

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XXV, SECTION 25-30.2, OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST
ORANGE ENTITLED “HISTORIC PRESERVATION
COMMISSION”, SUBSECTIONS a. AND b., TO ADD A
COUNCIL LIAISON AS AN EX OFFICIO NON-VOTING
MEMBER**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, in the County of Essex, State of New Jersey, that Chapter XXV, Section 25-30.2 a., and b., of the Revised General Ordinances of the Township of West Orange, entitled “Historic Preservation Commission”, “a. Establishment/Membership” and “b. Terms”, shall be amended and supplemented to add a Council Liaison as an ex officio member with a year to year term as determined and designated by the Council.

Section 1. The Revised General Ordinances of the Township of West Orange are amended and supplemented to read as follows:

CHAPTER XXV - HISTORIC PRESERVATION COMMISSION

25-30.2 Historic Preservation Commission.

a. Establishment/Membership. There is hereby established an Historic Preservation Commission to be appointed pursuant to statute by the Mayor. The Commission shall consist of seven (7) regular members and two (2) alternate members who shall serve without compensation, and who shall be interested in and able to contribute to the preservation of historic districts, sites, buildings, structures, and objects. At the time of appointment, members shall be designated by the following classes:

1. Class A—A person who is knowledgeable in building design and construction or architectural history and who may reside inside or outside the Township. To the extent available in the community, the Mayor shall appoint professional members who meet the Professional Qualifications set forth for the disciplines of architecture, historic architecture, or architectural history in subsection 25-30.5.
2. Class B—A person who is knowledgeable, or with a demonstrated interest in, local history and who may reside inside or outside the Township. To the extent available in the community, the Mayor shall appoint professional members who meet the Professional Qualifications set forth for the discipline of history in subsection 25-30.5.
3. Class C—Residents of the Township who shall hold no other municipal office, position or employment except for membership on the Planning Board or the Zoning Board of Adjustment.

At least one (1) member shall be designated in Class A, and one (1) member in Class B. Of the seven (7) regular members, at least three (3) members shall be of Classes A and B. At least one (1) resident of an Historic District shall be appointed to the Commission. At the time of appointment, alternate members shall be designated as "Alternate No. 1" and "Alternate No. 2," and shall meet the qualifications of Class C members.

A member of the Main Street Development Corporation shall be designated as liaison between the Commission and the Corporation, and shall be an ex-officio member of the Commission.

A member of the Township Council shall be designated as liaison between the Commission and the Township Council and shall be an ex-officio non-voting member of the Commission.

b. Terms. The term of a regular member shall be four (4) years and the term of an alternate member shall be two (2) years. Notwithstanding any other provision herein, the term of any member common to the Commission and the Planning Board shall be for the term of membership on the Planning Board, the term of any member common to the Commission and the Zoning Board of Adjustment shall be for the term of membership on the Zoning Board of Adjustment; and the term of any member common to the Commission and the Main Street Development Corporation shall be for the term of membership on the Main Street Development Corporation. The terms of the members first appointed pursuant to N.J.S.A. 40:55D-107 shall be so determined that to the greatest practicable extent, the expiration of the terms shall be distributed, in the case of regular members, evenly over the first four (4) years after their appointment, and in the case of alternate members, evenly over the first two (2) years after their appointment, provided that the initial term of no regular member shall exceed four (4) years and the initial term of no alternate member shall exceed two (2) years. The term of the Township Council liaison shall be for one calendar year with appointment made by the Council at the Council's annual reorganization meeting.

Alternate members 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.

Section 2. The remainder of Chapter XXV remains unchanged.

Section 3. If any part of this Ordinance is determined to be invalid, such part shall be severed and its invalidity shall not affect the remaining parts of this Chapter.

Section 4. Any and all parts of ordinances which are inconsistent with any of the terms and provisions of this Ordinance shall be and the same are hereby repealed as to and to the extent of such inconsistency.

Section 5. This Ordinance shall take effect upon final passage and publication as required by law.

Karen J. Carnevale, R.M.C., Municipal Clerk

Michelle Casalino, Council President

Robert D. Parisi, Mayor

Introduction: March 3, 2020

Adopted: March 24, 2020

Legislative History

The West Orange Township Council has found value in having a Council liaison designated and appointed to some of the various advisory boards, committees and commissions operating within the Township, providing lines of communication between the citizen volunteers, Township professionals, interested residents participating on and with those bodies and the Township's governing body. Through Council liaisons the Council as a whole is better able to educate itself about and follow the work of such bodies through regular reporting by liaisons to the Council as a whole. The enabling statute for Historic Preservation Commissions in the State of New Jersey has specific and detailed requirements regarding voting membership which precludes a Council liaison from being a voting member of a Historic Preservation Commission and this Ordinance provides that the Council liaison shall be an ex officio non-voting member of the Commission, appointed and designated by vote of the Council at its annual re-organization meeting as has been the custom with respect to other Council liaison positions.