

**TOWNSHIP OF HARDING**

**ORDINANCE 03-2024**

**“ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS,  
STATE OF NEW JERSEY, REVISING CHAPTER 7, SECTION 36,  
ENVIRONMENTAL COMMISSION”**

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**WHEREAS**, pursuant to N.J.S.A. 40:56A-1, et seq., a municipality may establish an Environmental Commission, for the purpose of “the protection, development or use of natural resources, including water resources, located within its territorial limits”; and

**WHEREAS**, Harding Township has established Chapter 7, Section 36, to implement N.J.S.A. 40:56A-1 and create an Environmental Commission; and

**WHEREAS**, Harding Township seeks to add Student Members to the Environmental Commission, who would be non-voting members of the commission; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Harding, County of Morris, State of New Jersey, as follows:

**Purpose:** The purpose of this ordinance is to amend Chapter 7, Section 36 of the Township Code of the Township of Harding to add Student Members to sit on the Commission, who would be Harding Township school system students who would participate and assist in the Environmental Commission’s duties but would be non-voting members.

**SECTION 1.** The Municipal Code, Chapter 7, Section 36, “Environmental Commission” is hereby amended and shall read as follows [New language in **bold and underlined**; Deleted language in ~~double-strikethrough~~.]:

**§7-36 Environmental Commission**

**A.**

Name. Pursuant to N.J.S.A. 40:56A-1 et seq., there is hereby established in and for the Township of Harding an Environmental Commission to be known as "Harding Township Environmental Commission."

**B.**

Composition.

**(1)**

The Environmental Commission shall consist of seven members, ~~and two alternate members (if such alternates are appointed),~~ **and not more than four (4) Student Members** to be appointed by the Mayor. One member shall also be a member of the Harding Township Planning Board, and all members shall be residents of the Township. The members shall serve without compensation. The Mayor shall designate one of the members to serve as Chairman and presiding officer of the Commission. All appointments of members, except to fill vacancies, shall be for terms of three years and until the

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appointment and qualification of their successors, beginning the first day of January of the first year of the term.

**(2)**

Alternate member. Two alternate members may be appointed by the Mayor to serve during the absence or disqualification of any regular member. Such alternate members shall meet the same qualification of any regular member. In the event that two alternate members are appointed, the initial terms of such members shall be one and two years, respectively. All subsequent appointments of alternates, except to fill vacancies, shall be for periods of two years and until the appointment and qualification of their successors, beginning the first day of January of the first year of the term. At the time of their appointment, such alternate members shall be designated by the Mayor as "Alternate No. 1" and "Alternate No. 2." Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

**(3)**

**Student Members. Any Harding Township School System Student is eligible to serve as a Student Member of the Environmental Commission. The Mayor shall appoint the Student Members with the advice of the Environmental Commission members. The Student Members shall serve a one-year term coinciding with the academic calendar and expiring on July 1 of each year. Each Student Member shall not have any voting power but shall be subject to the same conditions as provided by law or this code as a member of the Environmental Committee.**

**(3)-(4)**

A vacancy of the Commission occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as the original appointment.

**C.**

Powers of Commission. The Environmental Commission shall have power to conduct research into the use and possible use of the open land areas of the Township 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 marshlands, swamps and other wetlands, in order to obtain information on the

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proper use of such areas, and may from time to time recommend to the Harding Township Planning Board plans and programs for inclusion in a Township Master Plan and the development and use of such areas.

**D.**

Acquisitions by Commission. The Environmental Commission may, subject to the approval of the Township Committee, acquire property, both real and personal, in the name of the Township by gift, purchase, grant, bequest, devise or lease for any of its purposes and shall administer the same for such purposes subject to terms of the conveyance or 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 Township.

**E.**

Records and annual report. The Environmental Commission shall keep records of its meetings and activities and shall make an annual report to the Township Committee.

**F.**

Studies and recommendations. 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.

**SECTION 2.** This ordinance may be renumbered for the purposes of codification.

**SECTION 3.** This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

**DATED:** February 20, 2024

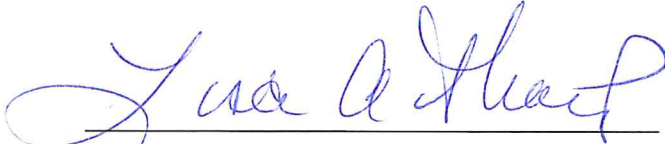
I, Lisa A. Sharp, Municipal Clerk of the Township of Harding, County of Morris, State of New Jersey, do hereby certify the foregoing ordinance to be a true and correct copy of the ordinance adopted by the Township Committee at the meeting held on February 20, 2024.

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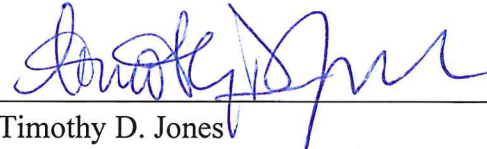
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**ATTEST**

**TOWNSHIP OF HARDING**



Lisa A. Sharp  
Municipal Clerk



Timothy D. Jones  
Mayor

**INTRODUCED:** February 20, 2024

**ADVERTISED:** February 29, 2024

**PUBLIC HEARING:** March 11, 2024

**ADOPTED:** March 11, 2024

**ADVERTISED:** March 14, 2024

**Vote on Adoption:**

	<b>MOTION</b>	<b>FOR APPROVAL</b>	<b>AGAINST APPROVAL</b>	<b>ABSTAIN</b>
Ms. Chipperson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Lacz	2nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Platt		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Yates	1st	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Jones		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>