

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

ORDINANCE 2026-3

**ORDINANCE AMENDING ARTICLE III: "ENVIRONMENTAL COMMISSION" OF
CHAPTER 24: "COMMISSIONS AND COMMITTEES" OF THE BOROUGH'S
REVISED GENERAL ORDINANCES TO UPDATE MEMBERSHIP/OFFICER DUTIES.**

BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, as follows:

SECTION 1. Article III: "Environmental Commission" of Chapter 24: "Commissions and Committees" of the Revised General Ordinances of the Borough of Bradley Beach is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

CHAPTER 24

COMMISSIONS AND COMMITTEES

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ARTICLE III

ENVIRONMENTAL COMMISSION

§ 24-7 Established.

The municipality of Bradley Beach Environmental Commission is hereby established pursuant to Chapter 245 of the Laws of 1968 (N.J.S.A. 40:56A-1 et seq.), as amended.

§ 24-8 Members; appointment; compensation; organization; terms; vacancies.

- A. ~~A-The~~ Commission shall consist of seven members appointed by the Mayor, with recommendation from the Commission. One of whom the Commissioners shall also be a member of the Planning-Land Use Board and all of whom shall be residents of the municipality of Bradley Beach; the members shall serve without compensation except as hereinafter provided. The Mayor shall designate one of the members to serve as ~~Chairman~~ Chairperson and presiding officer of the Commission. The Commission shall, by majority vote, also appoint a Secretary of the Commission. The terms of the office of the ~~first~~ Commissioners shall be for ~~one, two or~~ three years, to be designated by the Mayor in making his appointments, and their successors shall be appointed for terms of three years and until the appointment and qualification of their successors. The Mayor may appoint Commissioners to successive and subsequent terms.

1. The Chairperson shall:

- a. Open and preside at all meetings.
- b. Announce the order of business to be acted upon at each meeting.
- c. Appoint all sub-committees.

d. Have the power to act in the interest of the Commission on all matters approved by it.

2. The Secretary shall:

a. Record all business of the Commission, including attendees.

b. Be responsible for the Commission's correspondence.

c. Act as Chairperson in the absence of the duly appointed Chairperson.

B. The Mayor of the governing body 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. A vacancy on the Commission occurring otherwise than expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

C. Attendance and Absenteeism.

1. Members are expected to attend all scheduled commission meetings.

2. Members unable to attend a meeting shall notify the Chairperson or Secretary in advance, when possible.

3. A member who has more than two consecutive unexcused absences or more than three unexcused absences within a calendar year may be recommended by the Commission to the Mayor for removal from the Commission.

D. Quorum.

1. The presence at a meeting of more than half of the total number of appointed members of the Commission shall constitute a quorum.

2. In the absence of a quorum, no business can be conducted.

§ 24-9 Powers of Commission.

The Commission is established for the protection, development, or use of natural resources, including water resources, located within territorial limits of the municipality of Bradley Beach. The 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 or have access to an index of all open areas, publicly or privately owned, including open marshlands, 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~~ Land Use Board plans and programs for inclusion in the Master Plan and the development and use of such areas.

§ 24-10 Acquisitions by Commission.

The Environmental Commission may, subject to the approval of the governing body, 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 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 municipality.

§ 24-11 Records; annual reports.

The Environmental Commission shall keep records of its meetings and activities and make an annual report to the governing body.

§ 24-12 Appropriations.

The Commission may appoint such clerks and other employees and incur such expenses as it may from time to time require, providing the same shall be within the limits of funds appropriated to it by the governing body or otherwise available to it.

§ 24-13 Studies and recommendations.

The Environmental 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.

SECTION 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Bradley Beach are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. This Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey.

SO ORDAINED as aforesaid.

Erica Kostyz

Erica Kostyz, RMC, CMR
Municipal Clerk

Alan Gubitosi

Alan Gubitosi
Mayor

Introduced: January 20, 2026

Date of Hearing and Adoption: February 3, 2026