

Explanation: This Ordinance amends Chapter II entitled “Administration” of *The Revised General Ordinances of the Township of Warren* by abolishing the recreation commission and establishing a recreation advisory committee in its place.

## TOWNSHIP OF WARREN

### ORDINANCE 19-03

**AN ORDINANCE OF THE TOWNSHIP OF WARREN IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WARREN BY DELETING SECTION 2-20 ENTITLED “BOARD OF RECREATION COMMISSIONERS” IN ITS ENTIRETY AND REPLACING IT WITH NEW SECTION 2-20 ENTITLED “RECREATION ADVISORY COMMITTEE”.**

**BE IT ORDAINED** by the Township Committee of the Township of Warren, in the County of Somerset, State of New Jersey, as follows:

**SECTION 1.** Section 2-20 entitled “Board of Recreation Commissioners” of Chapter II entitled “Administration” of *The Revised General Ordinances of the Township of Warren* is hereby repealed in its entirety and replaced by new Section 2-20 entitled “Recreation Advisory Committee” to read as follows:

#### **2-20 Recreation Advisory Committee**

##### *2-20.1 Establishment and Composition; Terms.*

. There is hereby established a Recreation Advisory Committee in the Township of Warren, which shall consist of up to seven (7) members. Each regular member shall be a resident of the Township and be appointed by the Township Committee for two-year terms on a staggered basis, except that of the members initially appointed, four of the regular members shall be appointed to serve for a term of two years, and the remaining three regular members shall be appointed to serve for a term of one year. Thereafter, all appointments shall be made for a term of two years. Appointments to fill vacancies shall be made in the same manner as original appointments, and all such appointments shall be for the unexpired term only. The members shall serve until their respective successors are appointed and qualified. The members shall receive no compensation for their services. The legal size of the Committee shall be that number of regular members actually appointed and continuing to serve up to the maximum of seven.

##### *2-20.2 Organization and Officers; Compensation.*

a. The Recreation Advisory Committee shall reorganize at its first regular meeting. The first regular meeting shall be held in the month of January of each calendar year. At the

reorganization meeting, the voting members shall elect one of the voting members to serve as Chairperson for the calendar year in question. The Chairperson shall serve for the calendar year in question, or until a successor shall be elected and qualified.

b. The Recreation Advisory Committee shall keep a record of its meetings and activities.

c. The members of the Recreation Advisory Committee shall serve without compensation.

d. The recreation director shall attend and participate in all meetings, but shall not have the right to vote.

#### *2-20.3 Duties; Responsibilities.*

a. The Recreation Advisory Committee shall assist the director and township committee in the development of new and innovative recreation programs and provide appropriate information to assist in planning for increases or decreases in various recreation programs for children, youth and adults.

b. The Recreation Advisory Committee shall work with the recreation director and township committee to formulate and determine the extent to which existing recreation programs are adequately serving the recreation needs of all residents of the Township and shall advise the recreation director and Township Committee as to alternatives for funding recreation programs, including recommendations on the establishment of a fee schedule.

c. The Recreation Advisory Committee shall assist the recreation director and township committee in obtaining the necessary information to study and maintain an inventory of all regular recreation activities within the Township which are conducted by private organizations.

d. The Recreation Advisory Committee shall advise the recreation director, who shall make a recommendation to the Township Committee as to fees to be charged for sponsorship of or participation in any recreation programs or events.

e. The Recreation Advisory Committee shall advise the recreation director in making recommendations to the Township Committee regarding the development and improvement of all types of parks, playgrounds and recreation spaces within the Township, new or existing, and the proper maintenance thereof.

f. The Recreation Advisory Committee shall work with the recreation director and township committee to study the present and future need for parks, playgrounds and recreation spaces which will be of benefit to all residents of the Township and provide recommendations to the recreation director and the Township Committee.

g. The Recreation Advisory Committee shall assist the recreation director to solicit residents, businesses and commercial organizations to participate in Township recreation programs.

h. The Recreation Advisory Committee shall assist the recreation director in providing an annual report to the Township Committee on the state of recreational programs and on the status of parks, playgrounds and recreational spaces, and the improvements thereon.

i. The Recreation Advisory Committee shall have such other duties and responsibilities as are consistent with helping to carry out an effective system of recreation programs and activities, and an effective system of parks, playgrounds and recreation areas as may be assigned by the Township Committee.

2-20.4 *Recreation Director.* The Township Committee hereby establishes the position of recreation director who shall report to the Township Administrator. The recreation director shall receive a salary as shall be determined by the Township Committee from time to time. The duties of the recreation director shall be determined by the Township Committee and/or Township Administrator.

