

Borough of Matawan
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Public Notice of Pending Ordinance 24-01

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Governing Body of the Borough of Matawan, in the County of Monmouth, State of New Jersey, on January 16, 2024. It will be further considered for final passage, after public hearing thereon, at a meeting of the Governing Body to be held at the Borough of Matawan, Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey 07747 on February 6, 2024 at 7:00 o'clock PM. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's Office for the members of the general public who shall request the same or on the Borough of Matawan website at www.matawanborough.com.

Karen Wynne, RMC
Municipal Clerk

ORDINANCE 24-01
AMENDING AND SUPPLEMENTING THE
REVISED GENERAL ORDINANCES OF THE
BOROUGH OF MATAWAN – CHAPTER 2 – ADMINISTRATION
ARTICLE IV – BOARDS, COMMITTEES AND COMMISSIONS
SECTION 2-36 – RECREATION COMMISSION

NOW, THEREFORE, BE IT ORDAINED, the Mayor and Council of the Borough of Matawan, County of Monmouth, State of New Jersey, that the Revised General Ordinances of the Borough of Matawan, Chapter 2 – Administration, Article IV – Boards, Committees and Commissions, Section 2-36 – Recreation Commission, shall be amended and supplemented as follows:

§ 2-36 RECREATION COMMISSION.

§ 2-36.1 Establishment and Appointment of Members.

[Ord. No. 95-32 § 2-20.1; Ord. No. 07-09 § 1; Ord. No. 09-08]

There is hereby established a Recreation Commission which shall consist of three members of the Matawan Borough Council. One member shall be appointed by the Mayor as Recreation Commissioner and two members of the Council shall be appointed by the Mayor as Commission members. Said appointments shall be made on January 1 of each year and shall terminate on December 31 of each year.

§ 2-36.2 Organization.

[Ord. No. 95-32 § 2-20.2; Ord. No. 09-08]

The Recreation Commission shall meet at least twice a year, which schedule of meetings shall be established by the Commissioner. The Commission shall have the power to adopt the bylaws and rules and regulations for the proper conduct of public recreation in and for the Borough.

§ 2-36.3 Powers and Duties.

[Ord. No. 95-32 § 2-20.3; Ord. No. 09-08]

The Commission shall have full control over the activities conducted at public playgrounds, indoor recreation centers and other recreation areas and facilities on any of the properties owned or controlled by the Borough or on other properties where the consent of the owners is first secured. The Recreation Commission shall have the power to sponsor and conduct any form of general recreation and activity that will employ the leisure time of the people in a constructive and wholesome manner. The Commission ~~will may advise recommend to the Borough Council as to~~ the acquisition of additional recreational facilities, and their development, but the final determination for ~~capital projects the acquisition of properties or capital projects~~ shall be ~~exclusively with~~ the Borough Council's responsibility.

§ 2-36.4 Liaison.

[Ord. No. 95-32 § 2-20.3[a]; Ord. No. 09-08]

The Recreation Commissioner shall be the liaison between the Matawan Borough Council and the other Recreation Commission members, the Director of Recreation and the ~~delegatesmembers~~. The Recreation Commissioner shall act as liaison with all parties, organizations and commissions to ensure maximization of general recreation and related activities and shall report to the Recreation Commission regarding said activities. Matawan Borough Council ~~The Recreation Commission~~ shall have the final authority and control over activities regarding general recreation related activities, as well as public playgrounds, indoor recreation centers and other recreation areas and facilities.

§ 2-36.5 **Director of ~~Public~~ Recreation.**

[Ord. No. 95-32 § 2-20.4; Ord. No. 06-16 § 1; Ord. No. 09-08]

The Mayor, with confirmation of Council, shall have the power to appoint a Director of ~~Public~~ Recreation. The Director of ~~Public~~ Recreation shall be trained and qualified for the work of planning and directing public recreation. The Director of ~~Public~~ Recreation shall be responsible for the daily operations of public recreation within the Borough of Matawan and any affiliated programs. As an employee of the Borough the Director of Recreation shall report to the Borough Administrator. The Director of Public Recreation shall be responsible to and act under the direction of the Recreation Commission. The Director of ~~Public~~ Recreation shall assist the Recreation Commission in performance of its duties and establishment and administration of its budget. The Director shall be assisted by the Delegates to perform all recreational programs.

§ 2-36.6 **Report to Council; Budget.**

[Ord. No. 95-32 § 2-20.5; Ord. No. 09-08]

- a. The Director of ~~Public~~ Recreation shall make an annual report to the Mayor, ~~and Council, and Business Administrator~~ which shall include a report on the activities carried on by the Commission and a financial report. The Director of ~~Public~~ Recreation shall make supplementary reports at any time he/she is requested to do so by the Mayor, ~~and Council, and Business Administrator.~~
- b. The Director of ~~Public~~ Recreation shall annually prepare and submit a budget ~~to the Mayor and Council~~ for consideration and approval. The items as approved shall be included in the municipal budget. The Director of ~~Public~~ Recreation shall be responsible for the expenditures and shall refrain from over expending any line item classification as contained in its budget submission by 20% or more, without prior Council approval for such expenditure.

