

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

ORDINANCE No. 2023-002

**ESTABLISHING THE VERONA-CEDAR GROVE FLOOD CONTROL
ADVISORY BOARD**

WHEREAS, the Township of Verona finds and declares that it is in its interest to protect and relieve its residents and the occupants of property within the Township from the adverse effects of uncontrolled storm water drainage and the conditions of flooding as authorized by N.J.S.A. 40A:27-2; and

WHEREAS, the Township believes that the formation of a Joint Flood Control Advisory Board with members from Verona and Cedar Grove is the best method to address the issue of flooding and flood control measures that would impact both Townships in order to provide the governing body with recommendations to consider for the placement and creation of a flood control facility or facilities and other measures for the Township to consider that could help protect and alleviate the public from the adverse effects of uncontrolled storm water drainage and conditions of flooding.

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Verona does hereby ordain that Chapter 501 entitled "VERONA-CEDAR GROVE FLOOD CONTROL ADVISORY BOARD" of the Code of the Township of Verona is hereby created and shall read as follows:

SECTION 1:

§ 501 - Establishment.

There is hereby created The Verona-Cedar Grove Flood Control Advisory Board. In order to effectuate the establishment of the Board, the Township of Verona authorizes, upon the adoption of requisite like ordinance by the Township of Cedar Grove the creation of the Board, as set forth below.

§ 501 - Membership; appointment; terms.

A. The Verona-Cedar Grove Flood Control Advisory Board shall consist of eight (8) members, four (4) from each Township, and shall include the following appointments from each Township:

1. Township Manager or the Manager's designee in the absence of the Manager;
2. Township Engineer or the Engineer's designee in the absence of the Engineer;
3. A member of the Council to be appointed by it; and
4. A member of the public.

The term of the Township Manager and Township Engineer shall correspond to their respective tenure or if the member is the respective official's designee in the absence of the respective official, the designee shall serve at the pleasure of the official during the official's tenure. The term of the Council member shall be for one year or terminate at the completion of their respective terms of office, whichever occurs first. Public members shall be appointed by the Council and shall serve for terms of two years, except that the term of the members first appointed pursuant to this section shall be two years for the Township of Verona appointment and 3 years for the Township of Cedar Grove appointment so that the term of not more than one public member shall expire in any one year. Any vacancy occurring by reason of the death, resignation or removal for cause of any public member shall be filled by the Council for the unexpired term of such member.

§ 501 - Duties and responsibilities.

The Verona-Cedar Grove Flood Control Advisory Board is hereby charged with the following duties and responsibilities:

- A. Work together with residents, elected and appointed officials to study, propose

solutions and plan for the finance, acquisition, construction, maintenance, operation or improvement of works for the collection, diversion, impoundment, transportation and disposal of surface water in order to foster flood control and promote a basin-wide or sub-basin-wide approach to controlling floods, thereby protecting the public from the adverse effects of uncontrolled storm water drainage and conditions of flooding;

- B. Make recommendations to the governing body that will contribute to the overall management of the surface water of the Passaic River and the Peckman River basins, insofar as those basins impact upon the properties located within the Township;
- C. Make, or cause to be made any necessary surveys, investigations, studies, borings, maps, plans, drawings and estimates of costs and revenues relating to the provision of flood control facilities, provided, however, the Board (or the Township of Verona on behalf of the Board) first secures or approves the full funding by way of budgetary appropriations or grants for such surveys, investigations and the like.
- D. Subject to the approval of the Governing Body of each of the member local units, the "Verona-Cedar Grove Flood Control Board" shall jointly receive and accept, on behalf of its member local units, from the federal or State government or any agency thereof, grants for the planning, acquisition, purchase, construction, extension, enlargement, reconstruction, improvement or financing of any of these facilities and to receive and accept contributions from any source of either money, property, labor or other things of value to be held, used and applied for the purposes for which these grants and contributions may be made.
- E. To provide the Council with periodic reports (at least bi-annually) with updates on actions and recommendations on flood control measures that should be considered in accordance with the Board's responsibilities.

§ 501 - Organization; officers.

The Board shall elect a Chairperson and Secretary annually at its first organizational meeting. The Chair of the Board shall be elected by the members of the Board each year; however, a member from each of the member local units may serve as Chair only every other year. The Secretary may be a member of the Committee or a municipal employee of either Township. If a municipal employee is appointed with the approval of the respective Township Manager, the cost of which, if any, shall be split evenly between the local units. However, an employee of from each of the member local units may serve as secretary only every other year.

The Secretary shall keep minutes of all the meetings of the Board, which minutes and copies of official correspondence of the Board shall be kept on file in the office of the Municipal Clerk.

§ 501 - Meetings.

The Board shall organize within 30 days after the first appointment of its members and then within the first 30 days each calendar year thereafter. The Committee shall hold regular meetings at least monthly. Special meetings may be called by the Chairperson. The Committee may make and amend rules and regulations concerning the conduct of its meetings.

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION 5: CODIFICATION

This ordinance shall be a part of the Code of the Township of Verona as though codified and fully set forth therein. The Municipal Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Municipal Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Verona in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.



ATTEST:

Jennifer Kiernan
JENNIFER KIERNAN
MUNICIPAL CLERK

NOTICE

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE STAR LEDGER, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF JANUARY 13, 2023 AND JANUARY 30, 2023

**JENNIFER KIERNAN
MUNICIPAL CLERK**

INTRODUCTION: January 9, 2023
PUBLIC HEARING: January 23, 2023
EFFECTIVE DATE: February 12, 2023