

ORDINANCE NO. 18 - 01

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT

THE CODE OF THE BOROUGH OF NORTH PLAINFIELD,

CHAPTER II ENTITLED “ADMINISTRATION”,

ARTICLE III ENTITLED “DEPARTMENTS, COMMISSIONS, COMMITTEES,

AUTHORITIES AND AGENCIES,” SECTION 2-28 ENTITLED “SHADE TREE

ADVISORY BOARD”.

WHEREAS, the Borough of North Plainfield, County of Somerset, State of New Jersey is authorized by State law to pass an Ordinance regarding the creation of certain departments, commissions, committees, authorities and agencies within the Borough of North Plainfield; and,

WHEREAS, the Borough of North Plainfield, County of Somerset, State of New Jersey has created a Shade Tree Advisory Board to be responsible for proper planting, maintenance and removal of public shade trees within the Borough of North Plainfield; and,

WHEREAS, the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey believes that it is in the best interest of the Borough to amend, revise and supplement Chapter II, Article III, Section 2-28 entitled, “Shade Tree Advisory Board” to change the term length of each of its members to a four (4) year term as opposed to the current five (5) year term; and,

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of North Plainfield, County of Somerset, State of New Jersey that Chapter II, Article III, Section 2-28.2 of the Borough Code of the Borough of North Plainfield, entitled “Membership,” is hereby amended, revised, and supplemented as follows:”

2-28.2 Membership.

The first Board members may be those five (5) individuals currently serving as members of the Shade Tree Advisory Board. They may be appointed by the Mayor, with the approval of the Borough Council, within sixty (60) calendar days after this Section shall become effective, and their terms of office shall commence upon the day of their appointment and be for the respective periods of one (1), two (2), three (3), and four (4) years beginning on January 2 next succeeding such appointment. In the event that the membership of the Advisory Board is increased, the new members shall be appointed in such manner that the terms shall expire in accordance with the foregoing. The terms of each appointee shall be designated in his appointment. All subsequent appointments, except to fill vacancies, shall be for the full term of four (4) years, to take effect on January 1. Members of the Advisory Board shall serve without compensation.

NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. All ordinances or portions of ordinances that are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.

2. If any provision or paragraph of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions or paragraphs of this Ordinance, except so far as the provision or paragraph so declared invalid shall be separable from the remainder or any portion thereof.

3. This Ordinance shall take effect, after final passage, on January 1, 2018, which shall be more than twenty (20) calendar days following action or inaction by the Mayor as provided by law or an override of a mayoral veto by the Council, whichever is applicable, and publication in accordance with law, unless a resolution is adopted, pursuant to *N.J.S.A. 40:69A-181(b)*, declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

4. As each current member will have served at least one (1) year of their current term upon passage of this Ordinance, each member shall finish the remainder of their term, but said future term(s) of office to be no longer than four (4) years beyond the enactment of this Ordinance.

INTRODUCED: January 8, 2018
PASSED: January 8, 2018
PUBLISHED: January 11, 2018
ADOPTED: January 22, 2018

ROLL CALL: AYES: Miller, Schaefer, Singleterry, Stabile, La Ronde
NAYS: None
ABSTAIN: None
ABSENT: Merrill, Righetti

APPROVED BY THE MAYOR: Yes XXX No _____

The above is a true copy of the Ordinance adopted by the Borough of North Plainfield on
22 January, 2018

ATTEST:

BOROUGH OF NORTH PLAINFIELD

Richard K. Phoenix, RMC
Borough Clerk
Borough of North Plainfield

Lawrence La Ronde, Council President

Date signed: _____, 2018

Date signed: 22 January, 2018

Michael Giordano, Mayor

Date signed: 22 January, 2018