

ORDINANCE 13.21

**ORDINANCE CREATING A HISTORIC PRESERVATION COMMISSION
WITHIN THE BOROUGH OF PAULSBORO PURSUANT TO THE
MUNICIPAL LAND USE LAW, N.J.S.A. 40:55D-107**

WHEREAS, the Borough of Paulsboro has many known sights of historic significance; and

WHEREAS, in order to preserve the historic integrity of these sites and areas, it is in the best interests of the stakeholders of Paulsboro to create a Historic Preservation Commission pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-107; and

WHEREAS, the purpose a Borough Historic Preservation Commission would be to identify, evaluate, designate and regulate historic resources, including but not limited to individual sites and districts; and

WHEREAS, the creation of a Commission would also open certain funding opportunities for the Borough and will preserve the historic integrity of certain sites within the Borough.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Paulsboro, county of Gloucester and State of New Jersey that a Historic omission of the Borough of Paulsboro is hereby created pursuant to the guideline under the Municipal Land Use Law, N.J.S.A.40:55D-107.

BE IT FURTHER ORDAINED, that, in accordance with the Municipal Land Use Law, N.J.S.A., a Section be created in the Municipal Code Book with the following provisions:

HISTORIC PRESERVATION COMMISSION OF PAULSBORO

§ xx-1. Creation.

There is hereby created in and for the Borough of Paulsboro a Historic Preservation Commission.

§ xx-2. Membership.

A. The Historic Preservation Commission shall consist of seven regular members and may have not more than two alternate members. There shall be two members of Classes A and B, with at least one member each of Class A and Class B, and four members of Class C.

Class qualifications shall be as follows:

- (1) Class A: a person who is knowledgeable in building and design and construction or architectural history and who may reside outside the municipality.
 - (2) Class B: a person who is knowledgeable in or with a demonstrated interest in local history and who may reside outside the municipality.
 - (3) Class C: a citizen of the municipality who shall hold no other municipal office, position or employment, except for membership on the Land Use Board.
- B. Alternate members shall meet the qualifications of Class C members.

§ xx-3. Appointments; terms; vacancies.

- A. The Mayor shall appoint all members of the Commission and shall designate at the time of appointment the regular members by class and the alternate members, if any, as "Alternate No. 1" and "Alternate No. 2."
- B. Terms.
- (1) The term of the members first appointed shall expire in the following manner:
 - (2) One each of Class A and Class B members shall serve initial terms of four years.
 - (3) One Class A or Class B member shall serve an initial term of three years.
 - (4) One Class C member shall serve an initial term of four years; one Class C member shall serve an initial term of three years; one Class C member shall serve an initial term of two years, and two Class C members shall serve an initial term of one year.
 - (5) One alternate member shall serve an initial term of two years, and one alternate member shall serve an initial term of one year.
 - (6) Thereafter, the term of a regular member shall be four years, and the term of an alternate member shall be two years.
- C. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only and done so by the Mayor within 30 days of the vacancy. Notwithstanding any other provision herein, the term of any member common to the Historic Preservation Commission and the Land Use Board shall be for the term of membership on the Land Use Board.

§ xx-4. Officers.

The Historic Preservation Commission shall elect a Chair, Vice Chair, and Secretary from its members.

§ xx-5. Rules and procedures.

The Commission shall create rules and procedures for the transaction of its business, subject to the following regulations:

- A. A quorum for the transaction of business shall consist of four of the Commission's members, including the Chair or, in his or her absence, the Vice Chair.
- B. The Secretary shall keep minutes and records of all meetings and proceedings, including voting records, attendance, resolutions, findings, determinations and decisions. All such material shall be public records.
- C. All meetings shall comply with the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.).
- D. 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.
- E. No member of the Historic Preservation Commission shall be permitted to act on any matter in which he or she has, either directly or indirectly, any personal or financial interest.
- F. A member of the Historic Preservation Commission may, after public hearing if he or she requests it, be removed by the governing body for cause. A member may be removed from office after missing three consecutive meetings without cause.

§ xx-6. Funding.

The governing body shall make provision in its budget and appropriate funds for the expenses of the historic preservation commission.

§ xx-7. Compensation.

The Commission members shall serve without compensation but shall be reimbursed for expenses incurred in the performance of official business.

§ xx-8. Experts and other staff services.

The Historic Preservation Commission may employ, contract for and fix the compensation of experts and other staff and services as it shall deem necessary. The Commission shall obtain its legal counsel from the Borough Solicitor at the rate of compensation determined by the governing body. Expenditures pursuant to this section shall not exceed, exclusive of gifts or grants, the amount appropriated by the governing body for the Commission's use.

§ xx-9. Powers and duties.

