

**BOROUGH OF BERLIN**  
**ORDINANCE NO. 2018-19**

**AN ORDINANCE RESCINDING PART 1, CHAPTER 16, §16-1. THROUGH §16-8 AND  
CREATING A NEW PART 1, CHAPTER 16 ENTITLED "BUSINESS ADVISORY  
COMMITTEE" OF THE CODE OF THE BOROUGH OF BERLIN,  
COUNTY OF CAMDEN AND STATE OF NEW JERSEY**

**WHEREAS**, the Borough of Berlin is a municipal entity organized and existing under the laws of the State of New Jersey and located in Camden County and the State of New Jersey; and

**WHEREAS**, it is determined that rescinding the Economic Development Committee Ordinance and replacing it with a streamlined more efficient version would better serve the health, safety and welfare of the citizens of the Borough.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Berlin, County of Camden, State of New Jersey, that Part 1, Chapter 16, is hereby amended as follows:

Section 1: Ordinance 97-3 adopted on March 18, 1997 and Ordinance 98-4 adopted on March 16, 1998 and set forth in Part 1, Chapter 16 of the Code of the Borough of Berlin, is hereby rescinded and revoked in its entirety and replaced with the following provisions.

**Section 2: §16-1. Establishment.**

In order to make Berlin Borough more business friendly and promote commercial activity and growth within the Borough, to analyze, advise the governing body on how to promote business there is hereby established and created by this Chapter a Committee to be known as the "Business Advisory Committee of the Borough of Berlin."

**Section 3: §16-2. Membership; Chairperson and Vice Chairperson.**

- A. The Committee so created shall consist of four Class A regular members, one Class B regular Member and one alternate, and shall have the powers hereinafter enumerated.
- B. The Business Advisory Committee shall select from its regular members one member to serve as its Chairperson and one member to serve as its Vice Chairperson. The Chairperson and Vice Chairperson so chosen shall serve for periods of one year.

**Section 4: §16-3. Appointments; qualifications; terms of office; vacancies.**

- A. The members of the Business Advisory Committee shall be appointed by the Mayor with the advice and consent of Council. Each member shall be appointed for a term of three years, with the exception of the alternate members, which position shall be appointed for a one-year term. The board members shall meet the following criteria:

(1) Class A members:

Class A members shall be a business owner or corporate officer of a business that is located and/or headquartered within the physical limits of Berlin Borough.

(2) Class B member:

Class B member can be either a resident of the Borough of Berlin or a business owner or corporate officer of a business that is located and/or headquartered within the physical limits of Borough of Berlin.

(3) Alternate member:

Alternate member can be either a resident of the Borough of Berlin or a business owner or corporate officer of a business that is located and/or headquartered within the physical limits of Borough of Berlin.

B. The term of the regular members shall be for three years each. The term of the regular members shall begin on January 1 of the year of their appointment and expire on December 31 of the third year after the year of their appointment. However, the following terms shall apply for the first appointments of the regular members made to the Committee:

(1) Member No. 1 (Class A): from the date of appointment to December 31, 2018.

(2) Member No. 2 (Class A): from the date of appointment to December 31, 2018.

(3) Member No. 3 (Class B): from the date of appointment to December 31, 2019.

(4) Member No. 4 (Class A): from the date of appointment to December 31, 2020.

(5) Member No. 5 Class A): from the date of appointment to December 31, 2020.

C. A vacancy occurring other than by expiration of the term shall be filled for the unexpired term only. Members shall serve for their respective terms and until their successors are thereafter appointed and qualified.

D. Alternate shall be appointed for a one-year term commencing upon the enactment of this Chapter to December 31, 2018, and each year thereafter. In the absence of a regular member(s) at any meeting, the alternate shall possess the same rights, duties and powers as are vested in said regular member, and their attendance shall satisfy the quorum requirements set forth herein.

E. Each member shall be chosen with a view to their qualifications and fitness for service, shall have had experience in industry and commerce and shall be conversant with the business climate of Berlin Borough.

**Section 5: §16-4. Compensation.**

The members and officers of the Committee shall serve without compensation, but each shall receive reimbursement for actual disbursements for expenses incurred in the performance of their duties.

**Section 6: §16-5. Quorum.**

A majority of the members (three of five) shall constitute a quorum of the Committee.

**Section 7: §16-6. Adoption of bylaws.**

To effectuate its purposes, the Committee shall have the power to adopt suitable bylaws for the management of its affairs and to determine the qualifications and duties of its employees and to fix, subject to the budget for the Committee as adopted by the Borough Council, the compensation to be paid to any of its employees.

**Section 8: §16-7. Power and duties.**

The Business Advisory Committee created by this Chapter shall review and advise the governing body on impacts to businesses and the business environment from ordinances, zoning, regulations and administrative functions of the borough government. The committee shall make recommendations for changes that would assist businesses to be successful and grow within the borough; study and analyze the surrounding municipalities and advise of best practices that promote commercial activity.

**Section 9: §16-8. Limitation on powers; annual report.**

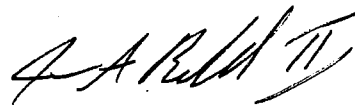
The Committee shall not have any powers other than those set forth and especially shall have no power to pledge the credit of the municipality or to enter into contracts or to otherwise create debts, except as herein authorized, and shall operate within the appropriation made by the Borough Council in its annual budget. The Committee shall make an annual report to the municipality during December of each year setting forth, in detail, its operations and recommendations covering the preceding twelve (12) months.

**Section 10:** All other Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 11:** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

**Section 12:** This Ordinance shall take effect immediately upon final passage and publication as required by law.

BOROUGH OF BERLIN



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By: James Bilella, Mayor

ATTEST:

*Lois Sahina, RMC Borough Clerk*

Lois Sahina, RMC, Borough Clerk

I, Lois Sahina, Clerk of the Borough of Berlin, hereby certify the foregoing to be a true and correct copy of an Ordinance adopted by the Mayor and Borough Council at their meeting of August 9, 2018 in the Municipal Building, 59 South White Horse Pike, Berlin, New Jersey.

*Lois Sahina, RMC Borough Clerk*

Lois Sahina, RMC, Borough Clerk

Introduced: June 14, 2018

Adopted: August 9, 2018