

## LINWOOD BOARD OF RECREATION BY-LAWS

### ARTICLE I. NAME

This organization shall be known as The Linwood Board of Recreation.

### ARTICLE II. PURPOSE

The purpose of The Linwood Board of Recreation (Rec Board) shall be as follows:

1. To improve, maintain, manage, control, regulate and otherwise operate and supervise public parks, playgrounds and athletic fields in the City of Linwood pursuant to N.J.S.A. 40:12-1 et seq. and N.J.S.A. 40:61-1 et seq. to the extent authorized by Linwood City Council (Council). The power to acquire, exchange or sell property is specifically reserved to Council.
2. To create, promote, coordinate and run community and recreational events for the benefit and enjoyment of residents of Linwood including but not limited to the Memorial Day Parade and Essay Contest, Halloween Parade, the Country Fair, the Easter Egg Hunt/Passover Event, Miss Linwood, Citizen of the Year and the Christmas Tree Lighting;
3. To act as the designee of Linwood City Council for general oversight of Linwood sports organizations subject to the advice and consent of Council, and in so doing promote recreation, good sportsmanship and citizenship of participant children and adults limited to the following specific areas of authority:
  - a. To consider, approve and endorse applications by non-profit sports organizations for use of Linwood fields and facilities, including making decisions on competing applications;
  - b. To establish reasonable rules and procedures to effectuate the providing of uniform and reasonable commonly accepted procedures by and of Linwood sports organizations together with the providing of reasonable public availability and disclosure of certain documents in an acceptable form, specifically copies of By-Laws, rules and regulations, written membership and voting qualification procedures, proof of the existence of a grievance procedure, annual financial statements and budgets, minutes of

organizational meetings and proof of liability insurance;

- c. To hear appeals of grievances from individual sports organizations on issues of general public importance where the grievance has first been properly submitted to the individual sports organization. Authority for operational issues and decisions shall remain with the individual organizations.

### ARTICLE III. BOARD OF DIRECTORS

1. The Board shall consist of five to seven voting members.
2. Board Membership shall be by appointment of the Mayor of Linwood for a term of five years in such a manner that the term of at least one member and not more than two members shall expire in each year.
3. Each Board member shall serve without compensation.
4. The Board shall conduct monthly meetings to be held on the third Wednesday of each month, unless otherwise directed in advance.
5. A quorum shall consist of a majority of the Board as presently constituted. The Board shall act by majority vote.
6. All Board members shall be expected to attend two-thirds of the regularly scheduled meetings per year.
7. Officers of the Board shall be elected annually. Terms of office shall be on a calendar basis.
8. A list of the Board's members names and addresses shall be updated annually each January and will be available at Linwood City Hall.

### ARTICLE IV. OFFICERS AND DUTIES

1. President. The President shall be the Chief Executive Officer of the organization, preside over all meetings and have general management supervision of the organization, appoint committees from time to time as he or she shall deem necessary, schedule meetings, have the authority to sign checks and other documents and shall take such other action as necessary to manage the organization.
2. Vice President. In the absence of the President, the Vice President shall perform all the duties of the President

and, when so acting, shall have all the powers of the President.

3. Treasurer. The Treasurer shall be responsible to oversee and manage all financial matters of the organization, to maintain all accounts, to sign checks, to prepare all necessary financial reports and to perform any other duties necessary regarding financial matters. The Treasurer shall be bonded in an amount sufficient to satisfy legal requirements.
4. Secretary. The Secretary shall be responsible to record the minutes of the meetings, to take attendance of Board members at all meetings, to prepare necessary correspondence, to give all required notice and publication of meetings, and to perform such other duties as may be assigned by the President or the Rec Board.

