

**NOTICE OF PUBLIC HEARING
TOWN OF AMENIA**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Amenia will conduct a PUBLIC HEARING on the 5th day of December, 2024, at 7:00 P.M. at the Town Hall, Town of Amenia, 4988 Route 22, Amenia, New York 12501, at which time all parties in interest and citizens shall have an opportunity to be heard as to whether the Town Board of the Town of Amenia shall adopt “Local Law No. x of the Year 2024, Creating a New Chapter x entitled ‘Advisory Boards’”.

PLEASE TAKE FURTHER NOTICE that the purpose and intent of the proposed Local Law is to provide authority for the creation of advisory boards.

PLEASE TAKE FURTHER NOTICE that the Proposed Action is a Type II Action as determined in 6 NYCRR 617.5(c)(33) and, accordingly, the Town Board hereby expressly determines that this action is not an action that requires review pursuant to the provisions of the New York State Environmental Quality Review Act (SEQRA).

PLEASE TAKE FURTHER NOTICE that a copy of the proposed Local Law No. x of the Year 2024 is available for review and inspection at the Office of the Town Clerk during regular office hours, at the Town Hall, Town Hall, 4988 Route 22, Amenia New York and on the Town’s website at www.ameniany.gov.

Dated: Amenia, New York
November 7, 2024

BY ORDER OF THE TOWN BOARD



DAWN MARIE KLINGNER, TOWN CLERK



TOWN OF AMENIA TOWN BOARD

4988 Route 22, AMENIA, NY 12501
(845) 373-8860 www.ameniany.gov

RESOLUTION NO. 112 of 2024

**RE: INTRODUCING PROPOSED “LOCAL LAW NO. x OF THE YEAR 2024,
CREATING A NEW CHAPTER _x_ ENTITLED ‘ADVISORY BOARDS’”**

WHEREAS, the Town Board of the Town of Amenia has determined that organized advisory boards can provide important and useful information and ideas to the Town Board when it is reviewing and considering appropriate action or policy with regard to Town issues, functions and/or projects; and

WHEREAS, the Town Board is desirous of enacting a local law to provide authority for the creation of advisory boards in the Town of Amenia; and

WHEREAS, the Town Board has determined that the Proposed Action is a Type II Action as determined in 6 NYCRR 617.5(c)(33) and, accordingly, the Town Board hereby expressly determines that this action is not an action that requires review pursuant to the provisions of the New York State Environmental Quality Review Act (SEQRA); now, therefore, be it

RESOLVED, the Town Board hereby introduces for consideration of its adoption proposed “Local Law No. _x_ of the Year 2024, Creating a New Chapter _x_ entitled ‘Advisory Boards’” in the form annexed hereto; and be it further

RESOLVED, that the Town Board has determined that the Proposed Action is a Type II Action as determined in 6 NYCRR 617.5(c)(33) and, accordingly, the Town Board hereby expressly determines that this action is not an action that requires review pursuant to the provisions of the New York State Environmental Quality Review Act (SEQRA); and be it further

RESOLVED, that the Town Board hereby schedules a Public Hearing regarding the proposed adoption of the annexed Local Law for 7:00 P.M., on the 5th day of December, 2024, to be held at Town Hall, 4988 Route 22, Amenia, New York, and the Town Clerk is directed to post a Notice of Public Hearing in the Town’s official newspaper, the Millerton News, and on the sign board maintained by the Town Clerk in Town Hall not less than ten (10) days prior to said public hearing date, and that such notice shall be in the following form.

Motion made by S/Blackman
Seconded by C/Ham

The foregoing resolution was voted upon with all councilmembers voting as follows:

Supervisor Blackman	Aye
Councilmember Rebillard	Aye
Councilmember Hamm	Aye
Councilmember Winters	Aye
Councilmember Ahearn	Aye

Dated: Amenia, New York
November 7, 2024


DAWN MARIE KLINGNER, TOWN CLERK

TOWN OF AMENIA

Local Law No. ___ of 2024

A Local Law of the Town of Amenia, New York to provide authority for the creation of advisory boards.

BE IT ENACTED by the Town Board of the Town of Amenia as follows:

Section-I: TITLE.

This Local Law shall be known and cited as Town of Amenia “Local Law No. ___ of the Year 2024, Creating a New Chapter ___ entitled ‘Advisory Boards’”.

Section II: LEGISLATIVE INTENT.

The Town Board of the Town of Amenia hereby determines that organized advisory boards can provide important and useful information and ideas to the Town Board when it is reviewing and considering appropriate action or policy with regard to Town issues, functions and/or projects. Advisory boards can assist the Town Board by reviewing, researching and gathering information and presenting such information, findings and/or recommendations, ideas and opinions to the Town Board. Further, a formal and organized advisory board can provide a vehicle for interested citizens to share their ideas and expertise with the Town Board. Such boards would also provide the means for interested citizens to be more involved in their community. In view of the foregoing, it is the Town Board's determination that advisory boards can assist and benefit the Town Board, as well as the entire community.

Section III: CREATION OF NEW CHAPTER.

A new Chapter, to be known as Chapter ___: Advisory Boards, shall be added to the Code of the Town of Amenia, and shall read as follows:

Chapter ___: Advisory Boards

§ __-1. Purpose and intent.

