

ORDINANCE

#2006-12

AN ORDINANCE TO CREATE AN OPEN SPACE ADVISORY COMMITTEE FOR THE TOWNSHIP OF FRELINGHUYSEN

WHEREAS, the Township of Frelinghuysen passed Ordinance #99-12 which created only a Farmland Preservation Trust Fund which Ordinance has now expired by its terms, and

WHEREAS, the voters of the Township of Frelinghuysen indicated their willingness to expand the Farmland Preservation Trust Fund to include the preservation of open space; and

WHEREAS, it is the intention of the Township to create the Frelinghuysen Township Open Space Advisory Committee to advise the Township Committee on the properties for possible acquisition by the Township;

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Frelinghuysen, County of Warren, State of New Jersey that there is hereby created new sections 2-41.1 through 2-41.7 as follows:

2-41.1 Establishment of an Open Space Advisory Committee. There is hereby created a Frelinghuysen Township Open Space Advisory Committee (the "Advisory Committee").

2-41.2 Membership. The Advisory Committee shall be comprised of SEVEN (7) members as follows:

- a) Township Clerk.
- b) One (1) member of the Township Committee. DN
- c) One (1) member of the Township Planning Board. RR
- d) One (1) member of the Environmental Commission.
- e) One (1) member of the RECREATION COMMITTEE. CM
- f) Three (3) citizens of the Township. The citizens appointed shall hold no other municipal office, position or employment in the municipal government.

All appointments shall be made by the Township Committee, except as otherwise specified above.

The Mayor and Deputy Mayor shall act as liaison to the Advisory Committee.

The Advisory Committee shall elect from among its members an individual to serve as Chair of the Advisory Committee. Since the Mayor and Deputy Mayor are liaison to the Advisory committee, neither of them may serve as Chair of the Advisory Committee. The Advisory Committee shall elect from among its citizen members a Vice Chairperson to serve as a presiding officer in the absence of the Chair. The Committee shall also elect a Secretary whose function it shall be to maintain the minutes of the Committee's meetings and records of the proceedings of the Committee.

2-41.3 Terms of Office.

- a) The Township Clerk shall serve so long as he or she is employed by the Township in the capacity of Township Clerk.
- b) The member of the Township Committee shall have a term of one (1) year.
- c) The member of the Planning Board shall have a term of one (1) year.
- d) The member of the Environmental Commission shall have a term of one (1) year.
- e) The member of the Recreation Committee shall have a term of one (1) year.
- f) One (1) of the citizens of the Township appointed by the Township Committee and so designated by the Township Committee at the time of appointment shall have a term of one (1) year.
- g) One (1) of the citizens of the Township appointed by the Township Committee and so designated by the Township Committee at the time of appointment shall have a term of two (2) years.
- h) One (1) of the citizens of the Township appointed by the Township Committee and so designated by the Township Committee at the time of appointment shall have a term of three (3) years.

2-41.4 Initial Organizational Meeting. The Advisory Committee shall hold its initial organizational meeting within sixty (60) days after the final adoption of this Ordinance.

2.41.5 Meetings. The Advisory Committee shall hold public meetings in accordance with Open Public Meetings Act.

1.40-6 Powers and Functions.

- a) The Advisory Committee shall determine the criteria which are to be used in analyzing the properties for possible acquisition by the Township whether in fee, by easement or by means of development rights.
- b) The Advisory Committee shall make an initial determination of which parcels of land should be acquired in fee and/or those parcels of land for which the Township should acquire an easement or development rights only.
- c) The Advisory Committee shall submit to the Township Committee a prioritized list of properties to be acquired and/or those parcels of land for which the Township should acquire development rights only. The Township Committee shall, within forty-five (45) days of the submission, either approve, disapprove or modify the list as submitted and state the amount of funds that the Township Committee shall make available for such acquisition.
- d) After approval of the list referred to in Subsections (a) and (b) above, the Township may proceed to acquire by gift, purchase or eminent domain proceedings, pursuant to N.J.S.A. 20:3.1 et seq. the parcels as prioritized on the list, within the financial constraints set by the Township Committee.
- e) The Advisory Committee may employ and/or contract for professional services by legal counsel, appraisers and staff as it may deem necessary subject to budget appropriation and Township Committee passage of professional service resolutions establishing the rates of compensation to be paid.

2-41.7 Sale of Property. No property acquired with those funds from the Open Space and Farmland Preservation Trust Fund shall be leased or sold, until the sale or lease of same has been approved by the voters at a referendum.

NOW, THEREFORE BE IT ORDAINED that:

1. All ordinances or parts of ordinances which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.
2. This Ordinance shall take effect after final passage and publication in accordance with law.

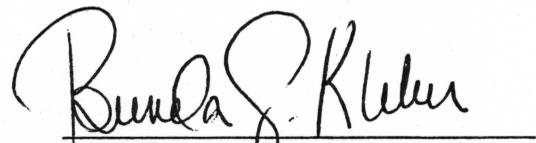
NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed at a regular meeting of the Frelinghuysen Township Committee held on June 14, 2006 and will be considered for final reading and adoption at a meeting of the Frelinghuysen Township Committee to be held on July 19, 2006 at 7:30 p.m. at the Municipal Building, 210 Route 661, Johnsonburg, New Jersey at which time and place all interested persons may appear for or against the passage of said Ordinance.


Brenda J. Kleber, RMC

NOTICE

Notice is hereby given that the foregoing Ordinance was adopted at a meeting of the Frelinghuysen Township Committee held on the 19th day of July, 2006 at the Municipal Building, 210 Route 661, Johnsonburg, New Jersey.


Brenda J. Kleber, RMC