



## TOWN OF AMENIA TOWN BOARD

4988 Route 22, AMENIA, NY 12501  
(845) 373-8860 [www.ameniany.gov](http://www.ameniany.gov)

### RESOLUTION No. 29 of 2023

#### **RE: RESOLUTION ADOPTING BY-LAWS FOR THE TOWN OF AMENIA RECREATION COMMISSION**

**WHEREAS**, the Town Board of the Town of Amenia, by Resolution No. 14 of 2002, established a Recreation Commission pursuant to Chapter 24, Article 13 of the General Municipal Law; and

**WHEREAS**, the Town Board of the Town of Amenia appointed five members to the Recreation Commission with staggered terms whereby one members term shall expire annually as required by §243 of the New York State General Municipal Law; and

**WHEREAS**, the Town Board hereby seeks to adopt By-Laws governing the Recreation Commission, a copy of which is annexed hereto and made a part hereof; and

**WHEREAS**, the Recreation Commission has participated in the drafting of the By-Laws and has approved the same which the Town Board hereby seeks to adopt.

**NOW THEREFORE, BE IT RESOLVED**, as follows:

1. The recitations set forth above are incorporated in this Resolution as if fully set forth and adopted herein.

2. The Town Board of the Town of Amenia hereby adopts the Town of Amenia Recreation Commission By-Laws, which have been approved by the Recreation Commission, setting forth the powers and duties and establishing the responsibilities and procedures for the operation of the Recreation Commission.

Motion made by Perotti

Seconded by Gutierrez

As a result of the discussion the following action was taken :

Motion to amend the Town of Amenia Recreation Commission By-Laws by striking out "Budget Line No. \_\_\_\_\_," as seen on Page 4 Paragraph N.

Motion made by C/Gutierrez; Seconded by S/Perotti

Supervisor Perotti	Aye
Councilwoman Doyle	Aye
Councilman Gutierrez	Aye
Councilman Blackman	Aye
Councilman Rebillard	Aye

The foregoing resolution was voted upon with all councilwomen/councilmen voting as follows:

Supervisor Perotti	Aye
Councilwoman Doyle	Aye
Councilman Gutierrez	Aye
Councilman Blackman	Aye
Councilman Rebillard	Aye

Dated: Amenia, New York  
February 6, 2023

  
DAWN MARIE KLINGNER, TOWN CLERK

# **Town of Amenia Recreation Commission**

## **By-Laws**

### **Creation of Commission.**

The Town Board of the Town of Amenia by Resolution No. 14 of 2002 created and established, pursuant to Article 13 of the General Municipal Law, a commission to be known as the "Town of Amenia Recreation Commission," which shall have all the powers and be subject to all responsibilities given to, imposed on or required of such Commission by the Town Board and under the appropriate laws of the State of New York.

### **Purposes and objectives.**

The purpose and objective of the Commission shall be as follows:

- A. To plan and provide opportunities for the residents of the Town for recreation, relaxation, and enjoyment through participation in a wide variety of programs of a recreational nature.
- B. To study the recreational and parks needs and resources of the Town.
- C. To achieve maximum return from moneys expended for such programs by encouraging broad use of such programs, good management and prudent selection of such programs, and by establishing an appropriate division between tax-supported, partially tax-supported, and self-sustaining programs.
- D. To encourage recreational programs and activity, whether directly sponsored by the Commission or otherwise.
- E. To coordinate its policies and activities with those of the Town Board.

### **Membership; term; vacancies; Chairman.**

- A. The Commission shall consist of five members, who shall be residents of the Town. They shall serve without compensation; shall not be eligible for consecutive terms except for a full term immediately following appointment to an unexpired term, and shall be appointed by the Town Board to serve a term of five years or until their successors are appointed.
- B. Vacancies in the Commission shall be filled by appointment by the Town Board in the same manner as original appointments and, when occurring other than by expiration of term, shall be for the unexpired term of office.

C. Any member who misses three consecutive regular meetings or more than four meetings of any kind during a calendar year may be deemed to have abandoned the Commission creating an immediate vacancy to be filled by the Town Board.

D. The Chairman shall be the executive officer of the Commission. He or she shall preside at meetings of the Commission. He or she may appoint committees, with Commission approval, with such duties as he or she may lawfully prescribe.

#### **Officers; meetings; procedures.**

A. The members of the Commission shall annually, during the first week in February, select from their number a Chairman, a Secretary, and such other officers as they shall deem necessary, who shall serve for terms of one year from their election or until their successors are elected or chosen.

B. Members of the Commission must take their Oath of office within 30 days of appointment or commencement of their term. The Commission shall hold at least one regular meeting every three months and preferably will hold a regular meeting monthly, which shall be properly noticed and open to the public in accordance with the Open Meetings Law; and it shall adopt rules of procedure for the conduct of all business within its jurisdiction and consistent herewith, and such rules shall thereafter be and continue in effect except as modified, changed, or amended by the Commission.

