

Chapter 20

ENVIRONMENTAL ADVISORY COUNCIL

[HISTORY: Adopted by the Borough Council of the Borough of Port Carbon 9-12-1989 by Ord. No. 1-1989. Amendments noted where applicable.]

§ 20-1. Creation.

There is created hereby an Environmental Advisory Council, hereinafter referred to as "Board," to advise Port Carbon Borough agencies, including, but not limited to, the Port Carbon Borough Planning Commission, hereinafter referred to as "Planning Commission," the Environmental Advisory Board for Port Carbon Borough, hereinafter referred to as "Board," on matters dealing with protection, conservation, management, promotion, improvement and use of natural resources, including, but not necessarily limited to, air, land, water, wetlands, natural, scenic, historic and aesthetic resources located within and adjacent to the Port Carbon Borough territorial limits.

§ 20-2. Membership and terms of office.

The Borough shall, in consultation with the Planning Commission, appoint three or five Port Carbon Borough residents to serve on the Board; such individuals to be adults and known to have an interest, training or experience in matters of environmental protection. Duly appointed Board members shall serve for a term of three years, except that initial appointments shall be so staggered that the terms of approximately 1/3 of the membership shall expire each year, the terms of their successors to be of three years each. The Council shall fill all vacancies within 60 days. The Port Carbon Borough Council shall designate a Council member as Chairman. Whenever possible, one Board member shall also be a member of the Planning Commission.

§ 20-3. Conflicts of interest.

A Board member having any financial interest whatsoever, directly or indirectly, past, present or prospective, in any matter under consideration, study or investigation by Council shall declare his interests and abstain from both deliberations within the Council and voting or reporting on such matter, except that a majority of other Council members may elect to allow such interested Council member to participate in the Council's deliberations.

§ 20-4. Compensation.

Board members shall receive no compensation for their services but shall be reimbursed for the expenses actually and necessarily incurred by them in the performance of their duties.

§ 20-5. Powers, duties and responsibilities.

The Board shall have power to identify environmental problems and recommend plans and programs to appropriate Port Carbon Borough, Schuylkill County (hereinafter referred to as "County"), state and federal agencies for the promotion and conservation of Port Carbon Borough natural resources and for the protection and improvement

of the quality of the environment within Port Carbon Borough's territorial limits; to make recommendations as to the possible use of open land areas, publicly or privately owned, including, but not limited to, flood-prone areas, swamps, woodlands and other unique natural areas, for the purpose of obtaining information on the proper use of such areas; and to advise the appropriate Port Carbon Borough agencies, including, but not limited to, the Planning Commission and the Council, on permit applications, on matters dealing with protection, conservation, management, promotion, improvement and use of natural resources, and on the acquisition of property, both real and personal, by gift, purchase, grant, bequest, easement, devise or lease, and in other matters dealing with the purpose of this chapter. The Board is also authorized to conduct preliminary investigations, studies, research and analyses of existing conditions within or adjacent to the territorial limits of Port Carbon Borough when such conditions may be having or threatening an adverse impact on the environment of Port Carbon Borough, and the Board shall recommend, if appropriate, to the Port Carbon Council a course of action for further investigation and/or means of environmental improvement which may include, but not be limited to, complaints to appropriate county, state and federal environmental protection agencies, the County District Attorney, and/or recommendation of litigation through the County and/or Borough Solicitor. Any such investigations, studies, research, analyses and recommendations shall be in the form of a written report signed by at least a majority of the members of the Board.

§ 20-6. Records.

The Board shall keep records of its meetings and activities and shall make an annual report, which shall be printed in the Port Carbon Borough report or, if none, otherwise made known and available to the public.

§ 20-7. State aid.

The Council shall take full advantage, when appropriate, of all programs available to it through the Pennsylvania Departments of Environmental Protection and Community and Economic Development, or any other federal, state or county agencies or sources, such programs to include educational services, exchange of information, assignment of technical personnel for natural resources planning assistance, the coordination of interagency conversation activities and grant-in-aid programs.