

ORDINANCE NO. 20-31
INTRODUCTION DATE: 09-02-2020
ADOPTION DATE: 09-16-2020

**AN ORDINANCE AMENDING CHAPTER II, ADMINISTRATION, SECTION 2-34
(OPEN SPACE AND FARMLAND PRESERVATION COUNCIL), OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE, COUNTY OF
MONMOUTH AND STATE OF NEW JERSEY**

BE IT ORDAINED by the Township Committee of the Township of Millstone, County of Monmouth, State of New Jersey, as follows: (additions are underlined, and deletions are in [brackets]):

I

Chapter II, Administration, Section 2-34, Open Space [~~and Farmland~~] Preservation Council, is hereby amended to read as follows:

2-34.1 Establishment.

There is hereby created and established an advisory body to be known as the "Open Space [~~and Farmland~~] Preservation Council of the Township of Millstone.

2-34.2 Appointment of Members; Terms; Vacancies.

The Council shall consist of nine (9) members who shall be appointed by the Township Committee. One (1) member shall be a member of the Township Committee; one (1) member shall be a class IV member of the Planning Board and seven (7) members shall be other residents of the Township. The Planning Board member appointed by the Township Committee shall be recommended by the Planning Board for membership to the Council. The governing body and Planning Board members' term on the Council shall be coextensive with their respective current elected or appointed terms. All other appointments shall be for a three(3)-year term, initial terms to be staggered so that three (3) Councilmembers' terms shall expire in one (1) year and two (2) Councilmembers' terms to expire in each of the next two (2) years. 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.

2-34.2A – 2-34.3 - No change.

2-34.4 Election of Officers; Meetings.

a. [~~The members of the Council shall annually elect from their own number a Chairperson, Vice Chairperson and Secretary. The duties of the Chairperson shall be to set the meeting dates, conduct the meetings of the Council, appoint subcommittees, determine the activities and functions of the Council and report on such to the Township Committee. The duties of the Vice Chairperson shall be to assist the Chairperson in the completion of his or her duties and to act in his or her stead during an absence. The duties of the Secretary shall be to record the minutes of all meetings of the Council and to receive and transmit all correspondence of the Council.~~] The members of the

Council shall annually elect from their own number of Chairperson and Vice Chairperson. The duties of the Chairperson shall be to conduct the meetings of the Council, appoint subcommittees, determine the activities and functions of the council and report on such to the Township Committee. The duties of the Vice Chairperson shall be to assist the Chairperson in the completion of his or her duties and to act in his or her stead during an absence. The duties of the Secretary shall be to record the minutes of all meetings of the Council and to receive and transmit all correspondence of the Council.

b. – d. – No change.

e. All minutes of all meetings of the Council, both regular and executive session, shall be forwarded to the Township Committee within thirty-five (35) days of the date of the meeting. All approved minutes shall be forwarded to the Township Committee within ninety (90) days of the date of the meeting. No executive session minutes shall be released to the public until approved by the Township Committee.

2-34.5 Budget. – No change.

2-34.6 Powers and Duties. – Deleted in its entirety and replaced with the following:

The powers and duties of the Council shall be as follows:

- a. To foster and promote the preservation of open space and farmland within the Township.
- b. The Council shall identify open space properties of potential preservation interest to the Township, taking into consideration the need for land for passive and active recreation, the protection of sensitive environmental plant and wildlife habitat, and the need to protect the headwaters of the five watersheds in Millstone Township to promote clean water and ground water recharge.
- c. The Open Space Council shall assist interested landowners to fill out a municipal application. After assessment of an application, the Council will forward viable applications to the Committee for their approval.
- d. To work cooperatively with the County and State Offices of Green Acres and Monmouth County Park System and any non-profit organizations.
- e. To assist interested parties with processing applications for open space preservation with applicable County and State Offices.
- f. To help create and disseminate information promoting preservation.
- g. To assist in obtaining grants for open space preservation for the Township.
- h. To stewardship the municipally owned open space properties.

2-34.7 Code of Ethics. – No change.

II

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

III

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

IV

This Ordinance shall take effect upon adoption and publication according to law.

EXPLANATORY STATEMENT: This Ordinance amends the powers and duties of the Open Space Preservation Council.