

ORDINANCE OF THE TOWNSHIP OF SOUTH HARRISON ESTABLISHING A BOARD OF RECREATION COMMISSIONERS

WHEREAS, the Township of South Harrison Committee desires to modify the current Township Code in order to establish a Board of Recreation Commissioners, and to transfer any duties with regard to maintenance of any parks or parklands to the Township Department of Public Works and to transfer to the Township any and all rights concerning the acquisition and development of any park or open spaces; and

WHEREAS, the Township Committee seeks to have the composition of the Board reflect diverse involvements of its citizens throughout the community

BE IT ORDAINED, by the Township Committee of the Township of South Harrison, County of Gloucester, State of New Jersey that an Ordinance is hereby adopted entitled "Board of Recreation Commissioners" as follows:

SECTION I

ARTICLE I Board of Recreation Commissioners

§ 4-1. Definitions and word usage.

A. For the purpose of this article, the following words and phrases, unless otherwise indicated, shall be deemed to have the following meanings:

PARK -- An area of land, with or without water, developed and used for public recreational purposes, including landscaped tracts; picnic grounds; playgrounds; athletic fields; recreation centers; camps; foot, bicycle and bridle paths; motor vehicle drives; wildlife sanctuaries; museums, zoological and botanical gardens; facilities for bathing, boating, hunting and fishing, as well as other recreational facilities for the use and benefit of the public.

BOARD - The Board of Recreation Commissioners hereby created.

TOWNSHIP -- The Township of South Harrison.

B. Word usage.

(1) May shall be construed to be permissive.

(2) Shall shall be construed to be mandatory.

§ 4-2. Establishment; composition; qualifications; compensation.

There is hereby created a Board of Recreation Commissioners pursuant to N.J.S.A. 40:12-1 et seq. consisting of five (5) members, who shall be appointed by the Mayor. Members of the Board shall be residents of the Township of South Harrison of recognized fitness for such position. A Commissioner shall not receive any compensation for his or her services.

§ 4-3. Appointments; terms of office.

The term of office for each regular member shall be three (3) calendar years except to the extent necessary to stagger the terms so that the terms of no more than two Commissioners shall expire in each year. In order to establish staggered terms, one Commissioner shall be appointed initially for a period of one (1) year, one Commissioner for a period of two (2) years, and two Commissioners for a period of three (3) years. The fifth Commissioner position shall be filled by a Township Committee Member, and shall be a one (1) year appointment only, which shall commence at the Township Reorganization Meeting. The terms of the four (4) non-Township Committee person members shall be for terms of three (3) calendar years once the shorten staggered terms are completed. The members shall serve until their respective successors are appointed and shall qualify. In the event the vacancy is caused by the death, inability or resignation or removal of any Commissioner, the Mayor shall appoint another person to fill the unexpired term of such vacancy. No Commissioners shall be permitted to act on a matter in which he or she has either directly or indirectly any personal or financial interest. A member may, after public hearing if he or she requests one, be removed by the Township Committee for cause.

§ 4-4. Organizational meeting; elections of Chair.

Immediately following their appointment, an organizational meeting shall be held by the members of the Board, at which time there shall be elected a Chair, Vice-Chair, Recording Secretary and Treasurer. All Commissioners shall have an equal vote except that the individual appointed as the Committee Person Commissioner shall only vote in the event of a tie.

§ 4-5. Advisory Commission Members.

A. In addition to the regular members, the Mayor shall appoint three (3) "advisory" commission members each with a term of one (1) calendar year. No advisory commission member shall have a vote. The advisory commission members shall be appointed by the Mayor from the following community group:

- (1) One member who is the president and/or commissioner of a youth sports program in the Township;
- (2) One member from the Seniors' Association;
- (3) One member from the Township Community Affairs.

The purpose of the advisory commission members is to provide advice and counsel to the voting commission members as to the recreation needs of the community from the perspective of their varied representative organizations.

§ 4-6. Powers and duties of Chair.

The powers and duties of the Chair shall be as follows:

- A. To preside over all meetings of the Board of Recreation Commissioners.
- B. To appoint a Vice Chair in the event of the non-availability of the Chair.
- C. To certify to the Township Treasurer all expenditures of the Board of Recreation Commissioners.

§ 4-7. Powers and duties of the Board; restrictions on concessions and privileges.

- A. The Board shall have the power to:
- (1) Conduct any form of recreation or cultural activity that will benefit the health, education and general welfare of the residents of the township, and may plan, promote, manage, and help operate activities within the township parks and open space areas and at recreation facilities, and may help improve the same in cooperation with the Township and its Public Works Department.
 - (2) Enter into any contract in writing, act independently of or in conjunction with the governments of the United States, the State of New Jersey, any county, city or borough, park district, school district or any other public organization, for the purpose of conducting a recreation program or exercising any other power granted by this article.
 - (3) Exercise appropriate discretion regarding the display or presentation of any statuary, monuments or works of art to be displayed within or presented to the Township to ensure that any such display will benefit the health, education and general welfare of the residents of the Township.
- B. The Board may also solicit or receive any gifts, bequests of money or other real or personal property, to be applied for either temporary or permanent operation and maintenance of playgrounds, parks or other recreational purposes.
- C. Powers of said Board include the authority to grant concessions and privileges upon such conditions and for such compensation as it shall prescribe. Any revenue received shall be used for recreational purposes, provided that no concession or privilege shall ever be granted for the sale of intoxicating liquors, beer and/or wine in any public park and that no concession or privilege shall be granted for a period of more than three years unless approved by ordinance.
- D. The Board shall have no power to acquire land or property, whether real, personal or mixed, or to accept gifts of real, personal or mixed property, without the approval of the Township Committee, and any property held hereunder shall be in the name of the Township of South Harrison. All acquisition of property shall be held in the name of the Township of South Harrison.

§ 4-8. Adoption of rules and regulations; violations of rules.

The Board shall have power to make rules and regulations for the government and management thereof, including the power to fix charges for the use of any recreation facility. All rules, regulations, charges and amendments thereto adopted by the Board shall be promulgated by one publication in a newspaper published or circulated in the township, and a notice shall be posted in at least three public places in said township. These rules and regulations shall become effective 10 days from and after the date of said publication. This article and rules and regulations adopted pursuant thereto shall be enforced by the Police Department of the Township of South Harrison. A violation of the rules and regulations so adopted shall be deemed a violation of this article.

§ 4-9. Submission of annual budget to Committee.

Annually the Board shall submit a budget to the Township Committee on or before the second Monday in December for its approval.

§ 4-10. Violations and penalties.

The violation of this article shall be punishable as provided in § 1-14 of this Code.

§ 4-11. Meetings; quorum.

Regular meetings of the Board of Recreation Commissioners shall be held at the call of the Chair or, in his or her absence or disability, at the call of the Vice Chair; provided, however, that a meeting shall be called upon the written request of three members of the Board of Recreation Commissioners. At least two days' notice is waived in writing. At all meetings a quorum shall consist of three (3) voting members of the Board of Recreation Commissioners, which may include the Committee member Commissioner.

SECTION II

This Ordinance serves to hereby rescind and replace South Harrison Township Code Chapter IV, Article 1, §§ 4-1 through 4-13.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon its final passage, adoption and publication as provided by law.

TOWNSHIP OF SOUTH HARRISON:

Charles T. Tyson, Mayor

ATTEST:

Nancy E. Kearns, RMC
Municipal Clerk

CERTIFICATION

This Ordinance was introduced and passed on first reading at a special meeting at the South Harrison Township Committee held on the 27th day of February, 2008. The second reading and public hearing shall be held on the 12th day of March, 2008 at 7:30 p.m. at a regular meeting held at the South Harrison Township Municipal Building, 664 Harrisonville Road, Harrisonville, New Jersey.

Nancy E. Kearns, RMC
Municipal Clerk

NOTICE

NOTICE is hereby given that the foregoing Ordinance O-08-03 was finally adopted at a regular meeting of the South Harrison Township Committee held on the 12th day of March 2008 at 7:30 p.m. in the South Harrison Township Municipal Building, 664 Harrisonville Road, Harrisonville, New Jersey.

Nancy E. Kearns, RMC
Municipal Clerk