

**EXPLANATION:** This Ordinance repeals Chapter 81, titled “Parks Commission”, and Chapter 95, titled “Recreation Commission”, and replaces Chapter 95 with a new Chapter 95, titled “Recreation and Parks Commission”, of the Code of the Township of Hillsborough.

**ORDINANCE 2010-09**

**AN ORDINANCE REPEALING CHAPTER 81, TITLED “PARKS COMMISSION”, AND CHAPTER 95, TITLED “RECREATION COMMISSION”, AND REPLACING CHAPTER 95 WITH A NEW CHAPTER 95, TITLED “RECREATION AND PARKS COMMISSION”, OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH.**

**WHEREAS**, in order to achieve greater efficiency in the coordination of the use of the Township of Hillsborough parks for recreation; and

**WHEREAS**, in order to avoid duplicity of services between the Parks Commission and the Recreation Commission; and

**WHEREAS**, the Township Committee of the Township of Hillsborough believes that these goals will be achieved by dissolving the Parks Commission and merging the functions, powers and duties of the Parks Commission with the Recreation Commission, with a new Commission to be known as the “Recreation and Parks Commission.”

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Hillsborough as follows:

Section 1. Chapter 81, titled “Parks Commission”, of the Code of the Township of Hillsborough is hereby repealed.

Section 2. Chapter 95, titled “Recreation Commission”, of the Code of the Township of Hillsborough is hereby repealed and replaced with a new Chapter 95 as follows:

## Chapter 95

### RECREATION AND PARKS COMMISSION

#### Section 1.     **Statutory authority; establishment.**

Pursuant to the provisions of N.J.S.A. 40:12-1 et seq., the Township of Hillsborough hereby establishes a Recreation and Parks Commission.

#### Section 2.     **Membership.**

- A.     The Recreation and Parks Commission shall consist of seven (7) regular members and two (2) alternate members who shall be residents of the Township.
- B.     The members of the Commission shall be appointed by the Mayor of the Township.
- C.     One (1) member of the Planning Board may be a regular member of the Recreation and Parks Commission.
- D.     All appointments shall be staggered in accordance with N.J.S.A. 40:12-1 for a term of five (5) years. Vacancies shall be filled for unexpired terms only.
- E.     The membership of the Recreation and Parks Commission shall annually elect a chairperson and other such officers as may be provided by the bylaws of the Commission. Such officers shall hold office for a one (1) year term expiring annually on December 31.
- F.     Alternate members shall be designated at the time of their appointment by the Mayor as "Alternate No. 1" and "Alternate No. 2." Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

#### Section 3.     **Powers, duties and responsibilities.**

- A.     The Recreation and Parks Commission shall hold regular meetings and shall designate the time and place thereof pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. It shall have the power to adopt rules and regulations for the conduct of all recreation and park business within its jurisdiction. It shall keep a record of all its proceedings. Attendance of a majority of the Commissioners shall constitute a quorum.

- B. The powers and duties of the Recreation and Parks Commission shall be as follows:
- (1) Maintain a full-time Recreation Office and staff to serve as the focal point of all recreation program activity in the Township.
  - (2) Properly staff recreation programs with appropriately trained supervisors.
  - (3) Schedule the use of all Township owned playing fields, recreation centers, other recreational and parks activities, and recreation vehicles.
  - (4) In conjunction with the Board of Education, schedule the use of Board of Education facilities needed for recreation programs.
  - (5) Provide transportation to recreation programs as required.
  - (6) Develop new and innovative recreation programs.
  - (7) Publish and distribute recreation program brochures.
  - (8) Conduct recreation program registrations.
  - (9) Collect and administer the distribution of all recreation program registration fees and such money as may be provided by the Township Committee.
  - (10) Provide a monthly report on financial operations to the Township Chief Financial Officer.
  - (11) Formulate plans for the development and improvement of public parks, playgrounds and recreational facilities in the Township.
  - (12) Propose methods or arrangements for the proper maintenance and care of such parks, playgrounds and recreational facilities and equipment and the improvements thereon.
  - (13) Propose methods or arrangements for the safety and security of such parks, playgrounds and recreational facilities and the improvements thereon.
  - (14) Formulate rules and regulations for the public use of such parks, playgrounds and recreational facilities and the improvements thereon.
  - (15) Explore the need for various types of new facilities in new and existing parks, playgrounds and recreational facilities for the benefit of both the youth and adults of the Township.

- (16) In furtherance of the purposes delineated herein-above, the Recreation and Parks Commission shall have the following duties (by way of example, not limitation): It shall be charged with planning, control, development, management, operation, maintenance and security in conjunction with the Public Works Department of a system of public parks, forestry, recreational areas and facilities and shall be charged with the supervision and maintenance in conjunction with the Public Works Department of Township owned playing fields, recreation centers and other recreational and parks activities, areas and facilities and shall have the power to expend for this purpose any funds appropriated by the Township Committee for such purposes, field maintenance fees collected, and any funds donated or bequeathed for recreation areas or park purposes by private individuals or organizations. It may also recommend the institution of condemnation proceedings whenever private property would be taken into the name of the Township for the purpose of parks and recreation. It shall advise the Planning Board in all matters relating to the development of parks and recreation areas.
- (17) Such other duties and responsibilities as are consistent with and help to carry out an effective recreation program and schedule for the Township of Hillsborough.
- C. The Township Committee shall consider recommendations from the Recreation and Parks Commission for the position of Director of Recreation who shall be the executive officer of the Commission and may be elected as Secretary to the Commission.
- D. The Recreation and Parks Commission shall periodically file with the Township Committee a report giving the complete account of all financial transactions, and a statement of activities together with an annual forecast of programmed activities, showing the expenditures of public funds and the receipts and expenditures of fees and charges collected, as provided by N.J.S.A. 40A:4-39. A separate budget account shall be maintained to record money and tangible personal property donated for current purposes and for long term capital improvements. The Recreation and Parks Commission shall keep adequate records of all funds handled by it, and shall turn over to the Township Treasurer all cash receipts for deposit in a Special Activities Account. It shall establish separate special accounts for receipts donated or solicited and collected for special activities or for particular purposes, and such monies shall not be mingled with public funds. The Recreation and Parks Commission shall have no power to incur indebtedness. Expenditures of such donated funds shall not exceed the amount thereof on hand at the time when the expenditure is authorized. The Director shall be the Recreation and Parks Commission's certifying agent. The Recreation and Parks Commission shall approve all vouchers for the expenditure of funds of any character. Vouchers for the expenditures of public funds, after Recreation and Parks Commission approval, shall be delivered to the Township Clerk who shall present the

same to the Township Committee for payment in accordance with the usual procedures established for the payment of other Township bills.

Section 3. Ordinance 2009-36 adopted on December 8, 2009, titled “An Ordinance Amending Chapter 221, Titled ‘Parks and Recreation Areas’ of the Code of the Township of Hillsborough, by Adding Article III, Titled ‘Enforcement of Somerset County Park Commission Rules and Regulations’” remains in full force and effect.

Section 4. **Severability.**

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section 5. **Effective Date.**

This Ordinance shall be effective as of May 1, 2010.

**ATTEST:**

**HILLSBOROUGH TOWNSHIP**

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Kevin P. Davis, Clerk

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Frank DelCore, Mayor

*Introduced: 03/09/10*  
*Published: 03/11/10*  
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