

**BOROUGH OF ALBURTIS  
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 399

(Duly Adopted May 29, 2002)

AN ORDINANCE CREATING AN ENVIRONMENTAL ADVISORY  
COUNCIL FOR THE BOROUGH OF ALBURTIS, AND PROVIDING  
OPERATING PROCEDURES AND POWERS OF THE COUNCIL.

**WHEREAS**, 53 PA. CONS. STAT. § 2321 *et seq.* authorizes municipalities to establish an environmental advisory council; and

**WHEREAS**, Borough Council desires to establish an environmental advisory council in accordance with the state statute;

**NOW, THEREFORE**, be it **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Alburtis, Lehigh County, Pennsylvania, as follows:

**§ 1. Environmental Advisory Council Created.** The Alburtis Environmental Advisory Council is hereby created and shall continue to function until this Ordinance is revoked.

**§ 2. Council Members.**

(a) **Qualification.** All members of the Alburtis Environmental Advisory Council shall be residents of the Borough of Alburtis throughout their terms of office.

(b) **Number of Members.** There shall be three (3) members of the Alburtis Environmental Advisory Council.

(c) **Term of Office.** The terms of the first three members of the Alburtis Environmental Advisory Council shall be as follows:

- (1) One member shall be appointed for a term ending May 28, 2003;
- (2) One member shall be appointed for a term ending May 28, 2004;

and

- (3) One member shall be appointed for a term ending May 28, 2005.

Thereafter, the term of each member of the Alburdis Environmental Advisory Council shall be three (3) years, ending on the May 28<sup>th</sup> which is three years after the expiration of the preceding term.

(d) **Appointment.** All members of the Alburdis Environmental Advisory Council shall be appointed by Borough Council. In the event any position on the Alburdis Environmental Advisory Council shall become vacant, Borough Council shall appoint a qualified individual to serve for the remainder of the unexpired term. If, at any time an appointment is being made (whether for a full term or to fill a vacancy), none of the other members of the Alburdis Environmental Advisory Council is also a member of the Alburdis Planning Commission, Borough Council shall appoint at least one member of the Alburdis Planning Commission to the Alburdis Environmental Advisory Council.

(e) **Chair.** The Borough Council shall, from time to time, designate the Chair of the Alburdis Environmental Advisory Council.

(f) **Compensation.** Members of the Alburdis Environmental Advisory Council shall receive no compensation for their services, but may be reimbursed for the expenses actually and necessarily incurred by them in the performance of their duties.

(g) **Meetings.** The Alburdis Environmental Advisory Council shall meet at the call of its Chair, two (2) other members of the Alburdis Advisory Council, or the Borough Council. Each member shall be given at least five (5) calendar days notice of each meeting. The Alburdis Environmental Advisory Council shall keep minutes of its meetings and forward a copy of the same to Borough Council.

**§ 3. Advisory Role.** The Alburdis Environmental Advisory Council is strictly an advisory organization, and shall coordinate all of its functions with the Borough Council and, as appropriate, the Alburdis Planning Commission, the Alburdis Park and Recreation Commission, or the Alburdis Zoning Hearing Board.

**§ 4. Duties and Powers.** The Alburdis Environmental Advisory Council shall have the following duties and powers, consistent with §§ 3 and 6 of this Ordinance:

(a) To identify environmental problems and recommend plans and programs to the appropriate Borough agencies for the promotion and conservation of the natural resources and for the protection and improvement of the quality of the environment within the territorial limits of the Borough of Alburdis;

(b) To make recommendations as to the possible use of open land areas of the Borough;

(c) To promote a community environmental program;

(d) To keep an index of all open areas, publicly or privately owned, including flood-prone areas, swamps, and other unique natural areas, for the purpose of obtaining information on the proper use of those areas.

(e) To advise Borough Council and, as appropriate, the Alburdis Planning Commission or the Alburdis Park and Recreation Commission, in the acquisition of both real and personal property by gift, purchase, grant, bequest, easement, devise, or lease, in matters relating to the protection, conservation, management, promotion, and use of natural resources and the protection and improvement of the quality of the environment.

(f) To prepare an annual report of its activities and present the same to Borough Council in or about October of each year. The report shall be printed in the annual report of the Borough, if any; otherwise, it shall be made known and available.

(g) To undertake such other environmental tasks as requested from time to time by Borough Council.

**§ 5. Initial Project.** Borough Council authorizes and directs the Alburtis Environmental Advisory Council to apply for a grant(s) from Commonwealth and/or other public or private agencies in order to develop a GIS-based environmental resource inventory—a compilation of maps and accompanying text showing and explaining the natural characteristics and environmental features of the Borough of Alburtis. No Borough funds shall be expended for or committed to this project without specific authorization from Borough Council.

**§ 6. Limitations.**

(a) The Alburtis Environmental Advisory Council shall not exercise any powers or perform any duties which by law are conferred or imposed upon a Commonwealth agency.

(b) The Alburtis Environmental Advisory Council shall not employ any persons, engage any consultants, expend any funds, or enter into any obligations unless such actions have been authorized and funds appropriated by Borough Council. Borough Council may authorize Borough employees to assist in executing the duties of the Alburtis Environmental Advisory Council, but all Borough employees shall remain subject at all times to their regular supervisors and, ultimately, Borough Council, and shall not be directed by the Alburtis Environmental Advisory Council or any of its members.

(c) Borough Council reserves the right to rescind any action taken by the Alburtis Environmental Advisory Council at any time.

**DULY ORDAINED** and **ENACTED** by the Borough Council of the Borough of Al-  
burtis, this 29<sup>th</sup> day of May, 2002, in lawful session duly assembled.

**BOROUGH COUNCIL  
BOROUGH OF ALBURTIS**

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Steven R. Hill, President

Attest:

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Melanie Hansen, Secretary

**AND NOW**, this 29<sup>th</sup> day of May, 2002, the above Ordinance is hereby **APPROVED**.

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Russell J. Afflerbach, Mayor