

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF MOUNT ARLINGTON, COUNTY OF MORRIS, STATE OF
NEW JERSEY, APPROVING THE BY-LAWS OF THE
MOUNT ARLINGTON BOARD OF RECREATION COMMISSION**

WHEREAS, the Governing Body adopted an ordinance creating the Mount Arlington Board of Recreation Commission (hereinafter "MABRC"); and

WHEREAS, the Borough Attorney drafted by-laws for the MABRC; and

WHEREAS, the MABRC has reviewed same and made recommendations thereto; and

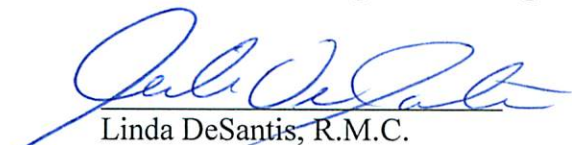
WHEREAS, the Governing Body reviewed the recommendations of the MABRC and agreed with said recommendations; and

WHEREAS, the form of the MABRC by-laws as attached to this resolution are the final and approved form of by-laws which shall control and govern the MABRC.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Mount Arlington as follows:

1. The form of the MABRC by-laws as attached to this resolution are the final and approved form of by-laws which shall control and govern the MABRC.
2. The Municipal Clerk shall forward a copy of this resolution to the Chairman of the MABRC and cause same to be posted to the Borough's web site.
3. Any amendments and or revisions to these by-laws are ineffective unless and until approved by the Governing Body of the Borough of Mount Arlington.
4. This Resolution shall take effect immediately.

I hereby certify this to be an accurate and true resolution as approved by the Mayor and Borough Council at a Meeting held on August 6, 2013.


Linda DeSantis, R.M.C.
Borough Clerk

MOUNT ARLINGTON BOARD OF RECREATION COMMISSION

BYLAWS

ARTICLE I

NAME

This Board is established pursuant to R.S. 40:12-1 et seq., through 40:12-8 by the Borough ordinance. The name of this commission shall be the Mount Arlington Board of Recreation Commissioners, of the Borough of Mount Arlington, referred to in this document as (MABORC) as adopted by the MABORC

ARTICLE II

OBJECTIVES AND AUTHORITY

I. Subject to the advice and consent of the Mayor and Council the Commission shall:

- A. Coordinate and administer the full range of recreation needs of the Borough.
- B. Establish policies and standards for the conduct of recreation activities.
- C. Establish policies and standards for the requirements and trainings of all Commissioners, Coordinators and Coaches.
- D. Establish safety policies and standards.
- E. Establish and administer the process for a public access defibrillation (PAD) program for the storage, maintenance, storage, training and use of the automated external defibrillator (AED) within the community during recreational programs/activities pursuant to N.J.S.A 2A:62A-25.
- F. Provide the necessary facilities and broad program required to comply with the full recreation needs of the Borough.
- G. Promulgate, adopt, approve and publish suitable rules and regulations and bylaws, as the MABORC shall deem fitting and proper to carry out its purposes and objectives.
- H. Adopt and publish rules, regulations and bylaws for the use of public lands and recreational places and the conduct of all persons while on or using the same while participating in a MABORC sponsored activity. Such rules and regulations as may be promulgated by the MABORC shall be reasonably related to the protection of the property and to the public health and safety. Any person who shall violate any of such rules, regulations or bylaws shall be prohibited from engaging in recreation activities until the matter has been reviewed by the MABORC based on the published rules.

I. Charge and collect reasonable admission fees or service charges in accordance with the provisions of N.J.S.A. 40:12-5 in order to obtain the funds, in whole or in part, necessary to improve, maintain and police its facilities and to carry out its purposes and objectives. The MABORC may also canvass for and solicit donations to help defray expenses associated with its sponsorship of specific recreation programs.

J. Prepare and submit to the Mayor and Borough Council on a quarterly basis, a report as to the recreation activities and finances of the prior months. An annual report to show a consolidated view of the quarterly performance prepare and submit to the Mayor and Borough Council before the end of the calendar year.

K. Recommend studies of local conditions and the recreational demand of the community regarding parks and open space, recreational activities and arboriculture in order to provide for active and passive recreation programming and recommend the acquisition of lands for parkland or open space, recreational development, tree plantings or reforestation as may be necessary to meet such needs.

II The Commissioners shall ensure that:

- A. All money received by the MABORC shall be paid over to the Borough of Mount Arlington Treasurer, and kept by the Borough of Mount Arlington Treasurer in a special fund, which shall be under the control of the municipality and used for the purposes of maintaining and furthering recreational activities and for other expenses of the MABORC.
- B. The MABORC shall be nonpartisan and shall not engage in any political activity, endorse any political party or candidates, collectively as the MABORC, nor as an individual commissioner representing the MABORC. Any policy statements attributable to MABORC, or as an individual commissioner representing the MABORC shall be presented to the Business Administrator and Council Representative prior to publication.
- C. All activities of the Recreation Commission and activities conducted there under are compliant with all relevant statutes, rules, regulations and ordinances.

