

HISTORIC PRESERVATION ADVISORY COMMISSION
FRANKLIN TOWNSHIP, SOMERSET COUNTY, NEW JERSEY
BY-LAWS

Preamble

The purpose of the Commission shall be to:

- (1) Preserve and enhance the heritage of the Township through the preservation of sites of special historic, archeological, architectural, aesthetic and cultural significance.
- (2) Preserve the character and special sense of place of the Township's historic villages that create and maintain a sense of identity and unity in the Township.
- (3) Protect the Township's historic resources from deterioration or destruction and encourage the proper maintenance, rehabilitation, and appropriate use or adaptive reuse of these historic resources.
- (4) Protect the Township's historic resources from incompatible design.
- (5) Promote the use of historically, archeologically, architecturally and culturally significant sites and areas for the education, welfare and pleasure of the residents of the Township and its visitors.
- (6) Coordinate and work, in conjunction with other governmental agencies having a similar responsibility, to protect the historic and cultural resources of the Township.
- (7) Foster civic pride and appreciation for the Township's heritage.
- (8) Improve property values and strengthen the Township's economy.

Authority

The Commission is established and derives its authority pursuant to Chapter XXV, Article 112-200 of the Code of Franklin Township.

I. ANNUAL ORGANIZATION; MEMBERSHIP; ELECTIONS; MEETINGS

A. **Organization Meeting.** At the first meeting of the year the Historic Preservation Advisory Commission, hereinafter the "Commission", shall elect officers and otherwise organize its affairs for the year.

B. Membership. The Commission shall consist of nine members and two alternate members who shall be appointed by the Township Council and shall serve without compensation. Vacancies shall be filled by the Township Council within 60 days of their occurrence.

1. No member of the Commission shall participate in the review, deliberations, vote or any other action in which he or she has a personal or financial interest.

2. Annually all members of the Commission shall file a Financial Disclosure Statement with the State.

3. No member shall be absent from more than 50% of the regular meetings.

C. Election of Officers. A Chair, Vice Chair, Secretary and Secretary Alternate shall be elected to one year terms at the organization meeting or at any time throughout the year in the event a vacancy occurs.

1. Duties of Officers

a) **Chair.** The Chair shall preside at all meetings and hearings of the Commission, decide all points of order and matters of procedure governing said meetings or hearings and shall perform all the duties normally appertaining to the office as required by law, ordinance, these By-laws or prevailing parliamentary procedure.

b) **Vice Chair.** The Vice Chair shall preside at all Commission meetings and hearings in the absence or disqualification of the Chair.

c) **Secretary.** The Secretary shall perform the secretarial work of the Commission including, but not limited to:

i. Conducting all official correspondence, compiling all required records, maintaining all necessary files and reports and causing all notices of meetings required to be given appropriate distribution pursuant to the Open Public Meetings Act and other applicable law.

ii. Attending all meetings of the Commission, taking and having custody of all records, documents, maps, plans and evidence and providing for their care and custody if no other provision is made by law or these rules; taking or directing the taking of roll call votes and ensuring the recordation of affirmative as well as negative votes and abstentions.

iii. Keeping minutes of the proceedings of each meeting held by the Commission and forwarding copies of all minutes to the Township Clerk.

iv. Performing such other duties as normally appertain to the office of secretary or assigning some duties to a designee as may be appropriate.

v. Preparing, periodically updating and distributing to new members the Commission's Operational Manual containing documents and other materials with which members of the Commission shall be familiar.

d) **Secretary Alternate.** The Secretary Alternate shall perform the duties of the Secretary in his or her absence.

D. Meetings. An annual schedule of meetings of the Commission shall be adopted and advertised according to the Open Public Meetings Act and be available to the public upon request.

1. **Regular Meetings.** Regular meetings will ordinarily be held once a month. Whenever there are no matters to be considered at a scheduled meeting, the Chair may dispense with the meeting by directing that the Secretary provide notice of cancellation by reasonable means in advance of the time set for said meeting and give notice in accord with the Open Public Meetings Act.

2. **Special Meetings.** Special meetings may be called by the Chair or Vice Chair, provided that notice is delivered to each member of the Commission and to the public as required by law. An applicant may request but shall not be entitled to a special meeting. A special meeting at the request of the applicant may be scheduled at the pleasure of the Commission in which case the applicant shall be responsible for all costs and fees related to the meeting, including the recordation of the minutes of the proceeding.

3. The Commission shall be governed by Robert's Rules of Order.

4. At all meetings of the Commission a quorum to conduct business shall consist of five members. No business shall be conducted in the absence of a quorum.

II. ORDER OF BUSINESS

The order of business shall ordinarily be conducted as follows:

1. Call to Order
2. Statement of Compliance with the Open Public Meetings Act
3. Roll Call
4. Review of Applications
5. Approval of Minutes of Previous Meeting
6. Correspondence
7. Reports

8. Old Business
9. New Business
10. Public comment
11. Adjournment

G. Amendment to These By-Laws

1. Proposed amendments to these By-Laws shall be presented to the full membership, in writing, at least 15 days prior to the meeting scheduled for their consideration.

2. Amendments to these By-Laws shall require an affirmative vote by a majority of the full membership.

By-Laws adopted July 2, 2013.

Appendix

In general, the following procedures shall be followed when the Commission acts on all applications for review:

(1) Said applications for review shall be listed on the agenda and heard in the order in which they have been received by the Commission.

(2) Applications referred from the relevant office of the Township government shall be reviewed by the Commission as follows:

- a) Introduction of the applicant
- b) Explanation of the procedure to the applicant
- c) Introduction of the application
- d) Presentation of the case by the applicant, his or her designee or attorney
- e) Questions by the members of the Commission
- f) Public discussion, if any, by the Public
- g) Explanation of the applicable criteria
- h) Discussion by the Commission
- i) Findings of fact
- j) Making a motion to approve, approve with conditions or not approve the application; the motion should contain the reasons for the Commission's decision
- k) Seconding the motion
- l) Voice vote on the motion
- m) Roll call vote on the motion if the voice vote is not unanimous
- n) Drafting a resolution memorializing the Commission's decision
- o) Explanation for the applicant of the procedures that follow the resolution

(3) Applications for historic designation will ordinarily be reviewed by the Commission as follows:

- a) Presentation of the nominating report and accompanying documents
- b) Introduction of any written protests of the nomination
- c) Comments from individuals making the nomination
- d) Comments from individuals protesting the nomination
- e) Public discussion of the nomination
- f) Discussion by the members of the Commission
- g) Findings of fact
- h) Making a motion to approve, approve with conditions or not approve the application; the motion should contain the reasons for the Commission's decision
- i) Seconding the motion
- j) Voice vote on the motion
- k) Roll call vote on the motion if the voice vote is not unanimous
- l) Drafting a resolution memorializing the Commission's decision
- m) Explanation for the applicant of the procedures that follow the resolution