#### **ARTICLE V. POWERS AND RESPONSIBILITIES**

The Linwood Board of Recreation shall have such powers and responsibilities as are granted by Linwood City Council, which include the power and duty:

1. To improve, maintain, manage, control, regulate and otherwise operate and supervise public parks, playgrounds and included athletic fields in the City of Linwood pursuant to N.J.S.A. 40:12-1 et seq. and N.J.S.A. 40:61-1 et seq. The power to acquire, exchange or sell property is specifically reserved to Council;
2. To create, promote, coordinate and run community and recreational events for the benefit and enjoyment of residents of Linwood including but not limited to the Halloween Parade, the Memorial Day Parade and Essay Contest, the Country Fair, the Easter Egg Hunt/Passover Event, Miss Linwood, Citizen of the Year and the Christmas Tree Lighting;
3. To act as the designee of Linwood City Council for oversight of Linwood sports organizations, pursuant to the specific limited authority extended by Council, and in so doing promote participation, good sportsmanship and citizenship of participant children and adults;
4. To transact all necessary business of the organization;
5. To recommend to Council specific individuals who should be hired as either Park Director or such other personnel as are deemed necessary, with such job descriptions as are drafted;

6. To designate individuals to act on behalf of the Rec Board in exercising supervisory authority over public parks, playgrounds and athletic fields which shall include the Park Director, sitting members of the Rec Board and such additional individuals as may be later designated;
7. To consider and approve applications by Linwood sports organizations for recognition or endorsement as an approved organization entitled to use Linwood fields and facilities, including making decisions on competing applications, subject to the advice and consent of Council. Organizations which are currently recognized as an approved organization are Linwood Little League (baseball), Linwood Panthers (football), Mainland United Soccer (soccer), L.A.S.A.R. (basketball), Linwood Girls Softball (softball) and Linwood Street Hockey (street hockey);
8. To consider and approve applications for use of Linwood fields and facilities, including making decisions on competing applications;
9. To establish reasonable rules and procedures to effectuate the direction of Council for the providing of uniform and reasonable commonly accepted procedures by and of Linwood sports organizations together with the providing of reasonable public availability and disclosure of certain documents in an acceptable form, specifically membership and voting qualification procedures, copies of By-laws, rules and regulations, annual financial statements and budgets, minutes of organizational meetings, proof of liability insurance and proof of the existence of a grievance procedure;
10. To hear appeals of grievances from individual sports organizations on an advisory basis as set forth herein.

Nothing contained herein shall be interpreted to grant to the Board the authority to administer, manage, run or supervise the operational details of the individual sports organizations, including by way of example without intending to limit same; registration of participants; scheduling of games, practices and meetings; election of Board members and Officers; selection of coaches; decisions as to playing time of individual players; referee selection and supervision; setting of fees; selection of vendors and/or handling of sponsorship contributions; authority for which is specifically reserved to the organizations.

#### **ARTICLE VI. FINANCIAL MATTERS**

The Rec Board shall have such funds as are provided for by Council for its operations, which shall be utilized consistent with the purposes, powers and responsibilities granted by Council and set

forth herein. Records, reports and budgets shall be prepared and kept as are reasonably necessary and shall be provided to Council at least annually or more frequently as may be requested by Council. Two signatures shall be required for any checks written in excess of \$1,000.00.

**ARTICLE VII. GENERAL OVERSIGHT OF LINWOOD SPORTS ORGANIZATIONS**

1. Based upon Linwood City Ordinance No. 12, 2003, an Ordinance recognizing, authorizing and empowering the Linwood Board of Recreation, the Board has been granted limited oversight authority of Linwood sports organizations which the Board shall exercise as a condition of continued use of Linwood fields and facilities, specifically:
  - a. To obtain and keep on file with the City Clerk a current copy of the By-Laws, rules and regulations of each organization, copies of which documents shall be available to the public upon reasonable notice and request. Upon change or amendment to its By-Laws, rules or regulations, each organization shall provide a copy to the Rec Board or to the City Clerk within 14 days of adoption. The By-Laws, rules and regulations of each organization shall include provisions which confirm general compliance with the provisions of this Article, and shall specifically include:
    - i. Membership and voting eligibility requirements which reasonably provide for broad based participation of interested persons;
    - ii. Recognition of the relationship with the Rec Board as set forth in this Article;
    - iii. The establishment of a written grievance procedure which shall provide for a meaningful and timely opportunity for grievances to be heard, a copy of which shall be on file with the Board and also available upon request by any member of the organization; and
    - iv. By-Law amendment procedures that provide for at least two public readings.
  - b. To require a financial statement and budget to be filed with the Board by each organization semiannually as of June 30<sup>th</sup> and December 31<sup>st</sup> of each year and to require income and expense ledgers to be available for inspection upon request of an organization member or by the Board. Upon a reasonable basis shown, which shall include but not be limited to the lack of sufficient operating funds or a request to the Board

of financial assistance, the Board may request such additional records or reports as it reasonably requires. Upon the supplying of financial assistance to an organization, the Board may establish conditions for such time periods it reasonably finds necessary to eliminate or reduce the need for such further financial assistance.