The Historic Preservation Commission shall have the responsibility to:

- A. Prepare a survey of historic sites of the municipality pursuant to criteria identified in the survey report;

- B. Make recommendations to the Land Use Board on the historic preservation plan element of the master plan and on the implications for preservation of historic sites of any other master plan elements;
- C. Advise the Land Use Board on the inclusion of historic sites in the recommended capital improvement program;
- D. Advise the Land Use Board on applications for development pursuant to section xx-10 of this amendatory and supplementary act;
- E. Provide written reports pursuant to section xx-11 of this amendatory and supplementary act on the application of the zoning ordinance provisions concerning historic preservation; and
- F. Carry out such other advisory, educational and informational functions as will promote historic preservation in the municipality.
- G. Promote public interest in the purpose of this chapter by carrying on educational and public relations programs.
- H. Formulate recommendations concerning the preparation and publication of maps, brochures and descriptive material about the town's historical and/or architectural sites and buildings.
- I. Advise owners of historic buildings on topics such as resources and guidelines, historical markers, rehabilitation, repairs, maintenance methods and technologies, adaptive use, economic and tax incentives, and other historic preservation strategies.

§ xx-10. Applications submitted to Commission.

The Land Use Board shall submit to the Historic Preservation Commission a copy of every application submitted to the Board for development on historic sites, buildings, or properties designated on the Zoning or Official Map or in any component element of the Master Plan. The Historic Preservation Commission shall provide its advice, which shall be conveyed through its delegation of one of its members or staff to testify orally at the hearing on the application and to explain any written reports which may have been submitted.

§ xx-11. Report on referrals.

- A. All applications for issuance of permits pertaining to historic sites, building, or property shall be referred to the Historic Preservation Commission for a written report on the application of the Zoning Ordinance provisions concerning historic preservation, to any of those aspects of the proposed change, which aspects were not determined by approval of an application for development by a municipal agency pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.
- B. The Historic Preservation Commission shall report to the Land Use Board within 30 days of its referral of an application to the Historic Preservation

Commission. The Land Use Board shall review such advisory recommendation in making a final decision on the application. It may accept or reject the advisory opinion of the Commission or attach such conditions to approval as may be consistent with historic preservation guidelines or the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. Failure of the Commission to report within the thirty- day period shall be deemed to constitute a report in favor of issuance of the permit and without the recommendation of conditions to the permit.

This Ordinance shall take effect after final adoption and publication according to law.

BOROUGH OF PAULSBORO

Gary C. Stevenson, Mayor

ATTEST:

Kathy A. VanScoy, RMC/CMC/CMR
Borough Clerk

PUBLIC NOTICE

BOROUGH OF PAULSBORO ORDINANCE NO. 13.21: ORDINANCE CREATING A HISTORIC PRESERVATION COMMISSION WITHIN THE BROOUGH OF PAULSBORO PURSUANT TO THE MUNICIPAL LAND USE LAW, N.J.S.A. 40:55D-107: The purpose of this Ordinance is to create an Historic Preservation Commission for the Borough of Paulsboro. The creation of the Commission would have the authority to identify, evaluate, designate and regulate historic resources, including but not limited to individual sites and districts. The creation of a Commission would also open certain funding opportunities for the Borough and will preserve the historic integrity of certain sites within the Borough.

PLEASE TAKE NOTICE that the following Ordinance was introduced and passed of first reading on the 5th day of October 2021 at a meeting of the Borough Council of the Borough of Paulsboro, County of Gloucester, State of New Jersey, and will be taken up for final consideration and passage at a regularly scheduled meeting of the Mayor and Borough Council of the Borough of Paulsboro to be held on the 3rd day of November 2021 at which time any person interested therein will be given the opportunity to be heard. Said meeting will be held via ZOOM.

MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE ZOOM MEETING BY THE FOLLOWING MEANS:

Join Zoom Meeting

<https://us02web.zoom.us/j/2866639151?pwd=SlIRd3ZtOHVUZUJXYnoxWG9PREtCdz09>

Meeting ID: 286 663 9151

Passcode: 865932

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Find your local number: <https://us02web.zoom.us/j/2866639151?pwd=SlIRd3ZtOHVUZUJXYnoxWG9PREtCdz09>

Copies of the foregoing Ordinance are available free of charge at the Borough clerk's Office located in the Municipal Building, 1211 Delaware Street, Paulsboro, New Jersey: Monday through Friday 8:30 a.m. to 4:00 p.m.

Kathy A. VanScoy, RMC/CMC Borough Clerk



State of New Jersey,) ss
County of Gloucester)

Jeanette Kryzimalski being duly sworn, deposes that he/she is principal clerk of NJ Advance Media; that South Jersey Times is a public newspaper, with general circulation in Camden, Cumberland, Gloucester, and Salem Counties, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

South Jersey Times 10/12/2021

Principal Clerk of the Publisher

Sworn to and subscribed before me this 12th day of October 2021

Notary Public

LORETTA A. DORAN
NOTARY PUBLIC OF NEW JERSEY
Commission # 50035436
My Commission Expires 4/6/2026

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Kathy A. VanScoy, RMC/CMC Borough Clerk

Cost: \$95.11 10/12/2021 1T (10125588)