ARTICLE III

MEMBERSHIP

- A. Eligibility: Persons eighteen (18) year or over, who reside in Mount Arlington may be a member of the MABORC as a regular or alternate member.
- B. The MABORC shall be composed of seven (7) regular members, and two (2) alternate members. The secretary may receive an annual stipend subject to the approval of the Mayor and Borough Council.
 - 1. Regular members: Regular members may be recommended by the MABORC to be appointed by the Mayor, with the advice and consent of the Borough Council, to serve a term of years as set forth in the Statutes and by appointment. The term of office will be five (5), four (4), three (3), two (2), or one (1), years as designated by the MABORC, staggering so as no more than two (2) Regular members terms will expire in one year. Thereafter all appointments shall be for the term of five (5) years.
 - 2. Alternate members: The MABORC may recommend the appointment of (2) Alternate members, such alternates to be appointed by the Mayor and Council. The length of the terms of the alternate members shall be the same as the length of the terms of the regular members of the board of recreation commissioners. Alternate members shall be designated at the time of appointment as "Alternate No. 1" and "Alternate No. 2." Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member of the board of recreation commissioners. 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
 - 3. All members: Members shall serve until their respective successors are appointed and shall qualify. A vacancy occurring otherwise than by expiration of term shall be filled by the governing body for the unexpired term only. Alternate No.1 shall be reassigned to full member following a vacancy; Alternate No.2 shall become Alternate No.1. New members shall start as an alternate unless a vacancy allows Full Membership. Members shall receive no compensation for their services.
 - 4. All MABORC members must complete a criminal history record background check every three years in accordance with Chapter 25 of the Borough Code.

ARTICLE IV

MEMBERSHIP TERMINATION

- A. Termination: Recommendation for termination of a MABORC member may result for the following reasons:
1. Lack of participation, or less than fifty percent (50%) timely and complete attendance of regular MABORC meetings over a period of one (1) year, or absence from two (2) consecutive meetings, when such absences have not been excused by a majority vote of the Committee.
 2. Conduct considered detrimental to the MABORC or any action tending to impede the administration of any recreation function.
 3. MABORC members considered for termination shall be notified in writing and given the opportunity to show cause for continued membership. Failure of the affected MABORC member to answer the written notice within one monthly meeting will be considered sufficient grounds for recommending termination of said MABORC member.
- B. The Mayor and Council shall be notified in writing that removal is recommended by the MABORC. No recommendation for termination shall be effective without the express authorization and action by the Mayor and Council.

ARTICLE V

OFFICERS AND LIAISONS

- A. The officers of the MABORC shall consist of: Chairperson and Vice Chairperson.
1. Chairperson: The Chairperson shall preside at all MABORC meetings and shall conduct all business in accordance with standard operating procedures. The Chairperson will appoint a MABORC member to each recreation sub-committee. The Chairperson will represent the MABORC before the Mayor and Council and other local organizations as required.
 2. Vice Chairperson: The Vice Chairperson shall preside at all meetings in the absence of the Chairperson, and assume the duties of the Chairperson for the duration of the Chairperson's absence or incapacitation.
- B. The MABORC secretary shall be an employee of the Borough of Mount Arlington and shall report to the Municipal Administrator. The secretary shall be responsible for keeping accurate minutes of all meetings, receiving and preparing correspondence required by the MABORC's business. The secretary shall be responsible for maintaining a file of all documents relating to the MABORC's business and assume all other

administrative duties as directed by the Municipal Administrator.

- C. Any items presented to the Mayor and Council shall first be discussed in open forum during a regularly scheduled MABORC meeting. The Council Liaison or Municipal Administrator shall discuss such matters involving recreation activities with the Mayor and Council as are discussed and approval with and by the MABORC members. The Mayor and Council reserve the right to inquire of the Chairperson as to any information pertaining to Mount Arlington recreation activities and the Chairperson shall be required to respond to such inquiries immediately.

ARTICLE VI

ELECTIONS FOR OFFICERS

- A. Time of Elections: Election of all officers shall be held at the Re-Organization MABORC meeting scheduled January of each year. Elected officer take new position effective immediately.
- B. Manner of Election: Election of officers shall be by voice vote in open session. A board quorum must be present to elect MABORC officers. A plurality shall be required to elect each candidate.
- C. Term of Office: The term of office shall be for one (1) year, or until a duly elected successor is installed.

