

**§ 2-102. Environmental Commission.**

- A. There is hereby established, in the Borough of Fair Lawn, an Environmental Commission, for the protection, development or use of natural resources, including water resources, located within the territorial limits of this Borough.
- B. The Commission shall consist of seven members and two alternates, appointed by the Mayor, with the consent of the governing body, one of whom shall also be a Class IV member of the Municipal Planning Board, all of whom shall be residents of the municipality. The members shall serve without compensation. The Mayor shall designate one of the members to serve as Chair and presiding officer of the Commission.
- C. The terms of office of the Commission members first appointed shall be staggered for one, two or three years, designated at the time of appointment, so that the terms of approximately 1/3 of the members will expire each year. Successor terms shall be for three years. Vacancies shall be filled for the unexpired term of the original appointment, said appointment to be made as provided by Subsection A above. The Mayor or governing body may remove any Commission member for good cause, including any Commission member who misses more than three consecutive meetings without an excused absence and who does not respond to email notification or letter to their last known address of residence, upon written charges and a hearing." **[Amended 8-13-2019 by Ord. No. 2512-2019]**
- D. The Commission shall have the 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, news releases, maps, charts, plans and pamphlets which, in its judgment, it deems necessary for its purposes, as budgetary allowances permit. It shall keep an index of all open areas, publicly or privately owned, including wet or marshlands, in order to obtain information on the proper use of such areas and may, from time to time, recommend to the Planning Board plans and programs for inclusion in the Municipal Master Plan and the development and use of such areas.
- E. In exercising said powers set forth above and as set forth in Subsection F below, the Commission shall coordinate its activities with the Borough departments having jurisdiction over the subject matter of said activity and shall advise the department head of said department of the research, study or other activity having an effect upon said department in order to coordinate such efforts with the applicable department.
- F. The Commission shall have 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. The Commission may seek grants and accept gifts in the name of the Borough of Fair Lawn, to be used in furtherance of the purposes of this commission.
- G. The Commission may, subject to the approval of the Mayor and Council, acquire

property, both real and personal, in the name of the Borough of Fair Lawn, 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 any lesser interest, development right, easement, (including conservation easement), covenant or other contractual right (including a conveyance on conditions or with limitations or reversions), 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 the municipality.

- H. The Commission may perform such other advisory duties as are requested of it by the governing body for aid and assistance in environmental areas.
- I. The Commission shall meet as often as business may require, but no less than once each quarter. Its meetings shall be open to the public and a meeting schedule shall be published in the same manner as meetings are published for the Planning Board.
- J. The Commission shall keep records of its meetings and activities. An annual report shall be made to the Mayor and Council and shall be submitted no later than the first day in November in each year. The governing body may appropriate funds in its annual budget for the expenses incurred by the Environmental Commission.
- K. Alternate members.
  - (1) The governing body may, by ordinance, provide for the appointment of not more than two alternate members. Notwithstanding the provisions of any other law or charter heretofore adopted, the ordinance shall provide the method of appointment of alternate members. Alternate members shall be designated at the time of appointment by the authority appointing them as "Alternate No. 1" and "Alternate No. 2."
  - (2) The terms of the alternate members shall be for two years, except that the terms of the alternate members first appointed shall be two years for Alternate No. 1 and one year for Alternate No. 2 so that the term of not more than one alternate member shall expire in any one year. A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority for the unexpired term only.
  - (3) An alternate member shall not be permitted to act on any matter in which he/she has either directly or indirectly any personal or financial interest. An alternate member may, after public hearing if he/she requests one, be removed by the governing body for cause.
  - (4) An alternate member may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. 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 No. 1 shall vote first.