

## CHAPTER 37 – RECREATION BOARD

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[HISTORY: Adopted by the Borough Council of the Borough of Delmont by Ord. No. 2000-5, as amended through 2018, Ord. No. 2018-1. Additional amendments noted where applicable.]

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**§ 37-1. Title.**

This chapter shall be known and referred to as the “Delmont Borough Recreation Board Ordinance.”

**§ 37 -2. Purposes.**

This chapter is adopted to provide an update to the former motion creating a Recreation Committee in the Borough of Delmont in order to conform the same to existing facts, present circumstances and the current state of the law, as well as to facilitate the work of the former Committee known as the “Delmont Borough Recreation Committee,” hereafter to be known as the “Delmont Borough Recreation Board.”

**§ 37-3. Membership; terms of office; compensation; residency. [Amended 1/09/2018 by Ord. No. 2018-1].**

The Delmont Borough Recreation Board shall consist of no less than five members nor more than seven members, all of whom shall be appointed by Borough Council. Each member shall serve for a term of five years or until his successor is appointed, except that the members of such Board first appointed may be appointed for lesser terms, provided that the terms of not more than two members shall expire annually thereafter. Members of such Board shall serve without pay. All persons previously or hereinafter appointed shall serve their full terms unless they voluntarily

resign or are removed by the Council of the Borough of Delmont for dereliction or neglect of duty. All members appointed shall be residents of the borough and such members, in order to continue serving on such Board, shall, during the term or terms of their membership, remain residents of the borough. No more than two members of Borough Council shall serve on the Recreation Board at any time.

**§ 37-4. Authority of Board. [Amended 6/12/2001 by Ord. No. 2001-2].**

The Delmont Borough Recreation Board shall have the authority to organize, conduct, maintain and facilitate recreation programs within the borough, subject to approval by the Council of the Borough of Delmont. The authority to equip, supervise and maintain parks, recreation areas and facilities shall hereafter vest in the Council of the Borough of Delmont.

**§ 37-5. Standards, qualifications and salary schedules for Board employees.**

The Delmont Borough Recreation Board shall establish proposed standards, qualifications and salary schedules for employees of the Board as the same shall be approved by Borough Council. The Delmont Borough Recreation Board shall have no independent authority to hire, fire or set wages for employee. Any individual hired to perform services for the benefit of the Delmont Borough Recreation Board shall be and constitute employees of the Borough of Delmont and shall be subject to all policies and procedures as may be in effect from time to time for employees of the borough.

**§ 37-6. Cooperative recreational services.**

Whenever boroughs, cities, counties, townships or school districts shall develop a cooperative plan of recreation service affecting the borough, the Delmont Borough Recreation Board shall request a joint meeting with Borough Council to review and consider such services. The Recreation Board shall make recommendation to Borough Council with regard to joining such cooperative ventures, but the final decision for the same shall rest with Borough Council.

**§ 37-7. Organization of Board; annual report.**

The members of the Delmont Borough Recreation Board, as established herein, shall elect their own President and Secretary and shall further select any and all other necessary officers. Any officers so selected shall serve for a term of one year and those officers may succeed themselves in office. The Recreation Board shall have the power to adopt rules and regulations for the conduct of its business. It shall be the duty of the Recreation Board and its officers to annually submit a report to Borough Council including an analysis of the community recreation areas, facilities and leadership, with particular reference to the extent and adequacy of the programs available and their effectiveness in view of the public expenditure involved and the public needs to be met.

**§ 37-8. Annual budget.**

Each year the Recreation Board shall submit to Borough Council a written, typed or printed budget proposal for the next fiscal year on or before September 1 of each year. This date may be changed by the Council at its discretion, provided that it is done at a meeting and notice is given to the Recreation Board of said change. If no notice is given to the Recreation Board, it will be assumed that the established date for the previous year remains in effect.

- A. The budget shall include all anticipated expenses for the fiscal year and shall be so itemized as to present a clear understanding of each and every item. Anticipated employees need not be listed but must be designated by job classification. Once Borough Council has approved the item in the total budget, it will not be necessary for the Recreation Board to again seek approval of any item so listed so long as it is within the budgetary period.
- B. Should Borough Council require more information on the budget or if budgetary items are to be reduced, Borough Council shall so notify the Recreation Board. Moneys appropriated in the budget for any fiscal year but not expended will be returned to Borough Council.
- C. All expenditures and payments relating to the expenses of the Recreation Board shall be made by and through Borough Council as the expenditures are incurred, so long as said expenses remain within the itemized budget.

**§ 37-9. Rules and regulations.**

The Recreation Board shall be empowered to make and recommend all rules, regulations and policies as shall govern the use of the parks or the sponsoring of any area or event which would come under its jurisdiction, subject to final approval and enforcement by Borough Council.

**§ 37-10. Recreational facilities; real property.**

- A. Borough Council shall, by ordinance, designate and set apart for use as parks, playgrounds, play fields, gymnasiums, swimming pools or indoor recreation centers, herein collectively referred to as "public parks, recreation areas, and facilities," any lands or buildings owned by such borough and not dedicated or devoted to other public use. A copy of said ordinance shall be provided to the Recreation Board.
- B. The Recreation Board shall not have the independent authority to own or hold real property for recreation purposes. In the event any person shall desire to transfer or designate property to the Delmont Recreation Board for recreation uses and purposes, said property shall be conveyed to the Borough of Delmont subject to a restriction for use for recreation purposes.
- C. Borough Council shall have the sole authority, power and obligation to equip, supervise and maintain all lands or buildings situate within the borough which are utilized as and for public parks, recreation areas and facilities. [Added 6/12/2001 by Ord. No. 2001-2].

**§ 37-11. Legal counsel.**

The Solicitor for the Borough of Delmont shall be available to the Recreation Board at such times and for such purposes as the Recreation Board may deem appropriate.

**§ 37 -12. Meetings and minutes.**

- A. The Recreation Board, at its first meeting in any year, shall set the date, time and place of its regular meetings, shall advertise the same in a newspaper of general circulation within the borough and shall notify Borough Council of this schedule in writing.

- B. The Recreation Board shall cause to be sent to Borough Council copies of minutes of each meeting, regardless of whether the minutes have yet been approved.

**§ 37-13. Cooperation with other agencies; segregation of funds.**

- A. Borough Council hereby empowers the Recreation Board to enter into negotiations and agreements with any and all agencies, funds and other entities for the purpose of securing funds to be dedicated to and utilized for recreation purposes within the Borough of Delmont.
- B. All funds received by the Borough of Delmont and/or its Recreation Board designated for recreational purposes shall be maintained as borough funds but shall be accounted for separately so that appropriate accounting may be provided to any and all agencies, funds or other entities who make contributions thereto for recreational purposes. **[Amended 6/12/2001 by Ord. No. 2001-2].**
- C. Funds obtained from sources other than Borough Council shall be maintained and disbursed by the authority of Borough Council but shall not be commingled with any borough funds.