

ESSEX COUNTY SOLID WASTE ADVISORY COUNCIL

B/LAWS

ARTICLE I Statutory Basis and Requirements

Section 1: Pursuant to NJSA 13:1E-20 of the New Jersey State Solid Waste Management Act, NJSA 13:1E et seq, the Essex County Executive shall designate a Solid Waste Advisory Council (SWAC), with the advice and consent of the Board of Chosen Freeholders. The said Council is to provide advisory assistance to the Essex County Executive and the Board of Chosen Freeholders as required under this Statute.

ARTICLE II Purpose and Objectives

Section 1: The purpose and objectives of the Solid Waste Advisory Council are defined in NJSA 13:1E-20 and as follows:

- (1) To advise the County Executive and the Board of Chosen Freeholders on all matters related to the development, formulation and implementation and modification of the District Solid Waste Management Plan.
- (2) To review all Solid Waste Management Plan amendments and notify the County Executive and Board of Chosen Freeholders of the results of such reviews.
- (3) To provide advisory policy guidance to the County Executive and the Board of Chosen Freeholders in the following areas:
 - a. Solid Waste Collection
 - b. Solid Waste Disposal
 - c. Resource Recovery
 - d. Industrial (ID#27), Special and Household Hazardous Wastes
 - e. Recycling
 - f. Other related matters.
- (4) To promote communication, coordination and cooperation between and among municipal solid waste agencies, private solid waste management industry, other solid waste management districts, solid waste related agencies of the State and Federal governments, and the general public in the development, formulation and the

implementation and modification of the District Solid Waste Management Plan.

- (5) To carry out such other duties and functions pertaining to the District Solid Waste Management Program, as may be requested from time to time by the Essex County governing body and the Division of Solid Waste Management.

Section 2: In order that the Council may fulfill and achieve its assigned purpose and objectives, the Council may:

- (1) Request from the Essex County Government necessary information concerning Solid Waste Management activities in the County.
- (2) Consider any matter related to the production, collection, transportation, treatment or disposal of solid waste, or recycling.
- (3) From time to time recommend to appropriate agencies of Municipal, County, State and Federal government, studies, plans, programs or regulations for improving the efficiency, economy, environmental soundness, and public health and safety of Solid Waste Management and recycling activities, plans, programs and facilities.
- (4) Prepare reports on the state of Solid Waste Management or Recycling plans, programs, and facilities.

ARTICLE III Membership

Section 1: The SWAC shall include the Mayor from each Essex County Municipality or his/her designee, persons engaged in the collection or disposal of solid waste, environmentalists and a member of the Board of Chosen Freeholders. The respective size and composition of the SWAC shall be designated by the County Executive and approved by the Board of Chosen Freeholders.

Section 2: Members shall serve for two (2) years or until the appointment and qualification of their successors. The Freeholder member shall be appointed for a term of one (1) year.

Section 3. Remuneration.
All members of the Council shall serve without compensation or other salary.

Section 4: Non-voting Members
Interested parties who are State, County or Municipal employees or represent the Solid Waste or Recycling Industry may be invited to participate in SWAC activities, but may not vote.

ARTICLE IV Officers and their Duties and Authority

Section 1. The officers of the SWAC shall consist of a Chairperson and Vice-Chairperson who are elected, from the membership, by SWAC members at the Annual Meeting.

The Recording Secretary shall be furnished by the Essex County Division of Solid Waste Management.

Section 2. (1) The Chairperson shall preside at all meetings of the Council, and shall have general charge and supervision over, and responsibility for the business and affairs of the Council. All other officers shall be subject to the authority and supervision of the Chairperson.

The Chairperson shall be an ex-officio member of all committees; and shall also have the normal powers and authority normally conferred on such office.

(2) The Vice-Chairperson shall perform such duties and have such authority as from time to time may be delegated to him/her by the Chairperson. In the absence of the Chairperson, or in the event of his/her death or inability to act, the Vice-Chairperson shall perform the duties and be vested with the authority of the Chairperson.

(3) The Recording Secretary shall keep, or cause to be kept, the minutes of all meetings of the Council, and shall perform such other duties and possess such other powers as are incident to that office or as are assigned by the Chairperson of the Council.