§ 2-36.7 **Gifts and Bequests.**

[Ord. No. 95-32 § 2-20.6; Ord. No. 09-08]

The Commission and/or the Director of ~~Public~~ Recreation are expressly granted the right to receive gifts or bequests of money or other personal property. Such gifts or bequests, if not otherwise limited by the donor, may be used by the Commission for any of the activities carried on by the Commission pursuant to this section. Any gifts or bequests must be accepted in accordance with all appropriate statues and regulations. All monies or checks received should be deposited in the Borough of Matawan Recreation Account as established by the Borough Chief Financial Officer. The Recreation Director shall provide a written list of all monetary contributions received by December 31st of every year. Sam shall be filed with the Borough Administrator.

§ 2-36.8 **Recreation Delegates.**

[Ord. No. 95-32 § 2-20.7; Ord. No. 09-08]

- a. Establishment. There is hereby created the Recreation Delegates of the Borough of Matawan, which shall serve in accordance with the provisions of this section.

- b. Membership; Terms; Alternates; Compensation. The Recreation Delegates shall consist of seven members and two alternates appointed by the Mayor with the consent of the Council. Each member shall serve for a term of ~~five~~three years, and the members first appointed shall be appointed for terms of one, two, and three, ~~and four~~ years respectively, in such manner that the term of at least three members shall expire in each year. After the initial appointments of the seven members and at the end of the first year and each successive year, all appointments shall be for terms of ~~five~~three years, and, if vacancies occur, said vacancies shall be filled for the unexpired terms only. The alternate members shall be appointed each year and shall serve one-year terms. The members shall serve until their respective successors are appointed. The members shall receive no compensation for their services. All members shall be residents of the Borough of Matawan. All members shall comply with any regulatory mandates that are propagated by the State, County of regional authority that deals with composition of membership and ability to serve.
- c. Elected Officers. The members of the Recreation Delegates shall elect annually, from among their number, a ~~Chairman~~ and a Vice ~~Chairman~~, Treasurer and Secretary. The elected officers shall serve for terms of one year and shall be eligible for reelection in successive years.
- d. Advisement; Responsibility to Implement Programs. The Recreation Delegates shall advise the Director of ~~Public~~-Recreation concerning recreation and the use of parks and other designated areas for recreational purposes. It shall be the responsibility of the Director of ~~Public~~-Recreation to ensure the implementation of recreation programs recommended through the Recreation Delegates.
- e. Powers and Duties. The Recreation Delegates shall under the Director of ~~Public~~-Recreation:
1. Act in advisory capacity to the Director of ~~Public~~-Recreation in all matters pertaining to the utilization of parks and recreation programs and recreational areas for the implementation of the recreational programs.
 2. Act in an advisory capacity to the Director of ~~Public~~-Recreation in the annual budget process as it applies to recreation programs and make recommendations with respect to the Director of ~~Public~~-Recreation for submission to the Mayor, ~~and Council~~, and the Business Administrator.
 3. Advise the Director of ~~Public~~-Recreation in the planning of parks and recreation programs therein for the users of said parks and recreation programs and promote and stimulate public interest and, to that end, solicit to the fullest extent possible the cooperation of school authorities and other public and private agencies interested therein.
 4. Make recommendations of policies to Director of ~~Public~~-Recreation for the acquisition, development and improvement of parks and playgrounds.

5. Make recommendations to the Director of ~~Public~~ Recreation fees for participation in Borough of Matawan sponsored recreation activities for both Borough residents and nonresidents.
 6. Make recommendations with the Director of ~~Public~~ Recreation on staffing needs for the implementation of the parks and recreation programs.
 7. Make recommendations to the Director of ~~Public~~ Recreation on matters pertaining to all lands, playgrounds, and recreation places owned or leased by the Borough. Make recommendations to the Director of ~~Public~~ Recreation on appropriate rules, regulations and bylaws for the use of said facilities.
- f. Functions; Responsibilities. The Recreation Delegates shall also perform the following functions:
1. Help interpret the recreational needs and desires of the community.
 2. Continually study and evaluate the programs existing in the community.
 3. Disseminate public information to the community regarding historical legacy and traditions of the Borough of Matawan.
 4. Engage in public information to the community regarding the benefits of participation in the various programs offered and the values to be derived from participation in those memberships as well as recruit volunteer leadership and participation.

BE IT FURTHER ORDAINED, any Ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies only.

BE IT FURTHER ORDAINED, if any provisions of this Ordinance, or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance, which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

BE IT FURTHER ORDAINED, this Ordinance shall take effect immediately upon following the passage, adoption and publication pursuant to New Jersey State law.