HAMILTONBAN TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA

Ordinance 2019-02

AN ORDINANCE AMENDING ARTICLE 2, SENTENCE 2; ORDINANCE 2016-01 AN ORDINANCE CREATING A JOINT ADVISORY PARKS AND RECREATION COMMISSION WITH THE BOROUGH OF FAIRFIELD; ESTABLISHING THE NUMBER AND TERMS OF MEMBERS; AND DESIGNATING DUTIES AND POWERS OF THE COMMISSION

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Hamiltonban Township and it is hereby ordained and enacted by the authority of the same:

Article 1. ESTABLISHMENT - Pursuant to the authority granted under the Recreation Enabling Legislation of the Commonwealth of Pennsylvania, it is the considered judgment of the Board of Supervisors of Hamiltonban Township that adequate public recreation programs and facilities for Hamiltonban Township ("Township") would be best advanced by the establishment of a Joint Parks and Recreation Commission ("Commission") with the Borough of Fairfield ("Borough") to be called the Hamiltonban Township & Fairfield Borough Joint Parks and Recreation Commission.

Article 2. APPOINTMENTS, TERMS, VACANCY - The Commission shall consist of five (5) members to be appointed by the governing bodies of the participating municipalities. A maximum of two (2) members may be appointed by the Fairfield Borough Council with the remaining seats appointed by the Hamiltonban Township Board of Supervisors. Members may or may not be elected officials of either municipality. Members shall serve a term of five (5) years, except that members first appointed shall be appointed so that no more than two (2) members expire annually. All persons appointed shall serve their full term unless they voluntarily resign or are removed by a majority vote their respective governing body for malfeasance, misfeasance, or nonfeasance in office or for other just cause after the member has received fifteen (15) days advance notice of the intent to take such a vote. Any appointment made to fulfill a vacancy shall be only for the unexpired term.

Article 3. GEOGRAPHIC CONSIDERATION - Whenever possible, due consideration will be given to representation from various geographic sections within the area served so that all members shall not be from the same general area.

Article 4. COMPENSATION - Commission members shall serve without compensation but may, upon approval by the governing body, be reimbursed by their respective municipality for expenses incurred in performing their duties.

Article 5. ORGANIZATION OF THE COMMISSION - The members of the Commission shall elect a Chairperson, Vice-Chairperson, and Secretary, and shall create and fill such other offices as it may determine to serve for a period of one (1) year, to be reorganized annually. The Commission may adopt rules and regulations for the conduct of all business within its jurisdiction.

Article 6. COMMISSION AUTHORITY - The Commission shall further the goals of the Hamiltonban Township & Fairfield Borough Joint Recreation Plan as adopted by Hamiltonban Township on January 7, 2008, and by Fairfield Borough on January 22, 2008.

Article 7. DONATIONS, GRANTS, GIFTS - The Commission may not accept any grant, gift, bequest, donation of services, equipment, real estate, or money from any individual or group, to be used as specified by the donor, by the terms of acceptance or contract without the joint approval of the Board of Supervisors and the Borough Council as determined by majority vote of the governing bodies. The Commission shall have no authority to incur any obligation binding upon either the Township or the Borough.

Article 8. REPORTING - The Commission shall keep minutes of its meetings which shall be submitted to the Township Board of Supervisors and the Borough Council. The Commission shall not in any manner obligate the Township Board of Supervisors or the Borough Council for the payment of any funds unless they are so appropriated by the governing bodies.

Article 9. AMENDMENT - The Board of Supervisors, at its sole discretion, may amend this Ordinance at any time if deemed necessary by Resolution.

Article 10. REPEALER - Any other Ordinance or parts thereof which are inconsistent with this Ordinance are hereby expressly repealed.

ORDAINED AND ENACTED by the Board of Supervisors of Hamiltonban Township, this 4th day of June, 2019 in regular session duly assembled. This ordinance shall become effective five (5) days after adoption.

ATTESTED BY:

Nina Garretson
Secretary/Treasurer

HAMILTONBAN TOWNSHIP
BOARD OF SUPERVISORS

Supervisor J. Edward Deardorff

Supervisor Douglas W. Woerner

Supervisor LuAnn M. Dille

Supervisor Robert L. Gordon

Supervisor David B. Martin

CERTIFICATION

As Secretary of the Hamiltonban Township Board of Supervisors, the undersigned hereby certifies that the foregoing Ordinance was adopted by the Hamiltonban Township Board of Supervisors at its regular meeting held on June 4, 2019, which meeting was called and at which meeting a quorum was present and acting throughout, and that said Ordinance has not been revoked or amended.

Dated: 6/4/2019

Nina Garretson, Secretary