ARTICLE V Election of Officers

Section 1. Nomination of officers shall be made from the

floor at the annual organizational meeting. In the case of a contest, open ballot election shall follow immediately thereafter.

Section 2. Candidates receiving a majority vote of the members present at the organizational meeting of the Council shall be elected and shall serve for one (1) year, or until a successor is elected.

Section 3. Vacancies in office shall be filled immediately by the regular election procedure, and the successful candidate shall serve for the remainder of the uncompleted term.

ARTICLE VI Meetings and Voting

Section 1. Notice.
The regular meeting dates and location shall be distributed to all Municipal Clerks in the County and published in at least two (2) newspapers with circulation within the County.

Section 2. Annual Organizational Meeting.
The annual organizational meeting of the Council shall be held in January of each year.

Section 3. Regular Meetings.
Regular meetings will be held in accordance with a Resolution establishing meeting dates for the current year, to be adopted by the Essex County Solid Waste Advisory Council at the Reorganization Meeting each year, or at the first opportunity thereafter.

Section 4. Quorum and Voting Procedures.
A quorum shall consist of seven (7) members of the Council. The number of votes necessary to transact business shall be a majority of the quorum. Voting shall be by a voice vote unless a roll call is requested. A record of all votes, including roll call votes, shall be kept and maintained as part of the minutes.

Section 5. Special Meetings.
Special meetings may be called by the Chairperson. Notice of such a meeting shall specify the purpose of such meeting, and no other business may be considered except by unanimous consent of the Council members present. There shall be no less than five (5) days written notice, in advance, of such special meetings unless any Statute pertaining to public meetings requires greater advance notice, in which event

such greater advance notice shall be given for special meetings.

Section 6: Voting Privileges.
All duly-appointed Council members, or their alternates have the privilege to vote.

Section 7: Order of Business.
The order of business at regular meetings shall be:

- (A) Call to Order
- (B) Open Public Meetings Statement
- (C) Approval of Minutes
- (D) Officer's Reports
- (E) Committee Reports
- (F) Staff Reports
- (G) Plan Amendments
- (H) Continuing Discussion
- (I) New Business
- (J) Committee Members Remarks
- (K) Public Comments
- (L) Adjournment

ARTICLE VII Minutes and Agenda

Section 1. Minutes.
Minutes of every regular and special Council meeting shall be kept by the Recording Secretary and shall include the names of the persons appearing and addressing the Council, actions taken, findings, and reasons therefore. Included in the minutes will be a record of those attending each meeting. Copies of the minutes will be distributed to the County Executive, each member of the Board of Chosen Freeholders, the Clerk to the Board of Chosen Freeholders, the Clerk of each Essex County municipality and all Council members.

Section 2. Agenda.
Agenda of the regular and special meetings will be prepared by the Chairperson, and sent to the Council members at least five (5) days prior to each meeting.

Section 3. Expenses.
Postage, duplicating and other expenses associated with the preparation of Agenda, Minutes, Resolutions, reports and surveys shall be borne by the Essex County government.

ARTICLE VIII Committees

Section 1: The business of the Council shall be carried out by committees.

Standing Committees shall be:
Resource Recovery
Recycling

Other committees may be established from time to time by the Chairperson.

The SWAC Chairperson shall appoint the Committee Chairperson. The SWAC Chairperson may appoint a non-voting member a committee chairperson.

Section 2: Actions taken at a meeting of any SWAC committee shall be reported to the Council at its next meeting following such committee meeting, except that when the meeting of the Council is held within two (2) days after the committee meeting, such report shall, if not made at the first Council meeting following such committee meeting, be made to the Council at the second Council meeting following such committee meeting.

ARTICLE IX Parliamentary Authority

Section 1. - The rules contained in Robert's Rules of Order (revised) shall govern the Council in all cases which are applicable, and in which they are not inconsistent with these By-Laws or with Special Rules of the Council.

ARTICLE X Amendments

Section 1. The procedure to amend these By-Laws shall require a two-thirds (2/3) vote of agreement of a quorum of the SWAC, and submission of the proposed amendment(s) to the Council Executive and the Board of Chosen Freeholders.