

TABLED
TOWNSHIP OF HILLSIDE
COUNTY OF UNION, STATE OF NEW JERSEY

ORDINANCE NUMBER O-22-15

AN ORDINANCE AMENDING CHAPTER 93 SWIMMING POOL COMMISSION TO DISSOLVE THE SWIMMING POOL COMMISSION, PLACE THE ADMINISTRATION OF THE POOL UNDER THE HILLSIDE DEPARTMENT OF RECREATION, AND ESTABLISH THE SWIMMING POOL COUNCIL

WHEREAS, the Township of Hillside owns and operates the *Margaret M. Roche Swimming Pool* ("Pool") which is currently a separate Township utility and the operation and maintenance thereof is currently under a Swimming Pool Commission as set forth in Chapter 93; and

WHEREAS, the Pool is currently in extreme disrepair and requires substantial maintenance and to restore the Pool to its full use, the Township must issue a bond for its repair; and

WHEREAS, the most efficient way to accomplish this is as a capital expense which requires the Pool administration to be placed under the Hillside Township Recreation Department; and

WHEREAS, the Township has determined that dissolving the Swimming Pool Commission will not materially impact the residents of Hillside, nor the financial operations of the Township; and

WHEREAS, the Township has an interest in ensuring that the Township residents are being appropriately served with regard to management of the Pool; and

WHEREAS, it is the goal of the Township of Hillside to both inform its constituents regarding Township business and to have transparency in government; and

WHEREAS, the Township deems that the optimal manner in which to achieve the aforementioned goals is to establish a Swimming Pool Advisory Council that represents a cross section of the community in terms of age, neighborhood and interests in the Pool;

NOW THEREFORE BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HILLSIDE THAT:

Section 1. Dissolution.

The Swimming Pool Commission created by Ordinance on or about December 21, 1971, as amended, is hereby dissolved in its entirety and all powers and duties set forth in Chapter 93 and all references to the Swimming Pool Commission set forth in Chapter 269 §1-17 shall now fall under the administration of the Hillside Department of Recreation.

Section 2. All Powers to be assumed by the Hillside Department of Recreation.

Upon the effective date of the dissolution as set forth in this Ordinance, all powers and duties exercised by the Swimming Pool Commission including the rules and regulations set forth in §269-1 through 17 for the use and operation of the swimming pool shall also be undertaken by the Department of Recreation.

Section 3. Authorization of Township to Take all Necessary Actions to Execute documents.

The Mayor, Business Administrator, and Chief Financial Officer are authorized to take all steps necessary to appropriate funds for the repair, operation and maintenance of the pool as may be required by subsequent resolution, if necessary.

Section 4. Establishment of the Swimming Pool Advisory Council

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There shall be a Swimming Pool Advisory Council (“Advisory Council”) consisting of seven (7) voting members as follows: three (3) voting members appointed by the Mayor and three (3) voting members appointed by the Township Council and a nonvoting member consisting of the Certified Financial Officer in conjunction with the Director of the Department of Recreation. Advisory Council members shall be responsible for attending all meetings. If he/she is unable to attend a meeting, it is his/her responsibility to contact the Secretary of the Advisory Council prior to the meeting. The Advisory Council may ask the Township Council to remove, and the Township Council may remove, any member failing, without having been excused by such Advisory Council, to attend three consecutive meetings.

Section 5. Purpose of the Swimming Pool Advisory Council

The purpose is to render advice to the Mayor, Council and Recreation Director as to the operations, utility, and policies of the Pool; to participate in all other activities that will assist the Advisory Council; and to be of help in an advisory capacity to advocate and improve the utility of the Pool.

Section 6. Term and Compensation of Swimming Pool Advisory Council

The term shall be for five years, with the exception of those appointed to fill vacancies. Appointments will take effect June 1. Vacancies shall be filled for the unexpired terms only by the Township Council. All members shall serve without compensation but may be reimbursed for necessary expenses incurred in the performance of their duties, provided that said reimbursements are approved by the Mayor and Township Council. The Township Council shall also designate one of its members to be a representative of the Township Council upon said Advisory Council who shall serve a one-year term from June 1 to May 31, inclusive. The Township Council shall consider, in making appointments to the Advisory Council, the aforesated goals of the Advisory Council.

Section 7. Bylaws

The Advisory Council shall be governed by the following bylaws:

- A. Election of officers. Each year the election of officers shall take place at the June organizational meeting. The officers of the Advisory Council shall be a Chairman, Vice Chairman and Secretary. A member must be present at time of nomination. No person shall serve more than two consecutive terms in the same office.
- B. Duties of Chairperson: to preside at the meeting; to appoint committees; to call special meetings when necessary.
- C. Duties of Vice Chairperson. The Vice Chairperson shall perform the duties of the Chairperson in the absence of the Chairperson.
- D. Duties of Secretary: to take minutes of all regular and special meetings and be responsible for preparation of same; to keep a register or roll call of the members and the roll call at each meeting; to be responsible for all mailings.
- E. Quorum. A quorum shall consist of a majority of the voting members. A quorum shall be necessary for the transaction of any official business with the majority vote to pass question.
- F. Voting. Each member shall be entitled to one vote on all matters that come officially before the Advisory Council. A motion is carried by a majority vote.
- G. The regular meeting dates of the Advisory Council shall be established at the annual organizational meeting. At least one public meeting will be held each month. Special meetings may be called by the Chairman or, in his/her absence, the Vice Chairman or Director of Recreation on written notice three days prior to the special meeting. Such notice shall state the agenda to be taken upon and acted upon.
- H. The order of business. The order of business of the Advisory Council meeting shall be as follows:
 - (1) Roll call.

- (2) Acceptance of the minutes of the previous meeting.
 - (3) Communications.
 - (4) Director's report.
 - (5) Reports of committees.
 - (6) Old business.
 - (7) New business.
 - (8) Adjournment.
- I. Other rules. Robert's Rules of Order shall govern and be followed at all meetings.
- J. Committees. Committees may be appointed as needed.
- K. Amendments. These bylaws may be altered, repealed, amended or added to by affirmative vote of not less than the majority of the Advisory Council. All members of the Advisory Council, the Recreation Director, and the Township Council representative shall be furnished a copy of proposed amendments at least 10 days prior, at which time bylaws will be considered. All changes in the bylaws will become effective upon the approval of the same by the Township Council.

Section 8. Notification to State of New Jersey.

A copy of this Ordinance shall be sent to the Local Finance Board in the Division of Local Government Services, Department of Community Affairs.

Section 9. Severability

If any provision of this Ordinance, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Ordinance to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby, and to this extent the provisions of this Ordinance are severable.

Section 10. Repealer

All ordinances or parts of ordinances which are inconsistent with any provisions of this Ordinance are hereby repealed to the extent of any such inconsistencies.

Section 11. Effective Date

This Ordinance shall become effective twenty (20) days following the final adoption thereof by the Township Council of the Township of Hillside and shall be published as required by law.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT	EXCUSED
	X	Bonanno	X				
		DeAugustine	X				
X		Freedman	X				
		Hyatt	X				
		Rios	X				
		Mobley, VP	X				
		Epps, CP	X				

Approved: _____

Dahlia O. Vertreese, Mayor

Date

Vetoed: _____

Returned to the Township Clerk with the following statement of objections:

