

ORDINANCE 13 - 2021

AN ORDINANCE OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE CREATION OF AN ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

WHEREAS, the Borough desires to create an Economic Development Advisory Committee, in order to foster the economic development needs of the Borough of Mount Arlington, stimulate economic growth, both in terms of new economic development and the retention of existing commercial businesses and industries, a copy of which is attached hereto as **Exhibit A**, and which, upon adoption, shall be included in Borough Code Chapter 4, Administration of Government.

NOW THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, as follows:

1. The aforementioned Recitals hereof are incorporated herein as though set forth at length herein.
2. The revised Borough Code Chapter 4, Administration of Government, as filed in the Office of the Borough Clerk and attached hereto as **Exhibit A**, is hereby approved and adopted, and shall be included in Borough Code Chapter 4, Administration of Government.
3. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.
4. A copy of this Ordinance and the Borough Code Chapter 4, Administration of Government, shall be available for public inspection at the office of the Borough Clerk during regular business hours.
5. This Ordinance shall take effect as provided by law.

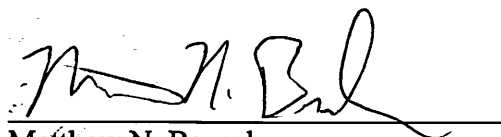
I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, introduced on October 5, 2021 and will be further considered after a Public Hearing held on November 9, 2021 at the Municipal Building at 7:00 p.m.

INTRODUCED: October 5, 2021

ADOPTED: November 9, 2021

ATTEST:

BOROUGH OF MOUNT ARLINGTON
COUNTY OF MORRIS
STATE OF NEW JERSEY



Matthew N. Bansch
Borough Clerk



Michael Stanzilis, Mayor
Borough of Mount Arlington

EXHIBIT A

Economic Development Advisory Committee

§ Purpose; creation.

- A. In order to foster the economic development needs of the Borough of Mount Arlington, stimulate economic growth, both in terms of new economic development and the retention of existing commercial businesses and industries, the Mayor and Borough Council hereby establishes the Mount Arlington Economic Development Advisory Committee, hereinafter referred to as the "EDAC". The EDAC shall be advisory in nature and provide the Governing Body, the Land Use Board, and other municipal advisory bodies, departments and officials as appropriate with recommendations in addressing the economic development needs of the Borough. The EDAC shall serve as a liaison between the Borough's government and businesses as well as reaching out to prospective commercial businesses and industries seeking to become a member of the Mount Arlington corporate community.
- B. Upon the request of the Governing Body, the EDAC may also initiate studies to analyze the potential and rational economic development of the Borough and identify those resources in attracting businesses to relocate to the Borough of Mount Arlington community.

§ Membership; qualifications; terms of office; vacancies.

- A. **Membership:** The Mayor and Borough Council shall, in the manner provided for by applicable law, appoint nine regular members to the EDAC. The Mayor or his/her designee (Borough Council member) shall serve on the EDAC as a regular voting member. The Governing Body shall also appoint three ex-officio nonvoting members. The nine regular members shall be selected based on their knowledge, expertise and experience as members of the commercial and industrial business community and shall reside in, have involvement in, work or maintain a place of business in the Borough.
- B. **Membership composition:** The regular members of the EDAC shall represent a cross section of the corporate, commercial and industrial business community, including representation from the Morris County Chamber of Commerce. In

furtherance of the EDAC's role as a liaison to Borough businesses, EDAC members may communicate to EDAC the views of their clients or other business contacts with respect to matters being considered by EDAC, so long as (1) whenever a member of EDAC expresses a view on such a matter on behalf of a third party, such member shall disclose that fact and the identity of such third party; (2) no member of EDAC shall accept compensation from any third party for time spent serving on EDAC or for advocating for a position on behalf of such third party in his/her capacity as an EDAC member; and (3) if EDAC is requested to make a recommendation with respect to any site plan, variance, redevelopment or tax-abatement application or similar applicant-specific matter, and an EDAC member has a personal or business interest in such application or matter, such member shall recuse him/herself from voting on such recommendation.

- C. Ex officio members. The three ex officio nonvoting members shall consist of the Borough Administrator or his/her designee, the Borough's Tax Assessor or his/her designee and the Borough Planner.
- D. Terms of office. Five regular members shall serve two-year terms of office commencing January 1 and ending on December 31 of the second year. The Mayor or his/her designee and the ex officio members shall only serve a one-year term of office expiring on December 31 of every year. Four regular members shall initially serve a one-year term and upon reappointment or upon the appointment of replacement members shall serve two-year terms, such that five regular members and four regular members shall serve two-year terms, such that five regular members and four regular members are appointed every other year, respectively.
- E. Vacancies. In the event a regular or ex officio member seat becomes vacant, other than by expiration of a member's term, it shall be filled for the remaining unexpired balance of the term in the manner provided for by applicable law.

