

**TOWNSHIP OF HAINESPORT**

**ORDINANCE NO. 2024-5**

**ORDINANCE TO AMEND CHAPTER 34 OF THE CODE OF THE TOWNSHIP OF HAINESPORT, ENTITLED “BOARD OF RECREATION COMMISSIONERS” AND REPLACING SAME WITH A “RECREATION ADVISORY BOARD”**

**WHEREAS**, Chapter 34 of the Code of the Township of Hainesport (“Code”) currently provides for a “Board of Recreation Commissioners,” as permitted by N.J.S.A. 40:12-1, et seq.; and

**WHEREAS**, the Township Committee of the Township of Hainesport believes it is in the best interests of the Township residents to replace said Board and with a “Recreation Advisory Board” pursuant to N.J.S.A. 40A:63-7(d); and

**WHEREAS**, N.J.S.A. 40A:63-7(d) allows a Township Committee to create such advisory councils to the municipality as the governing body may choose, including councils for the functions absorbed by them of any heretofore existing boards, commissions or districts; and

**WHEREAS**, the Township Committee seeks to formally establish the Recreation Advisory Board, with membership appointed by resolution of the Township Committee.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Township Committee of the Township of Hainesport, County of Burlington, State of New Jersey as follows:

**ARTICLE I.** Chapter 34 of the Code is hereby repealed in its entirety and retitled “Recreation Advisory Board.”

**ARTICLE II.** Chapter 34 of the Code entitled “Recreation Advisory Board” is hereby established as follows:

**§ 34-1 Establishment and purpose.**

The Township Committee of the Township Hainesport deeming it necessary for the proper and efficient conduct of the affairs of the municipality and particularly the administration of certain recreation activities and places, hereby creates a Recreation Advisory Board pursuant to the provisions of N.J.S.A. 40A:63-7(d) to be known as the “Hainesport Recreation Advisory Board.” The Board’s purpose shall be to advise the Township Committee through the Recreation Coordinator on all matters concerning recreation, events and programs, use of municipal parks and fields and makes recommendations as it deems advisable. Upon the appointment of members to the Recreation Advisory Board, the Hainesport Township Board of Recreation Commissioners shall cease to exist.

§ 34-2 Membership; terms; appointment.

- A. Composition of the Board. The Board shall have **five** members, each appointed by the **Township Committee**. Members of the Board to the extent possible shall be residents of the Township of Hainesport selected from varied interests and backgrounds, except that at least one member shall be a member of the Township Committee.
- B. Terms. The Township Committee shall appoint all members who shall each serve for a term of three years beginning on April 1, 2024, except that, of those first members appointed, two shall be appointed for a term of one year; two shall be appointed for a term of two years and **one** shall be appointed for a term of three years so that no less than two and no more than three terms shall expire in any one year. The term of Township Committee member shall coincide with his or her term as a member of the Township Committee. Vacancies for any Board member due to reasons other than expiration of term shall be filled for the balance of the unexpired term.
- C. Compensation. Board members shall receive no compensation.

§ 34-3 Powers and duties.

The Board shall have the power and duty to:

- A. Advise the Township Committee with respect to the budget on parks and recreation programs within the Township.
- B. Develop programs related to parks and recreation for presentation to the Township Committee.
- C. Provide input and advise to the Recreation Coordinator as to the scheduling of the use of playgrounds, parks, fields and other recreation sites.
- D. Require from all organizations using the parks, playgrounds and recreation facilities within the Township of Hainesport on a scheduled basis a certificate of insurance naming the Township as an additional insured as a condition of use of said facilities.

§ 34-4 Limitations of Board.

- A. It is the intent of this chapter that the Recreation Advisory Board shall be solely an advisory board, consisting of volunteers appointed by the Township Committee. The Board shall have no authority to expend any public funds and any funds appropriated in the annual budget for this Board shall be at the discretion of the Township Committee. Moreover, because the Board merely serves in an advisory capacity and is not authorized to perform any governmental functions affecting the rights, duties, obligations, privileges, benefits or other legal relations of any person, it is the intent of this chapter that the Board not be considered a

public body within the meaning and intent of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. Accordingly, there shall be no obligation for the Board to provide any advance notice of its meetings, although nothing herein contained shall preclude it from doing so.

Notwithstanding the foregoing, the Board shall issue a report to the Township Committee following each of its meetings setting forth the nature of its discussions and explaining any recommendations it wishes to make to the Township Committee.

- B. Limitation on powers. It is expressly intended that the Recreation Advisory Board is created as an ad hoc group to assist the Township Committee in addressing issues and problems concerning or relating to the operation and administration of the recreation function. Nothing herein contained shall permit or be intended to permit the Recreation Advisory Board to render opinions to any other way communicate with any other agency, board or body of the Township of Hainesport except for the Township Committee.

### **ARTICLE III. SEVERABILITY.**

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

### **SECTION IV. INCONSISTENT ORDINANCES REPEALED.**

All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

### **SECTION V. EFFECTIVE DATE.**

This Ordinance shall take effect upon proper passage in accordance with the law.

## NOTICE OF PUBLIC HEARING

### HAINESPORT TOWNSHIP ORDINANCE NO. 2024-5

#### ORDINANCE TO AMEND CHAPTER 34 OF THE CODE OF THE TOWNSHIP OF HAINESPORT, ENTITLED “BOARD OF RECREATION COMMISSIONERS” AND REPLACING SAME WITH A “RECREATION ADVISORY BOARD”

The Ordinance published herewith was introduced and passed upon first reading at the regular meeting of the Township Committee of the Township of Hainesport held on March 12, 2024. It will be further considered for passage after a public hearing at the regular meeting to be held on April 9, 2024 at the Municipal Building, One Hainesport Centre, Hainesport, New Jersey at 6:30 PM at which time and place any persons desiring to be heard upon the same will be given an opportunity to be heard. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

Dated: March 12, 2024



Paula L. Kosko, RMC, Township Clerk  
Township Administrator

	Motion	Second	Yes	No	Abstain	Absent
Evans			X			
Montgomery			X			
Clauss	X		X			
Tordy		X	X			
Gilmore			X			

**NOTICE OF FINAL PASSAGE**

**HAINESPORT TOWNSHIP**

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HAINESPORT, ENTITLED “BOARD OF RECREATION COMMISSIONERS” AND  
REPLACING SAME WITH A “RECREATION ADVISORY BOARD”**

Notice is hereby given that Ordinance No. 2024-5 as entitled above has been finally adopted on final reading by the governing body of Hainesport Township after a public hearing at a meeting held on April 9, 2024. Said Ordinance shall take effect in accordance with the law.

ATTEST:

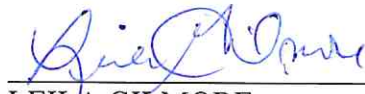
Dated: April 14 2024

  
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Paula L. Kosko, RMC, Township Clerk  
Township Administrator

ACKNOWLEDGMENT OF

APPROVAL BY:

Dated: April 14 2024

  
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LEILA GILMORE  
Mayor of Hainesport Township

	Motion	Second	Yes	No	Abstain	Absent
Evans			X			
Montgomery			X			
Clauss	X		X			
Tordy		X	X			
Gilmore			X			

Introduced: March 12, 2024  
First Publication: March 18, 2024  
Adoption: April 9, 2024  
Final Publication: April 18, 2024