ARTICLE VII

MEETINGS

- A. Regular Meetings: The MABORC shall establish by Resolution the "Annual Schedule of Mount Arlington Board of Recreation Commission Meetings" to be held during the succeeding year, at the Re-organization meeting held January of each year. The schedule shall specify the date, time and place for the meetings. The schedule shall be posted in the Municipal Building and remain posted throughout the year, and be mailed to designated newspapers for public notification.
- B. The Chairperson shall have the responsibility for convening Special meetings. These meetings shall be convened in accordance with the Resolution establishing the "annual Schedule of Mount Arlington Board of Recreation Commission Meetings." Special meetings shall not be convened for the purpose of excluding either members of the MABORC or residents of the Borough. All MABORC members including regular members, alternate members, and affected sub-committee members, Council Liaison and Representative must be notified of the date, time and place of special meetings. Public Notice of special meetings shall be submitted to designated newspapers and posted in the Municipal Building.

C. Order of Business:

1. Agenda:

- (a) Call to order
- (b) Roll call of committee Members
- (c) Pledge of Allegiance
- (d) Review and acceptance of previous meeting minutes
- (e) Review of correspondence
- (f) Chairperson's report
- (g) Council Liaison's report
- (h) Sub-committee reports
- (i) Old Business
- (j) New Business
- (k) Open to Public
- (l) Adjournment

2. Agenda and minutes of previous meeting must be submitted to the Commission Members by 3:00 pm on the Friday before the MABORC meeting.

D. MABORC may choose to alter the Agenda to accommodate special circumstances.

E. Robert's Rules of Order, Revised, shall be used to decide issues of parliamentary procedure where applicable so long as same are consistent with the By-Laws and any applicable New Jersey statute or Mount Arlington ordinance.

F. Board Quorum: Fifty Percent (50%) plus one member shall constitute a quorum. Lack of a quorum shall not be construed to prevent the routine business of the MABORC, however any business conducted in the absence of a quorum must be ratified at the next MABORC meeting in which a quorum is present. Quorum must be present to vote on issues for adoption by the MABORC; and Quorum must be present for election of officers.

ARTICLE VII

COORDINATORS

A. Coordinators shall be appointed by the MABORC for the coordination of sports programs and/or recreation events/activity. The Coordinators will serve until completion of their assignments, resignation or until dismissed by the MABORC.

B. Coordinators shall be responsible for planning and operating each recreation activity. Coordinators shall be designate by the Commission as their spokesperson who shall prepare and present progress reports at each MABORC meeting during their tenure. The coordinators shall be responsible for reporting any needs assessments and status reports to the MABORC as well as other duties as directed by the MABORC.

SPORTS COACHES

- A. All volunteer sports coaches shall be selected by the Sports Coordinator each season for each sport.

ARTICLE IX

BUDGET RESPONSIBILITIES

- A. Each year the MABORC shall develop a request for an operational budget for the ensuing calendar year and present the same recommendation to the Finance Department on or before November 1. This budget proposal shall include details of the money considered necessary to carry out the recreational programs and the amount requested for the various required services. The budget request shall also reflect the amount and source of anticipated income for the ensuing calendar year.
- B. The MABORC shall conduct its affairs, policies and programs each year within the budget provided by the Mayor and Council and as are deposited in the Trust Fund of the MABORC.
- C. The Mayor and Council shall have fiduciary responsibility for the recreation trust fund and the MABORC shall comply with law.
- D. MABORC shall have no authority to enter into any contract or incur any obligation binding the Borough of Mount Arlington.

ARTICLE X

AMENDMENTS

Amendments to the By-Laws may be proposed at any regular MABORC meeting by any board member in the following manner:

- A. The proposed amendment(s) must be presented in writing at any regular MABORC meeting and introduced by a board member by reading aloud the proposed amendment. A copy of the proposed amendment shall be given to each member of the MABORC.
- B. Voting on the adoption of any proposed amendment shall take place at the next meeting following the meeting at which the proposed amendment is introduced.
- C. The Council Liaison or Municipal Administrator shall be responsible for presenting the amendments to the Mayor and Council and Borough Attorney for approval. The Council Liaison or Municipal Administrator shall report on the status of the approval cycle at each MABORC meeting until the amendment is approved or rejected.

ARTICLE XI

SEVERABILITY

If any provision, word and or any other part of these bylaws shall be adjudged unenforceable in any way, the remaining aspects of these bylaws shall survive as if the unenforceable provision was originally not included in these bylaws and the remaining aspects of these bylaws shall be read logically to further the purposes expressed herein until such time as these bylaws may be amended.

ARTICLE XI

EFFECTIVE DATE

These bylaws and any amendments thereto shall become effective only upon a vote of the Mayor and Council at a duly noticed meeting at which a quorum is present.