

Ms. Kane offered the following ordinance pass third and final reading and moved on its adoption and authorized its publication according to law:

**O-09-07**

**ORDINANCE ESTABLISHING AN OPEN SPACE COMMITTEE FOR THE  
BOROUGH OF HIGHLANDS**

**BE IT ORDAINED**, by the Borough Council of the Borough of Highlands, County of Monmouth, State of New Jersey as follows:

**OPEN SPACE COMMITTEE**

**1. ESTABLISHMENT**

There is hereby established an Open Space Committee, which shall consist of seven (7) members, whose terms and powers are hereinafter set forth.

**2. MEMBERSHIP**

The Open Space Committee shall be comprised of the following persons:

A. One (1) member of the Borough Council of the Borough of Highlands appointed by the Mayor and Borough Council.

B. Six (6) citizens of the Borough appointed by the Mayor and Borough Council.

**3. TERMS**

A. The member of the Borough Council appointed to the Open Space Committee shall have a term of one (1) year.

B. The terms of the citizen members shall be for three (3) years. However, when the committee is first constituted, two (2) committee members shall be appointed to and serve a one (1) year term initially, two (2) committee members shall be appointed to and serve a two (2) year term initially and two (2) committee members shall be appointed to and serve a full three (3) year term. This will provide for two (2) committee members being appointed each year to a full three (3) year term after the initial creation of the Committee.

**4. POWERS AND DUTIES**

A. The Open Space Committee shall initially prepare a report recommending which parcels of land should be acquired in fee and/or those parcels of land from which the Borough should acquire development rights only.

B. The Open Space Committee shall submit to the Borough Council a prioritized list of properties which it recommends that the Borough acquire and/or properties from which it recommends that development rights should be acquired.

C. The Borough Council is to determine the properties or development rights to be acquired by gift, purchase or by eminent domain proceedings, pursuant to N.J.S.A. 20:3-1 et seq., within the financial constraints it establishes for such acquisition.

## **5. PUBLIC MEETINGS**

The Open Space Committee shall hold public meetings, which public meetings shall be held in accordance with the Open Public Meetings Act and the Borough Council shall give appropriate notification of said meetings.

## **6. OFFICERS**

The Open Space Committee shall select from among its members a Chairman, and a Vice-Chairman to serve as the Presiding officer in the absence of the Chairman. The Committee shall also appoint a Secretary whose function shall be to maintain minutes of the Committee's meeting and records of the proceedings of the Committee.

## **7. INITIAL ORGANIZATION MEETING**

The Open Space Committee shall hold its initial organization meeting shortly after this chapter takes effect.

## **8. SALE OF PROPERTY**

No property acquired with the funds from the reserve for open space acquisition shall be leased or sold, until the sale or lease of the same has been authorized by the Borough Council in the manner prescribed by law.

## **9. REVIEWS AND REPORTS**

In the event that no property is acquired under this chapter for a period of five (5) consecutive years, then the Borough Council shall review the activities of the Open Space Committee and issue a report with recommendations and conclusions concerning the reserve for open space acquisition.

This Ordinance Shall take effect immediately upon its enactment.

Seconded by Mayor Little and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Francy, Ms. Kane, Mr. Caizza, Mayor Little

**NAYES:** None

**ABSENT:** Mr. Urbanski

**ABSTAIN:** None

**DATE:** April 15, 2009

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**NINA LIGHT FLANNERY**  
Borough Clerk

**Intro:** March 18, 2009

**Publish:** March 27, 2009

**2<sup>nd</sup> Reading:** April 15, 2009

**Adoption:** April 15, 2009

**Publication:**

I, \_\_\_\_\_ Clerk/Deputy Clerk do hereby certify this to be a true copy of Ordinance #O-09-07 as adopted by the Governing Body of the Borough of Highlands on April 15, 2009.