



JERSEY CITY
ENVIRONMENTAL COMMISSION

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ENVIRONMENTAL COMMISSION
BY-LAWS GOVERNING INTERNAL AFFAIRS

November 16, 2011

Establishment – Purpose

Pursuant to N.J.S. A. 40:56A-1 et seq., an Environmental Commission was formed in the City of Jersey City, in Hudson County, for the protection, development or use of natural resources, including water resources within the territorial limits of the City. The environmental commission shall have power to conduct research into the use and possible use of the open land areas of the municipality and may coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its purposes. It shall keep an index of all open areas, publicly or privately owned, including open marshland, swamps and other wetlands, in order to obtain information on the proper use of such areas, and may from time to time recommend to the planning board and city council plans and programs for inclusion in a municipal master plan and the development and use of such areas.

Rule 1.1 —Membership. Terms

1.1-1 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 City of Jersey City. Best efforts shall be made to have each Ward of the City represented by at least one (1) member. Best efforts shall also be made to appoint at least three (3) members who are professional environmental scientists, geologists, engineers, toxicologists, botanists, or other environmental specialists. The members shall serve without compensation. The Mayor shall designate one (1) of the members to serve as Chairperson and presiding officer of the Commission. Initially, three (3) Commissioners shall be appointed for a one-year term, two (2) Commissioners for two-year terms, and two (2) Commissioners for three year terms. Thereafter members shall serve for terms of three (3) years or until a successor is appointed and qualified.

1.1-2 The Mayor may remove any member of the 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.

1.1-3 A vacancy on the Commission occurring other than by expiration of a term shall be filled for the unexpired term in the same manner as the original appointment.

1.1-4 The Mayor shall appoint two (2) alternate members. Alternate members shall be designated at the time of appointment as 'Alternate #1" and "Alternate #2". The terms of the alternate members shall be for two (2) years except that the terms of the alternate members first appointed shall be for two (2) years for alternate #1, and one (1) year for alternate #2. A vacancy occurring other than by the expiration of a term shall be filled by the Mayor for the unexpired term.

1.1-5 An alternate member may participate in discussions of the proceedings, but may not vote except in the absence or disqualification of a regular Commissioner. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate #1 shall vote first.

1.1-6 An alternate member may, after public hearing if one is requested, be removed from office by the Mayor for cause.

1.1-7 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.

1.1-8 Any 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 vice-chairperson of the Environmental Commission.

1.1-9 Associate members may be appointed by the Mayor to assist the Environmental Commission with their duties. Associate members may take part in discussions before the Commission but have no voting rights. An associate member may be removed by the Mayor, for cause.

1.1-10 The annual reorganization meeting shall be the regularly scheduled meeting of the Environmental Commission during the month of May each year, the anniversary of its formation. At that meeting the Commission shall appoint a Vice-Chairperson from the regular membership for terms of one (1) year. A municipal employee from the Department of Planning shall serve as Secretary and be appointed by the Mayor, and shall be remunerated by the City. The Secretary shall serve a term of one (1) year or until a successor has been appointed. Regular meeting dates and times shall be established at the beginning of the calendar year and be properly noticed in compliance with the NJ Open Public Meetings Act.

1.2 — Powers and Duties

1.2-1 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.

1.2-2 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 and associate members. Standing sub-committees shall 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 City Council. To review and comment on other proposed and pending regulatory actions that may impact the Environmental Resources of the City.
- b. Public Outreach — to propose, advertise and administer public service projects such as: a recycling programs, home energy audits, park clean-ups, and Earth Day celebrations. 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.

1.2-3 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 1.2-1

1.2-4 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 yea 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 fifteen (15) 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. Handle/ direct all official correspondence, compile the required records, keep and maintain in order the necessary files and indexes with respect to the operation of the Commission, give all notices of meetings as required by the NJ Open Public Meeting Act or any other applicable law or ordinance.

f. Have custody and take care of all records, documents, maps, plans and papers of the Commission and provide care and custody of items for which no provision is made. Make all documents, as pertains to the business of each meeting available to the Chairperson, or appropriate sub-committee chairperson prior to each meeting as needed.

g. Keep track of membership terms and expiration dates and verify this information with the City Clerk annually.

1.2-6 The Environmental Commission shall, within the confines of required funding, have the power to conduct research into the use and possible use of open land areas in Jersey City and may coordinate the activities of unofficial bodies organized for similar purposes, and prepare, print, advertise and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its purpose. It shall 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, and may from time to time recommend to the Planning Board certain sustainable programs or environmental initiatives for inclusion in a municipal master plan and the development and use of such areas.

1.2-8 The Environmental Commission may, subject to the approval of the City Council, acquire property, both real and personal, in the name of the municipality by gift, purchase, grant, bequest, devise or lease for any of its purposes and shall administer the same for such purposes subject to the terms of the conveyance of gift. Such an acquisition may be to acquire the fee or and lesser interest, development right, easement (including a conservation easement), covenant or contractual right (including a conveyance on conditions or with limitations or revisions), as may be necessary to acquire, maintain, improve, protect, limit the future use of, or otherwise conserve and properly utilize open spaces and other land and water areas in Jersey City.

1.3 - Records and Annual Report

1.3-1 The Environmental Commission shall keep records of its meetings and activities and shall make an annual report to the City Council.

1.4 - Appropriation of Funds

1.4-1 The City Council may appropriate funds for the expenses incurred by the Environmental Commission. The Commission may appoint such clerks and other employees as it may from time to time require and as shall be within the limits of funds appropriated to it. The Commission may submit resolutions to City Council requesting that the City pursue grant funding for various

environmental studies, inventories, initiatives, public outreach or as described by the grant.

1.5 Powers of Commission

1.5-1 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.

1.6 - Attendance

1.6-1 Members shall be in attendance at all meeting 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.

1.6-2 The unexcused absence of a member from two (2) consecutive meetings or four (4) total within a calendar year may constitute removal of such member from the Environmental Commission with just cause by the Mayor.

1.7 - Meetings

1.7-1 Regular meetings of the Environmental Commission shall be held in the place and at the time and day designated at the annual reorganization meeting. The Commission will hold an annual reorganization meeting at the regularly scheduled May meeting of the Commission. If a regular meeting falls on a legal holiday, the meeting shall be held on such other date as the Commission may select at the annual reorganization meeting. The Commission shall also fix the date of the following year's reorganization meeting.

1.7-2 At all meetings of the 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 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.

1.7-3 Public participation shall be limited to five minutes per person unless otherwise stated by the Chairman.

1.7-3 The order of business at all meetings of the Commission shall be as follows:

Call meeting to order

Flag salute

Sunshine Law Announcement

Roll call / designate alternates

Approval of minutes from previous meeting

Unfinished business

Sub-Committee reports

New Business

Commissioner comments

Public comments

Adjournment

Executive Session (if needed)

1.8 — Amendments to By-Laws

1.8-1 Any amendments to these By-Laws shall be made in the following order:

- a. Amendments brought before the Commission for discussion and tabled for one (1) month.
- b. At the following meeting, the amendments discussed at the previous meeting shall be voted on for approval. Approved amendments shall be voted affirmative by a quorum of regular members of the Environmental Commission present

By-Laws Adopted at Meeting November 16, 2011