C. The Secretary shall take and keep in a proper book, true and correct minutes of all meetings; shall provide minutes of the meetings to the Town Clerk and the Town Board; shall notify members of the time and place of all meetings, and shall, in general, perform the duties incident to the office.

#### **Powers and duties.**

The Commission shall have the power and the responsibility, within and under Article 13 of the General Municipal Law of New York and as set forth herein, for the following functions:

A. The equipping, operating and maintaining of such facilities, sites, premises or buildings as shall be designated by the Town Board as a playground or a recreation center or a park to be administered by the Commission. Nothing herein shall be construed to require the Town Board to designate any premises, facility, site, park or building to be so administered or operated.

B. The planning for future recreation and park needs of the Town and the review and study of such needs and the Town's resources, considering in this connection such matters as recommendations from interested groups or citizens, the moneys made available by the Town Board, the facilities and physical configuration of the Town and its various geographical and overall requirements, the availability of programs and personnel and other matters pertinent thereto. The Commission shall be charged with executing such plans and establishing such programs as it may have funds available therefor.

C. The operation and maintenance of, and the making, publishing and amending of rules and regulations governing the use of, such sites, premises, facilities, parks or buildings; and the conducting of recreational programs at such locations in such fashion or place as the Commission may decide. The power to make, publish and amend rules and regulations shall include the power, within the limits of applicable laws, to exclude violators of such rules, individuals who fail to pay fees established for entry to such facilities or programs, and nonresidents of the Town from such locations, facilities, or programs.

D. The Commission may accept any grant or devise of real estate or any gift or bequest of money or other personal property or any donation to be applied principal or income for either temporary or permanent use for playground or recreational purposes provided the use thereof will not subject the Town to any expense for improvement, maintenance or renewal. If any expense will be incurred the acceptance of the gift or donation will be subject to Town Board approval. Money received for such purposes, unless otherwise provided by the terms of the gift or bequest, shall be deposited into the Recreation Commission budget, and may be withdrawn and paid out in the same manner as money appropriated for recreation purposes.

E. The preparation and submission to the Town Board, annually by at least September 10 for inclusion in supervisor's tentative budget of each year, of a recommended budget of expenditures for recreational and park development purposes for the coming year, which budget may be approved, in whole or in part, or added to as determined by the Town Board. Such budget shall clearly show proposed allocated costs of and proposed expenditures for proposed programs and shall include the information required under Subsection F below for the annual report, to the extent available at that time.

F. The making, submitting and filing of a detailed annual report to and with the Town Board with respect to its activities during any calendar year, not later than three months after the conclusion of such calendar year. Such report shall include, without being limited to, the following:

- (1) A description of each program conducted by the Commission, and how conducted.
- (2) The number of attendees and the persons served thereby or participating therein, separated into categories of youth and adult.
- (3) The location of the activity.
- (4) The expenditure of funds thereon, classified as to source or sources thereof.
- (5) The degree to which the program is tax (or fee) supported.

G. The recommendation to the Town Board, from time to time, of joint recreational programs with neighboring municipalities and/or any of the school districts lying wholly or in part within the Town, within the limitations of § 244-b of the General Municipal Law.

H. Subject to Town Board funding, the Recreation Commission may employ and/or dismiss any such persons as may be needed to carry out the provisions set forth herein. Any such employment must be within the confines of the law and any applicable civil service regulations; incidental to the function of the Commission; and within such budgetary limitations as the Town Board shall prescribe provided the Commission develops and supplies the Town Board with job descriptions defining the scope of the powers and duties of the positions and wage or salary ranges or compensation of any person to be employed.

I. Subject to Town Board funding, the Commission may contract with individuals, within such budgetary limits as the Town Board shall prescribe, who are not or are not to be employees of the Town, for the operation of facilities or for the conduct of programs, in whole or in part, and the sale, under concession, of refreshments in conjunction with recreation purposes provided that expenditures for such purposes are in compliance with the Town Procurement Policy and General Municipal Law §103.

J. The Commission may use the services of volunteers, without compensation, in the conduct of recreation programs as the Commission deems necessary.

K. Subject to Town Board funding, the Commission may purchase, lease, or rent equipment or other material or property from others for recreational and park use provided that the expenditures for such purposes are in compliance with General Municipal Law §103 the Town's procurement policy then in effect and further provided that expenditures for these purposes shall be within the budgetary limitations prescribed for the Commission by the Town Board.

L. The Commission may authorize the expenditures of money within the Commission's budgetary and other limitations, on certification by the Chairman or other authorized representative, through voucher or other regularly prescribed accounting procedures, that such expenditure is appropriate and lawful.

M. All Recreation Budget expenditures must be presented to the bookkeeper by voucher which is signed and dated by the designated member of the Recreation Commission after being approved by the Recreation Commission. The budget line that the expenditure is to be expensed from is required to be listed on the voucher.

N. All expenditures for Capital Projects to be paid from the Recreation Capital Improvement Fund Budget Line No. \_\_\_\_\_, must be approved by both the Town Board and the Recreation Commission as set forth herein.