

4-6-79

RECREATION BOARD ORDINANCE

Section 1. That under the authority of the Vermont Statutes Annotated, Title 31, Chapter 5, Section 201-203 and Title 24, Chapter 59, Section 1972-73, there be, and is hereby created in the Town of Berlin, Vermont, a Recreation and Park Board, the members of which shall be appointed by the Selectmen and shall consist of five members, who must be residents of the Town of Berlin, Vermont.

Section 2. The initial members of the Recreation and Park Board shall be appointed, respectively for one-year terms. Thereafter all such appointments, except to fill vacancies, shall be for a term of three (3) years or until a successor is appointed and qualified. All appointments for the purpose of filling vacancies occurring otherwise than by expiration of term of office shall be for the unexpired term. Members of the said Board shall serve without pay.

Section 3. Immediately after appointment the members of the said Board shall meet and elect a chairman and such other officers as may be necessary for a period of one year or until such time as new elections are held.

In the event that an officer fails to adequately perform the duties of the position, then this person may be removed from the office by a majority vote of the board after which a new election shall be held to fill that position.

Section 4. The Recreation and Park Board shall hold regular meetings and shall designate the time and place thereof, and shall have the power to adopt rules and regulations for the conduct of business within its jurisdiction, and shall keep a record of all its proceedings. Three (3) members shall constitute a quorum. A vacancy in the Board shall occur when any member shall fail to be present at three consecutive regular meetings, or 25% of such meetings in any fiscal year, unless such absence shall be excused by the Board and the reason therefor entered in the proceedings.

Section 5. The powers and duties of the Recreation and Park Board shall be exercised and performed as herein provided, and in conformity with the laws of the State of Vermont. The Board shall adopt its own constitution and by-laws to supplement this ordinance.

Section 6. The Board shall be charged with the control, development, management, operation and maintenance of a system of public parks, recreational areas and facilities, and shall be charged with the supervision and maintenance of playgrounds, play-fields, bathing beaches, swimming pools, recreation centers and other recreation and park activities, areas and facilities. It shall have the power to expend for this purpose any funds appropriated by the Town of Berlin, Vermont, for such purpose and any funds donated or bequeathed for recreation and/or park purposes by private individuals or organizations. It shall be charged with the responsibility of providing an adequate and a wholesome recreation program for people of both

sexes and all ages.

The Board may conduct fund-raising programs to support recreation and parks and may expend said funds.

Section 7. The Board shall have the power to conduct outdoor and indoor recreation activities and facilities on the grounds and in the buildings in charge of the school board, subject to its consent.

The Board, with the approval of the Selectmen shall have the authority to conduct, at reasonable charges, such facilities for amusement, entertainment, refreshment or transportation of the public as are suitable for park and recreation purposes, and may let privileges therefor, but such privileges shall be subject to the supervision and control of the Board and its Director.

The Board may make, with approval of the Selectmen, all contracts to carry out the objectives and purposes of the Board and shall have such other powers and perform such other duties as may be necessary for the proper administration of the affairs of the Board.

Section 8. The Recreation and Park Board at the regularly designated time shall submit to the Selectmen an estimate of the anticipated revenues and expenditures for the ensuing fiscal year, to be approved in whole or in part by the Selectmen and included in the budget. Said Board shall operate within the budget as approved and expenses thereof shall be payable by the Town Clerk. The Board shall file quarterly reports giving a complete accounting of monies received and expended.

Section 9. The Recreation and Park Board shall at a designated time each year, make a written report to the Selectmen relative to the work of the Board for the past year and the goals and objectives for the next year, and shall submit other reports as may be requested from time to time.

Section 10. The Recreation and Park Board shall keep a record of the minutes of all meetings, procedures and accounts of the Board, and such records shall be open to the public.

Section 11. The Recreation and Park Board may solicit or receive gifts or bequests or other personal property or any donation to be used, principal or income, for the municipal and/or park purposes.

Section 12. The Board in carrying out its responsibilities shall consider the utilization of all local, State, Federal and recreation and park organization resources providing financial and technical assistance.

Section 13. This ordinance may be amended in accordance with Vermont Statutes Annotated, Title 24, Chapter 59, Section 1976.

Section 14. All ordinances, resolutions, or parts thereof in conflict with the provisions of this ordinance are hereby repealed, and this ordinance shall take effect and be enforced after the earliest date allowed by law.

Section 15. The foregoing ordinance is adopted as of 16 April, 1979, and shall become effective sixty (60) days after the date of its adoption unless permissive referendum is held pursuant to 24 V.S.A. 1973.

Dated at Berlin, Vermont, this 16th day of April, 1979.

Dorothy E. Tolson
Selectman
John J. Maloney
Selectman
Harold E. Muzzey
Selectman