

ORDINANCE NO. 1-2016

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER ESTABLISHING THE STONEY BROOK COMMUNITY FARM AND GARDEN ADVISORY COMMITTEE AND SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF THE ADVISORY COMMITTEE

WHEREAS, the Township Committee, the governing body of the Township of Hanover, believes that a need exists to create a community farm and garden that will permit residents to grow fresh, local produce for themselves and provide fresh vegetables and fruit to the Morris County Interfaith Food Pantry and other not-for-profit community organizations; and

WHEREAS, in order to bring this concept to fruition, it is the purpose and intent of the governing body to create a Community Farm and Garden Advisory Committee that will be responsible in establishing rules, regulations, and procedures for the operation and maintenance of the community farm and garden; and

WHEREAS, it is also the intention of the Township of Hanover to authorize the development of a community farm and garden to be designated as the "Stoney Brook Community Farm and Garden" on a portion of Township property located on Fanok Road and designated as Block 3002, Lot 9 as set forth on the Township's Tax Map.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

Section 1. Section 63-1. Title. The governing body hereby establishes a new Chapter 63 under Part I of the Code of the Township of Hanover entitled Stoney Brook Community Farm and Garden Advisory Committee.

Section 2. Section 63-1.A. Purpose and Intent. The purpose and intent of this Chapter is twofold. First, to develop, operate and maintain a community farm and garden to permit residents to grow local produce for themselves and to provide an additional source of fresh vegetables to the Interfaith Food Pantry and other food pantries. And, secondly, to create a steering committee that will be responsible for the overall administration of operating the community farm and garden,

Section 3. Section 63-1.B. Appointment of members; terms of office; vacancies. The Township Committee shall appoint up to nine (9) regular members to the Stoney Brook Community Farm and Garden Advisory Committee (hereinafter referred to as the "Advisory Committee") one of whom shall be a member of the governing body and serving as Mayor. These individuals shall represent a cross-section of the Township comprised of residents and members of the corporate sector and non-profit service organizations such as the Interfaith Food Pantry. Each regular member shall have one (1) vote in the decision making process.

To assist the Advisory Committee with the development, implementation and maintenance of the community farm and garden, the governing body shall designate members of the Township's professional staff to serve as advisors in performing any services required by the Advisory Committee. These staff members shall serve as ex-officio non-voting members.

In addition, with the approval of the Business Administrator, the Advisory Committee may request the assistance of the New Jersey Land Conservancy in providing technical services.

Section 63-1.C. Terms of Office. The members of the Advisory Committee shall serve two (2) year terms of office commencing on January 1st and ending on December 31st of the second year.

Section 63-1.D. Vacancies. In the event a regular member seat becomes available, other than by expiration of a member's term, it shall be filled by the Township Committee for the balance of the two (2) year term.

Section 63-1.E. The regular members shall serve without remuneration.

Section 4. Section 63-2.A. Election of Officers and Organization. Upon its formation, following the adoption of this Ordinance, the Advisory Committee shall meet to organize. The regular members shall elect a Chairperson and Vice Chairperson. A Secretary shall be designated by the Chairperson who may be a regular or ex-officio member. These three (3) officers shall serve one (1) year terms. It shall be the responsibility of the Chairperson to set the meeting schedule after conferring with the members, establish an agenda for each meeting and conduct the meetings in an orderly and timely fashion. The Advisory Committee shall prepare and adopt by-laws and such other rules and regulations to govern its procedural operations.

The Secretary shall be responsible for maintaining correspondence, memoranda and preparing written minutes of all Advisory Committee meetings. However, in accordance with Township policy, before any correspondence or memoranda is sent under the auspices of the Advisory Committee, any draft letter or memoranda shall be submitted to the Business Administrator for his review and approval.

Subsequent to its initial formation, the Advisory Committee shall meet in January of each year to reorganize to determine when it shall meet and how often. In accordance with the Open Public Meetings Act at N.J.S.A. 10:4-6 et seq., the Advisory Committee shall publish a notice in two (2) local newspapers, posted on the Township's official bulletin board and web site and filed with the Municipal Clerk. The annual notice shall contain the dates, times and locations of each meeting to be held during the forthcoming year.

Section 63-2.B. Duties and Responsibilities.

A. To prepare rules, regulations and procedures governing the development, implementation, use and maintenance of the Stoney Brook Community Farm and Garden by members of the public including but not limited to the establishment of fees, the size of plots, access, environmental management practices and any other requirements deemed necessary and appropriate for the operation of the Farm and Garden.

- B. The Advisory Committee shall meet at least once a month but may meet more often as issues warrant. A majority of the voting members shall constitute a quorum in order to conduct business.
- C. The Advisory Committee shall have no authority to enter into contracts on behalf of the municipality, or in any way obligate the municipality legally or financially. In this regard, the Committee may make recommendations to the Township's Business Administrator who, under his authority as the Township's Qualified Purchasing Agent may act on such recommendations or, in the alternative, submit the recommendations to the governing body when a policy decision must be rendered.
- D. Before assuming office, each member of the Advisory Committee shall take an Oath of Office that he/she will faithfully and impartially discharge the duties of his/her office.

Section 5. Section 63-3. Annual Budget Appropriation. The Township Committee may appropriate such sum of money as may be determined in each year's Current Fund Operating Budget in order for the Advisory Committee to discharge its duties and responsibilities. The Chairperson of the Advisory Committee, following consultation with its members, shall submit a request for funding to the Business Administrator no later than January 10th of each year or sooner. Any approved out-of-pocket expenses shall be charged against the Advisory Committee's approved calendar year budget if such budgetary appropriation is granted by the Township Committee.

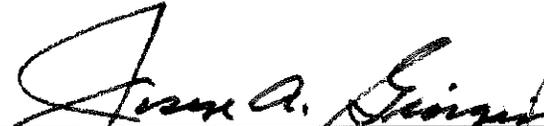
Section 6. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

Section 7. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

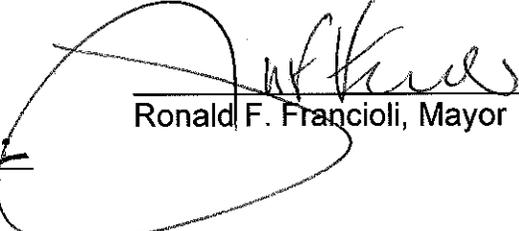
Section 8. This ordinance shall take effect in accordance with the law.

TOWNSHIP COMMITTEE
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY

ATTEST:



Joseph A. Giorgio, Township Clerk



Ronald F. Francioli, Mayor

DATE OF INTRODUCTION: January 14, 2016

DATE OF ADOPTION: January 28, 2016