- c. To require copies of minutes of organization meetings to be provided to the Board on such basis as is established for all organizations.
  - d. To require proof of liability insurance in such amounts as the Board reasonably finds necessary.
  - e. To conduct parent satisfaction surveys at the conclusion of each such sport's season, with which survey each organization shall cooperate. A standard survey form shall be developed for use.
2. The financial reports prepared and filed semiannually by each organization shall be of the nature and type normally utilized within the organization itself for planning purposes and shall include the primary sources of income and expenses, the surplus/loss for the year, the pre-season account balance, the post season account balance, any extraordinary expenses incurred or anticipated, and a proposed budget for the upcoming year, which budget, at a minimum, may be a statement based upon the last year's financial report.
3. Each organization's President or his designee shall be a liaison to the Board and shall attend Board meetings and otherwise communicate with the Board as necessary.
4. The Board shall accept and hear grievances from individuals as to sports organizations:
- a. Where a properly filed grievance is not responded to by the organization within the established timeframes; or
  - b. Where a properly filed grievance is not resolved to the satisfaction of the complaining party, where the issue presented is one of an issue of general public importance. For appeals to the Board under this Section 4(b) the Board will not accept or review complaints that have not been first submitted to the individual organization in writing setting forth both the specific complaint and the requested remedy, or complaints which apply only to operational issues or decisions, for which deference is given to the

individual organizations. The Rec Board shall consider the original written grievance, the response of the grievance committee, and the finding of the organization's Board and such other information it deems pertinent. The Rec Board may mediate the issues between the parties, in its discretion. If mediation is unsuccessful a written finding shall be made which may adopt the finding of the underlying organization Board, agree with the grievant, or may make such other conclusions as the Rec Board deems appropriate. The finding of the Rec Board shall be final.

#### **ARTICLE VIII. PUBLIC PARKS, PLAYGROUNDS AND ATHLETIC FIELDS**

1. The public parks, playgrounds and athletic fields for which the Board is responsible shall be designated by Council.
2. The property for which the Board has responsibility currently includes the grounds and facilities located at Memorial Field and shall include other property as Council specifies.
3. The Board also shall act as the designee of Council for operation of the soccer and baseball fields located at the Poplar Avenue and Seaview Avenue school properties.

#### **ARTICLE IX. PROCEDURE AND SEVERABILITY**

1. Procedures not otherwise set forth herein shall be according to the most current edition of Robert's Rules of Order.
2. Should a Court of competent jurisdiction declare any section, clause, sentence, phrase or provision of this document unconstitutional or invalid, such decision shall not affect the remaining portions of this document.

#### **ARTICLE X. AMENDMENT TO BY-LAWS**

1. Proposed amendments to these By-Laws shall be submitted in writing at a regular Board meeting. In the event the majority of the Board supports the proposal, the amendment shall be scheduled for reading at two consecutive Board meetings with a final vote to be taken at the next meeting thereafter. Prior to the first reading, the proposed amendment shall be provided to Council for an opportunity for its comment and advice. At the first reading, the proposal shall be open for public comment and Board discussion as well as for changes supported by a seconded motion and majority vote of the Board. In the event there are any changes to the proposed amendment they shall be provided to Council prior to the second reading. At the

second reading there shall be public comment and Board discussion followed by Board vote. A two-thirds majority is required in order for an amendment to be passed.

2. A copy of the By-Laws as amended shall be provided to Council together with notice of their passage. Council shall have advice and consent authority over all amendments to the By-Laws, before and after their approval by the Board.