2-20.5 *Service Charges and Fees for Use of Recreational Facilities.*

*Fees for Use of Recreational Facilities.* All applicants seeking the use of the Township of Warren’s pavilion and athletic fields (grass and synthetic turf) must complete a department of recreation facility use application and pay the fee prescribed by the following table:

*Pavilion Rentals:*

Township residents and Township nonprofit entities*	Free
Township for profit entities/out-of-town nonprofit entities	\$50 (3 hr)
Nonresidents and out-of-town for profit entities	\$100 hr

*Field Usage Fees:*

Township residents and Township nonprofit entities	Free seasonal play ONLY
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<i>Tournament Event Fees (grass or synthetic)</i>	Range: Under 100 participants
	\$50 (3 hr)
	100-200 participants \$50 (1 hr)
	Over 200 participants
	\$100 (1 hr)

*(Grass Fields)*

Nonprofit entities under 66% residents and in-town for profit entities**	\$50 (3 hr)
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Nonresidents and out-of-town for profit entities	\$50 (1 hr)
<i>(Synthetic Turf Fields)</i>	
Nonprofit entities under 66% residents and in-town for profit entities**	\$100 (3 hrs)
Nonresidents and out-of-town for profit entities	\$100 (1 hr)
<i>Refund Processing Fee</i>	\$20 per transaction

\* A Township nonprofit entity is one in which at least 66% of the organization is comprised of Warren Township residents.

\*\* The Township Committee has the right to adjust usage fees if the nonprofit can prove that the percentage of sending district fields and users are comparable to the percentage of Warren Township fields and users. Sending district to Watchung Hills Regional High School towns include: Long Hill, Watchung Borough and Green Brook.

NOTE: ANY NONPROFIT ORGANIZATION OBTAINING USE OF A TOWNSHIP RECREATIONAL FACILITY IS STRICTLY PROHIBITED FROM SUBLETTING ITS USE TO ANOTHER ENTITY.

2-20.6 *Use of Fields.*

1. The superintendent of public works, or the superintendent’s designee (“superintendent” hereinafter), shall, after consultation with the recreation director, determine when a Township athletic field cannot be utilized for any purpose based upon the existing wetness of the field, other conditions of the field, expected weather conditions during the time of the proposed use, and other safety or maintenance considerations. Any field determined by the superintendent to be unavailable for use shall have posted thereon a notice as to such determination.

2. The superintendent shall be responsible for all maintenance of Township athletic fields. No maintenance or repairs of a Township recreational field shall be performed unless it is conducted by the Warren Township Public Works Department or others under the direction of the superintendent or the superintendent has given his prior specific approval of the same.

3. In the event that a coach, assistant coach or any other party in charge of an athletic team utilizes an athletic field which has been closed by the superintendent, that individual will be prohibited from coaching or being involved in any athletic function using a Township athletic field until the Township allows that individual to perform those duties on Township athletic fields.

4. Individuals, other than teams recognized or organized by the Township, utilizing Township athletic fields when the same have been closed by the superintendent shall be viewed as trespassers on Township property and prosecuted under state law as such.

5. Any individual operating a motorized vehicle on a Township athletic field shall be viewed as a trespasser on Township property and prosecuted under state law as such.

*2-20.7 Review and Approval of Use Permits.* The recreation director shall submit to the township administrator all applications received for the use of municipal recreation places and other township lands. This submission shall be made as soon as practicable after the recreation department receives the application and should contain the recommendation of the recreation director as to approval or disapproval of same. The township administrator shall review the application and the recommendation of the recreation director and shall approve or disapprove the same within ten (10) days of his receipt thereof from the recreation director. The township administrator shall have the final right of approval of all permits to use the Township of Warren's recreation places and other township lands and no individual or group shall be permitted to utilize the same without the township administrator's written approval. The township administrator shall grant his approval of an application to utilize the Township of Warren's recreation places or other township lands if the use would benefit the township's general welfare and would be in the best interests of the residents of the township. In reaching his decision, the township administrator shall consider, but shall not be limited hereby, whether the applicant and/or the actual users of the said facilities are Warren Township residents, the benefits to be derived by township residents from the use, any costs to the township relative to the said use, the possibility of damage to township property through said use, whether the use shall contribute to the good and welfare of the Township of Warren and its residents, whether the use is to be conducted by a non-profit group, and any other reasonable standards which the township administrator may determine to employ in reaching his decision.

**SECTION 2.** If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of the Ordinance.

**SECTION 3.** All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4.** This Ordinance shall take effect after final adoption and publication according to law.

**ATTEST:**

**TOWNSHIP OF WARREN**

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Cathy Reese, RMC  
Township Clerk

By: \_\_\_\_\_

Gary P. DiNardo, Mayor

INTRODUCED:      January 4, 2019

ADOPTED:         February 7, 2019

EFFECTIVE:        February 14, 2019