

## ORDINANCE 33-2003

### ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER 15 OF THE BOROUGH CODE ENTITLED "DOWNTOWN DEVELOPMENT COMMISSION"

**WHEREAS**, the Borough Administrator has recommended that Chapter 15 of the Borough Code be amended to provide for three at large members and to clarify other provisions in this Chapter; and

**WHEREAS**, the Borough Council has determined to amend Chapter 15 of the Borough Code in accordance with said recommendation.

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey as follows:

SECTION 1: Chapter 15 of the Borough Code entitled "Downtown Development Commission" is amended as follows:

§ 15-2. Membership.

A. The Commission shall consist of the following members:

- (1) The Mayor.
- (2) One Council representative.
- (3) President of the Board of Education or designee.
- (4) One member of the Planning Board.
- (5) One former elected Official.
- (6) Fifteen additional regular members.
- (7) One ex officio member, who shall be the Downtown Manager.
- (8) Three at large alternates.

B. Appointments of all members and alternates shall be made by the Mayor with the advice and consent of the Council. In the event that the Mayor fails to make a

nomination at least 15 days prior to the date of the second regular public meeting of the Council after a position becomes vacant or the Borough Council fails to confirm a nomination, then the appointment shall be made by the Borough Council by the vote of a majority of the members present at the meeting, provided that at least three affirmative votes shall be required, with the Mayor to have no vote thereon except in case of a tie. Except as provided hereinafter, appointed members and alternates shall serve for terms of three years, except that the terms of office of any public official shall not extend beyond the expiration of his current term of public office. The terms of office of the first appointed members of the Commission shall be for one, two or three years, to be designated by the Mayor in making appointments, and their successors shall be appointed for terms of three years and until the appointment and qualification of their successors. No member shall serve more than two consecutive three-year terms. Appointments shall be made in the following classes and numbers:

(1) Public officials (five regular members): Mayor, Council member, President of the Board of Education or his designee, one member of the Planning Board, and one former elected public official.

(2) Chamber of Commerce representative (one regular member). This member shall be recommended by the Board of Directors of the Madison Chamber of Commerce.

(3) Owner-merchant or their designee (three regular members). These members shall be owners of businesses located in the downtown district.

(4) Tenant-merchant (two regular members). These members shall be tenants operating businesses in the downtown district.

(5) Resident noncommuter (two regular members). These members shall be residents in the Borough of Madison.

(6) Resident-commuter (one regular member). This member shall represent the large number of residents who work outside the Madison community.

(7) News media representative (one regular member).

(8) College representative (one regular member). This member shall be qualified to represent the views of the three local college communities.

(9) Banking industry (one regular member).

(10) Giralda Estates representative (one regular member).

(11) Senior Citizens Advisory Committee member (one regular member).

(12) One local not-for-profit organization representative.

C. The Mayor, Council member and all members of the Commission, except the ex officio member [see § 15-2A(4)], shall exercise voting power. Alternate members may participate in discussions but may not vote except in the absence of or disqualification of a regular member. The Mayor shall designate the alternates by number at the time of appointment. Alternates shall serve in the absence or vacancy of any member.

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SECTION 2: This Ordinance shall take effect as provided by law.

ADOPTED AND APPROVED

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JOHN J. DUNNE, Mayor

Attest:

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MARILYN SCHAEFER, Borough Clerk

Introduced and passed: July 14, 2003

Published, Madison Eagle: July 17, 2003

Hearing and final adoption: July 28, 2003

Published, Madison Eagle: July 31, 2003