

ORDINANCE 3-2012

ORDINANCE OF THE BOROUGH OF MADISON ESTABLISHING THE SUSTAINABLE MADISON ADVISORY COMMITTEE

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Madison strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the future; and

WHEREAS, the Borough of Madison hereby acknowledges that the residents of Madison desire a stable, sustainable future for themselves and future generations; and

WHEREAS, the Borough of Madison wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, the Mayor and Council wish to make permanent the Sustainable Madison Advisory Committee; and

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

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

Section 1: The Madison Borough Code is amended to include the following Chapter 26 entitled "Sustainable Madison Advisory Committee":

Chapter 26: Sustainable Madison Advisory Committee.

SS 26 -1. Establishment.

The Sustainable Madison Advisory Committee is hereby established to be known as "the Sustainable Madison Advisory Committee of the Borough of Madison." (hereafter referred to as "the Committee"). The Committee shall consist of eleven (11) members.

SS 26 -2. Purpose and Responsibilities.

(A) To make recommendations to the Mayor and Council, and Madison Environmental Commission ("MEC") to help the municipality achieve sustainable smart growth land-use policies which balance economic, environmental and societal needs.

(B) The Committee will provide education and outreach on sustainability to the community, all Borough Committees, Boards and Commissions, and the Mayor and Council.

- (C) The Committee will encourage the town to reduce its carbon footprint through education and action.
- (D) The Committee will assist the efforts of Borough Boards, Committees and Commissions in their efforts to promote smart land use planning, energy and resource conservation, green design, sustainability, a green element for the Master Plan, and a sustainability plan for the future of the Borough of Madison.
- (E) The Committee will seek grants to achieve these goals.
- (F) The Committee will submit a report to both the MEC as well as the Mayor and Council at the end of each calendar year, concerning on-going activities and grants. . In addition, the Committee shall regularly circulate to the MEC and Mayor and Council copies of its meeting minutes. All records, reports and data shall be available to the Council for inspection at any time.
- (G) The Committee will hold a minimum of six (6) public meetings annually which shall be open to the public pursuant to the Open Public Meetings Act and shall take place at the Madison Municipal Building unless otherwise noted.

SS 26 -3. Membership

Membership shall consist of 9 regular members and 2 non-voting members. All voting members of the Committee shall be residents of the Borough of Madison. All members shall serve without compensation. The Committee shall be comprised of the following persons, appointed by the Mayor with the advice and consent of the Council:

- (A) The Council Liaison to the Madison Environmental Commission (Regular Member),
- (B) The Borough Administrator and/or Assistant Borough Administrator (non-voting),
- (C) A representative from the office of the Superintendent of the Madison Public School System (Regular Member),
- (D) The Superintendent of Public Works (non-voting),
- (E) One (1) member of the Madison Environmental Commission (Regular Member),
- (F) Six (6) members who are residents of the Borough (Regular Members).

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

SS 26 -4. Voting Powers, Quorum and Limitation of Powers.

A. Voting members. The voting members of the Committee shall be the 9 regular members.

B. Non-Voting members. The Assistant Borough Administrator and Superintendent of Public Works shall not vote.

C. A majority of the voting members of the Committee shall constitute a quorum.

D. The Committee is specifically prohibited from exercising any power of condemnation or eminent domain, from pledging the credit of the municipality and from creating any debt against the municipality.

SS 26 – 5. Borough Departmental Assistance.

A. General. Subject to limitations as may hereinafter be determined by the Mayor and Council, insofar as may be practicable, the employees and professional staff of the Borough of Madison, including the Borough Attorney, shall be available to assist the Committee in the performance of its duties.

B. Procedure. All requests for employee or professional staff assistance shall be made through the Borough Administrator. Any project that requires substantial assistance from the Borough staff and professionals shall be reviewed by the full Committee and said assistance shall be approved by the Council prior to commencement of the project.

SS 26 -6. Terms of Office.

(A) The Council liaison shall serve annually.

(B) The six (6) resident members shall serve for a term of three years (staggered terms). The terms of office shall commence upon the day of each member's appointment, unless otherwise specified at the time of appointment, and be for the initial respective periods of one, two, and three years (~~four~~ two members shall initially be appointed for one year, two members shall initially be appointed for two years and two members 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.

SS 26 -7. 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 the case of a tie.

SS 26 – 8. Conflict of interest.

A. Disclosure of interest. No Committee Member shall have or shall acquire any interest, direct or indirect, personal or financial, in any project which the Committee is promoting or in any contract or proposed contract for materials or services or in any lease, mortgage, sale or contract of any nature whatsoever relating to any such project or to the Committee without forthwith making written disclosure to the Committee of the nature and extent of the interest. Such disclosure shall be entered in writing upon the minutes of the Committee.

B. Voting. No Committee Member having an interest as described in § SS 26-8A shall vote on matters directly relating to such interest.

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

ADOPTED AND APPROVED
April 23, 2012

ROBERT H. CONLEY, Mayor

Attest:

ELIZABETH OSBORNE, Borough Clerk
Introduced and passed: April 9, 2012
Published, Madison Eagle: April 12, 2012
Hearing and consideration for final adoption: April 23, 2012
Published upon final adoption, Madison Eagle: April 26, 2012