

**ORDINANCE NO. 2017:09**

**AN ORDINANCE TO REPEAL ORDINANCE 2-31, “BOARD OF RECREATION COMMISSIONERS”, AND REPLACE IT IN ITS ENTIRETY WITH ORDINANCE 2-31, “DEPARTMENT OF RECREATION”**

**2-31 DEPARTMENT OF RECREATION.**

**2-31.1A Creation; Composition.**

The New Milford Recreation Commission is hereby dissolved. There shall be a Department of Recreation, the head of which shall be the Director. If no Director is appointed, the Borough Administrator will be considered the Acting Director of the Department.

**2-31.1B** The powers and duties of the Department are to:

1. Administer and operate the municipal parks, playgrounds and playfields and facilities for indoor and outdoor sports, athletics and recreational programs.
2. Administer recreational programs and activities in cooperation with other public and private agencies and organizations.
3. Maintain and repair the playfields, playgrounds and recreational areas.
4. Enforce Borough ordinances, rules, regulations and policies pertaining to the use of recreational facilities and programs.
5. The Department may establish, charge and collect a reasonable fee for use of the Borough’s recreational facilities and programs or activities, when specifically authorized by the Council.
6. Provide advisory opinions to the governing body and Borough departments.

**2-31.1C** The powers and duties of the Director of Recreation:

1. The Director of Recreation shall organize, oversee, manage, direct and operate the daily functions and activities of the recreation program as recommended by the Recreation Advisory Committee and established by the Council and shall serve as the head of the recreation department.
2. The Director of Recreation shall be subject to the supervision of the Borough Administrator.
3. The Director of Recreation shall maintain an inventory of all property and equipment owned by the Borough and shall submit an annual report to the Recreation Advisory Committee and the Council.
4. The Director of Recreation with the approval of the Recreation Advisory Committee shall recommend to the Council the establishment and collection of fees and/or other

admission or entry charges for registration, enrollment or admission to the recreation program, courses of instruction and activities of the Borough.

5. The Director of Recreation shall give regular budget reports to the Recreation Advisory Committee and the Council. The Director shall prepare and submit a proposed operating and capital budget annually to the governing body.
6. The Director shall investigate and report on any recreational grant opportunities from private, non-profit and/or public sources.
7. The Director of Recreation shall recommend to the Recreation Advisory Committee programs, activities, functions and improvements which will economically but effectively promote recreation for all age groups in the Borough.
8. The Director shall apply for and maintain membership in the New Jersey Recreation and Parks Association.
9. The Director of Recreation shall have authority to enforce Borough ordinances, rules, regulations and policies pertaining to the use of recreational areas and programs.

**2-31.1D** There is hereby created a Recreation Advisory Committee:

1. Within the Department of Recreation there shall be a Recreation Advisory Committee consisting of seven (7) members who are appointed by the Mayor with the consent of the governing body. Of the initial appointments, three members shall have terms expiring in 1 year, three members shall have terms expiring in 2 years, and one member shall have a term expiring in 3 years. Thereafter, all appointments shall be for three-year terms commencing January 1<sup>st</sup> of the appointment year as hereinbefore specified. In addition, there shall be two alternate members appointed annually by the Borough Council to serve through December 31<sup>st</sup> of the year of their appointment. These alternates shall be designated as "Alternate 1" and "Alternate 2" at the time of their appointment. Any vacancy occurring otherwise than by expiration of term for either a regular member or an alternate member shall be filled by the Borough Council for the unexpired term only. Alternate members may participate in discussions of the proceedings before the Committee but may not vote except in the absence or disqualification of a regular member of the Committee. A vote may not be delayed in order that a regular member vote instead of an alternate member. In the event an alternate member is eligible to vote, Alternate 1 shall first vote and if necessary, Alternate 2 may vote second. Members shall serve without compensation.
2. Members of the Recreation Advisory Committee shall be residents of the Borough of New Milford and shall be reasonably representative of the community at large and of the various age groups and neighborhoods therein.
3. No member shall be permitted to act on any matter in which he or she has either directly or indirectly any personal or financial interest.
4. A member may, after public hearing if he or she requests one, be removed by the Governing Body for good cause.

**2-31.1E** Recreation Advisory Committee Powers and Duties:

1. Survey and study the existing recreational facilities in the Borough in order to maintain and improve existing recreational use.
2. Make recommendations to the Director for programs, activities, functions and improvements which will economically but effectively promote the cause of recreation in the Borough.
3. Recommend annually to the Director of Recreation a recreation program reasonably designed to serve all age groups and areas of the Borough.
4. Formulate and recommend to the Director policies, codes of conduct, rules and regulations for the purpose of carrying out the objectives of the Borough's recreation program.
5. The Committee shall annually elect a chairperson and other such officers it deems necessary to carry out its powers and duties.