

**TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY**

ORDINANCE NO. 03-24-08

**AN ORDINANCE CREATING IN THE CODE OF THE TOWNSHIP OF
CRANBURY, MIDDLESEX COUNTY, NJ, CHAPTER 31 ENTITLED
“PARKS AND RECREATION COMMISSION”**

WHEREAS, the Township Committee of the Township of Cranbury, in Middlesex County, New Jersey, wishes to create a Parks and Recreation Commission to advise the Township Committee concerning the Township’s parks, recreation centers, and senior center; and

WHEREAS, the Township Committee has repealed the previously established Parks Commission and Recreation Commission; and

WHEREAS, the Township Committee has determined that functions of the now repealed Parks Commission and Recreation Commission can be consolidated into the newly created Parks and Recreation Commission.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranbury, Middlesex County, New Jersey, as follows:

SECTION 1.

Chapter 31 in its entirety, of the Code of the Township of Cranbury (“Code”), shall be created as follows:

§ 31-1. Parks and Recreation Commission

In accordance with N.J.S.A. 40A:63-7(d) and Article II § 2-8 of the Township of Cranbury Code, there is hereby established a Parks and Recreation Commission.

§ 31-2 Membership; term of office of members; alternates.

- a) The Parks and Recreation Commission shall consist of seven members and two alternates, designated as "Alternate No. 1" and "Alternate No. 2," all of whom shall be Cranbury residents. The mayor, with the advice and consent of the township committee, shall appoint the regular and alternate members by resolution.
- b) The term of office of the regular members shall be three years. The term for members of the initial Commission shall begin on the date of their appointment and shall be as follows: two members shall be appointed for one year, two members shall be appointed for two years and three members shall be appointed for three years. All subsequent appointments, except to fill vacancies, shall be for the full term of three years, to take effect on January 1st.

- c) The Commission may also consist of up to two alternates who shall be appointed by the mayor with the consent of the township committee by way of resolution for one-year terms.
- d) No alternate member shall be permitted to act on any matter in which the alternate has either directly or indirectly any personal or financial interest. An alternate member may, after a public hearing if he or she requests one, be removed by the governing body for cause. An alternate member may participate in a discussion 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 that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.
- e) A vacancy occurring otherwise than by expiration of the term of any regular or alternate member shall be filled by the governing body for the unexpired term only.
- f) Regular and alternate members shall serve until their respective successors are appointed and shall qualify and shall not receive compensation for service on the Commission.
- g) The Commission shall have the power to appoint from among its members a chairperson, who shall be the presiding officer, and a vice-chairperson whose terms shall expire on December 31 in the year of appointment or until their successors are elected and qualified. Said appointments shall be made at the first regular meeting in January of each calendar year.
- h) If a Commission member fails to attend three or more meetings in a calendar year for any reason it may result in that member's removal from the Commission.

§ 31-3 Duties and authority of the Parks and Recreation Commission.

Subject to the general authority of the mayor and township committee, and pursuant to N.J.S.A. 40A:63-7(d), the Parks and Recreation Commission shall have the authority and duty to:

- a) Plan, develop, and implement balanced recreation programs and activities to serve the needs of Cranbury residents through the Commission and the Cranbury recreation department;
- b) Make recommendations on the maintenance of all parks, playgrounds, and recreation areas (also referred to collectively as "recreation facilities" in this article) belonging to Cranbury through the Commission and the recreation department, and such other municipal departments and personnel as may be appropriate;
- c) Make and enforce rules and regulations governing the use of recreation facilities and the conduct of recreation programs and activities under its jurisdiction, including the

establishment of user and participant fees, subject to the review of the Township Committee;

- d) Upon consultation with the Township Committee, appoint a recreation director to assist the Commission in executing its responsibilities and to oversee the recreation department;
- e) Collect funds generated by its recreation programs, activities, and facilities and maintain same in a revolving trust fund, to be under the control of the Commission and for purposes of defraying the expense of operating, maintaining, and improving the recreation programs, activities, and facilities;
- f) Comply with all local policies and regulations, including Cranbury ordinances, as well as all applicable state statutes, including, but not limited to the Local Public Contracts Law, Local Finance Law, Open Public Meetings Act, and Open Public Records Act;
- g) Hold regular public meetings to discuss and act on items within its authority as dictated in this article. Said meeting schedule will be established at the first meeting in January of each calendar year, and all meetings shall comply with the Open Public Meetings Act;
- h) Provide an accounting of the Commission's activities to the chief financial officer, which at a minimum will include, but not be limited to, programs run, revenue received and expenditures made. From time to time, the chief financial officer may require additional information and/or reporting requirements that the Commission shall produce;
- i) With the prior authorization of the governing body, and title to any such land so acquired shall be taken in the name of the municipality, the Commission shall not have the authority to facilitate the acquisition of lands for public playgrounds and recreation places.
- j) In consultation with relevant boards and the Township Committee review, offer comments, and make recommendations on all development of the township's parks including but not limited to the design, location, and placement of temporary and permanent structures, equipment, facilities, seating, playing fields, trees and other vegetation, pathways and roadways.
- k) The Commission shall be responsible for the operation and maintenance of the Cranbury Senior Center, senior center programming, and senior interests.

§ 31-4 Recreation director; appointment; duties.

In accordance with section 31-3(d) above, the Parks and Recreation Commission shall appoint a recreation director who shall serve under, and report to, the Township Committee and the Township Administrator. The director shall be the head of the recreation department and shall be subject to

all Cranbury policies and procedures, including but not limited to personnel policies. The director shall serve until the appointment and qualification of his or her successor and shall receive such compensation as may be provided for by the governing body in the salary ordinance. The director shall:

- a) Develop, oversee, and administer recreation programs and activities;
- b) Manage, control and maintain the facilities used in connection with the recreation programs and activities;
- c) Be responsible for, and consult regularly with, the Commission and the Township Administrator for compliance with the budget and all financial, personnel, and purchasing policies;
- d) Manage, oversee, and direct employees appointed by the Township Committee, in consultation with the Commission;
- e) As head of the recreation department, manage, oversee, and direct the day-to-day operations of the municipal employees assigned to the recreation department;
- f) Attend all meetings of the Commission and respond to the direction of the Commission ;
- g) Administer, implement, and enforce personnel, organizational, and policy decisions for the recreation department;
- h) Submit to the Township Committee an annual report of the work of the recreation director and of the department for the benefit of the public, and shall prepare and submit such other reports as may be requested from time to time by the Township Committee or Township Administrator;
- i) Upon consultation with the Commission, prepare and recommend to the governing body an operating budget for the Commission and the recreation department for each calendar year; and
- j) Perform such additional duties as may be requested by the Township Committee and the Township Administrator.

SECTION 2. Severability. If any section or subsection of this ordinance is adjudged invalid by a court of competent jurisdiction, such adjudication shall apply only to the specific section(s) or subsection(s) so adjudged, and the remainder of the ordinance shall be deemed valid.

SECTION 3. Repealer. All ordinances or resolutions or parts thereof inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. Effective date. This ordinance shall take effect upon its passage and publication, as required by law.

The ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Township of Cranbury, in the County of Middlesex, State of New Jersey held on March 25, 2024. It will be further considered for final passage, after a public hearing thereon, at a meeting of the governing body to be held in the meeting room of Town Hall, 23-A North Main Street, in the Township of Cranbury on April 8, 2024 at 7:00 P.M. and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office to the members of the general public who shall request the same or on the Township's website: www.cranburytownship.org

Debra A. Rubin

DEBRA A. RUBIN, RMC
MUNICIPAL CLERK