and Historic Preservation Trust Fund.

(E) To advise the Mayor and Council on any issue relating to use, preservation and acquisition of open space.

(F) To interact with other boards, commissions, committees, and citizens groups to obtain broad public input for the development of the open space program.

(G) To increase and maintain public interest and support for the Borough's Open Space, Recreation and Historic Preservation Plan.

(H) To submit a report to the Mayor and Council at the end of each calendar year, including specific budget requests for on-going activities.

(I) To employ and/or contract for professional services such as land use planners as it may deem necessary subject to budget appropriation and Council passage of professional services resolutions establishing the rates of compensation to be paid.

(J) To hold a minimum of six (6) public meetings annually which shall be open to the public and shall take place at the Madison Municipal Building unless otherwise noted.

§25-3. Membership.

All members of the Committee shall be residents of the Borough of Madison who shall serve without compensation. The Committee shall be comprised of the following persons, all to be appointed by the Mayor with the advice and consent of Council:

- (A) One (1) liaison member of the Council,
- (B) One (1) member of the Recreation Committee,
- (C) One (1) member of the Environmental Commission,
- (D) One (1) member of the Planning Board,
- (E) One (1) member of the Historic Preservation Commission,
- (F) One (1) member of the Parks Committee,
- (G) Four (4) members who are residents of the Borough.

The Committee shall have the right to appoint non-voting advisory members with special abilities and expertise beneficial to the Committee's objectives.

§25-4. Terms of Office.

- (A) The Council representative shall serve annually.
- (B) The four (4) resident members shall serve for a term of three years. (staggered terms). The terms of office shall commence upon the day of each members appointment, unless otherwise specified at the time of appointment, and be for the initial respective periods of one, two, and three years two members shall initially be

appointed for three years). The term of each appointee shall be designated in his or her appointment. All subsequent appointments, except to fill vacancies, shall be for the full three-year term, to take effect on January 1 next succeeding such appointment.

(C) All other members shall serve annually.

(D) The Mayor shall, initially, designate one of the members as Chairperson, and the Committee shall select a Secretary to record minutes. Thereafter, in subsequent years, the Committee shall annually select a Chairperson and Secretary. The Chairperson shall call the initial meeting of the Committee within thirty (30) days of the adoption of this Ordinance. Thereafter, the Committee shall establish its meeting schedule, which shall be duly published.

§25-5. Vacancies.

Any vacancy occurring by reason of the death, resignation or removal of any member shall be filled for the unexpired term by the Mayor with advice and consent of the Council. In the event that the Mayor fails to make a nomination at least 15 days prior to the date of the second regular public meeting of the Council after a position becomes vacant or the Borough Council fails to confirm a nomination, then the appointment shall be made by the Borough Council by the vote of a majority of the members present at the meeting, provided that at least three affirmative votes shall be required, with the Mayor to have no vote thereon except in case of a tie.

SECTION 2: This ordinance shall take effect as provided by law.

ADOPTED AND APPROVED

December 13, 2004

ELLWOOD R. KERKESLAGER, Mayor

Attest:

MARILYN SCHAEFER, Borough Clerk

Introduced and Passed: November 22, 2004

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