§ Duties and Responsibilities.

Duties and responsibilities shall include but not be limited to:

- A. Monitoring the current state of the Borough's economy and exploring ways to stimulate economic growth and development.
- B. Actively promote and seek businesses which are financially sound, environmentally responsible and have good growth potential.

- C. Working on creating, maintaining and implementing a positive business climate that fosters a strong economic community by developing a strategic plan, consistent with the Borough's Master Plan (or recommending changes to the Master Plan if appropriate), which will result in business growth, the creation of more local jobs, and provide new municipal tax revenue sources with minimal impact on municipal services.
- D. Determining, where applicable, new and improved modes of transportation to reduce vehicle trips and/or traffic, and recommending ways to initiate a more efficient transportation infrastructure as it impacts potential economic growth issues and consumer convenience.
- E. Consulting and communicating with the Borough Council, the Land Use Board, and any other municipal advisory bodies, departments and officials as may be appropriate, concerning land use issues that may have an impact upon development in the Borough as it affects economic growth and consumer conveniences. This may also include recommendations concerning changes to land use and zoning regulations that could impact economic growth, provided that EDAC shall not consider particular site plans, variances, redevelopment or tax-abatement applications or similar applicant-specific matters unless specifically requested to do so by the Borough Council or the Land Use Board.
- F. With the prior approval of the Borough Council, designing, producing and distributing marketing, advertising and public relations materials that promote the economic and business location advantages, land development opportunities and/or property leasing availability with the Borough that make it a desirable place to locate.
- G. Identify and classify, by utilizing an updated inventory list, map or visual aids, all improved and unimproved commercial and industrial lands, depicting their permitted uses within the Borough and, as a method of determining their current and potential tax status as a way of measuring their utility, the adaptability and potential advantages for development, redevelopment or rehabilitation.
- H. Maintaining a community profile to assist businesses interested in relocating to Mount Arlington.
- I. Assisting the Borough's Administration in the preparation of applications for grants or funding which fosters economic development.
- J. Performing other duties and tasks as assigned by the Governing Body.

- K. Preparing an annual report to be submitted to the Borough Council setting forth in detail its achievements and recommendations covering the preceding 12 months.

§ Limitation of Duties

Other than the duties and responsibilities enumerated above, the EDAC shall not have the power to enter into contracts, create debt or take property by condemnation or eminent domain.

§ Officers; quorum; meetings.

- A. The Mayor shall annually appoint, with the advice and consent of the Borough Council, from among regular voting members a Chairperson and Vice Chairperson. A majority of the voting members shall constitute a quorum.
- B. The Borough will provide a Secretary to the EDAC. The Secretary does not have voting rights.
- C. The Secretary shall be responsible for maintaining correspondence, memoranda and preparing written minutes of all EDAC meetings. However, before any correspondence or memoranda is sent under the auspices of the EDAC, any draft letter or memoranda shall be submitted to the Borough Administrator for the review and approval of the Governing Body.
- D. Organization. The EDAC shall meet in January of each year (or as soon as possible thereafter) to organize or reorganize and, at that time, determine when it shall meet and how often. In accordance with the Open Public Meetings Act, the EDAC shall publish notice of meetings in a local newspaper, post the same on the Borough's website, the Borough Hall Lobby and file such notice with the Borough Clerk. The annual notice shall contain the dates, times and locations of each meeting to be held during the forthcoming year.

§ Compensation; reimbursement of expenses.

Regular members and officers of the EDAC shall serve without compensation, except that the Borough Council may reimburse members for incurring legitimate out-of-pocket expenses in the performance of EDAC duties and responsibilities such as the development of presentation and marketing materials, flyers, brochures and correspondence. Members of the EDAC must first receive the approval of the Borough Administrator or, in her/his absence, the Borough's Chief Financial Officer or Treasurer

before any out-of-pocket expenses (such as travel mileage) are incurred. If approved, and following such expenditure, EDAC members shall certify and complete an official Borough Purchase Order request, providing a full description and itemization of their expenses.

§ Oath of Office.

Before assuming office, each member and officer of the EDAC shall take an oath that he/she will faithfully and impartially perform the duties of his/her office.

§ Annual budget appropriation.

The Governing Body may appropriate such sum of money as may be determined in each year's current fund operating budget in order for the EDAC to perform its duties and responsibilities. Any approved out-of-pocket expenses shall be charged against the EDAC's approved calendar year budget if such budgetary appropriation is granted by the Borough Council.