The Town Board of the Town of Amenia hereby determines that organized advisory boards can provide important and useful information and ideas to the Town Board when it is reviewing and considering appropriate action or policy with regard to Town issues, functions and/or projects. Advisory boards can assist the Town Board by reviewing, researching and gathering information and presenting such information, findings and/or recommendations, ideas and opinions to the Town Board. Further, a formal and organized advisory board can provide a vehicle for interested

citizens to share their ideas and expertise with the Town Board. Such boards would also provide the means for interested citizens to be more involved in their community. In view of the foregoing, it is the Town Board's determination that advisory boards can assist and benefit the Town Board, as well as the entire community.

§ __-2. Title.

This article shall be known as and entitled "Advisory Boards."

§ __-3. Statutory authority.

The Town Board of the Town of Amenia hereby enacts this local law under the authority granted by Municipal Home Rule § 10, Subdivision 1(i).

§ __-4. Authorization to establish advisory boards by resolution.

The Town Board of the Town of Amenia may, by resolution and subject to the provisions set forth in this Chapter, establish advisory boards.

§ __-5. Purpose and authority of advisory board.

A. Advisory boards will act in an advisory capacity only, to the Town Board. The members will not be empowered to exercise any powers on behalf of the Town Board or bind the Town Board or the Town of Amenia in any way.

B. The purpose for which the advisory board is created and for which it will meet and hold discussions shall be for the purpose of reviewing, researching, gathering information and presenting such information, findings and/or recommendations, ideas and opinions to the Town Board concerning such matters as the Town Board shall, with particularity, specify in the resolution establishing the advisory board.

§ __-6. Membership; officers; voting rights; terms of office; qualifications.

A. Advisory boards must be comprised of members who are residents of the Town of Amenia and who have such qualifications as may be determined to be appropriate by the Town Board of the Town of Amenia, except that no person who is a member of the Town Board shall be a member of an advisory board.

B. Advisory boards will consist of that number of members that the Town Board shall determine by resolution to be appropriate in each instance that an advisory board is established. In determining the appropriate number of members, the Town Board may use any formula it feels is appropriate and may, from time to time, by resolution, adopted by majority vote, increase or decrease the number of members it deems necessary or appropriate, except that a decrease in the number of members shall not take effect until the expiration of the terms of the current board members and, therefore, shall not result in a removal of any member before the expiration of a term.

C. Officers shall be named for the advisory board and shall have the duties as follows:

(1) A Chairperson shall be named and shall have the duty of calling meetings, as set forth in this Chapter, and shall also preside over all meetings.

(2) The Chairperson shall be selected by the sitting members, except that, upon failure of the sitting members to do so, or agree upon a Chairperson within 60 days of the establishment of the advisory board, or the resignation or lapse of term of the Chairperson therefor, the Town Board shall select a Chairperson from any one of the members of the board.

(3) The advisory board may elect from among its members a Vice Chairperson and Secretary.

D. All members of the advisory board, including officers, will be voting members.

E. Terms of office and vacancies shall be filled as follows:

(1) Advisory committee members will serve at the pleasure of the Town Board for a two-year term commencing on the first day of January and may be removed by the Town Board at any time, with or without cause.

(2) If a vacancy shall occur on the advisory board, other than by expiration of a term, the Town Board shall appoint a new member for the unexpired term.

§ __-7. Procedures of the advisory boards.

A. The advisory board must meet at least quarterly, or at such other intervals as the Town Board shall require or specify by resolution, at the call of the Chairperson. Additional meetings may be called upon at least five days' notice by the Chairperson or by petition of a majority of the board.

B. All meetings of the advisory board must be held on notice to the Town Board, which must receive the same notice as is given members of the advisory board, and the members of the aforesaid Town Board shall be entitled, as of right, to attend any meeting called, whether the same is open or in executive session; provided, however, that members of the Town Board shall not be considered members of the advisory board and shall not be entitled to vote on any matter before the advisory board.

C. All meetings of the advisory board must be open to the public, except that executive sessions will be allowed to the extent permissible under the Public Officers Law of the State of New York.

D. Public notice of every meeting held by the advisory board must be given in accordance with the applicable provisions of the Public Officers Law of the State of New York while notice to members must be given in accordance with the provisions set forth hereinabove.

E. Written minutes must be kept of all meetings of each advisory board. Motions, resolutions and votes thereon must be recorded in their entirety.

F. Discussions occurring at the meetings or leading to motions or resolutions must be briefly summarized.

G. The advisory board shall operate in accordance with Robert's Rules of Order or in accordance with any agreed upon variation thereof, which may include any modification or elimination of such rules as may be agreed upon by unanimous vote of all board members.

H. Each advisory board must file, with the Town Clerk, a copy of any minutes, reports or other information or records gathered by the Board as a result of meetings held.

I. When requested, the Chairperson or other designated member of the advisory board shall report directly to the Town Board either in writing or by attendance at a Town Board meeting, as may be agreed upon by the members of the Town Board by resolution. Any recommendation or other resolutions of the advisory board will be deemed binding and a representation of the board, only if adopted by majority vote of the total number of members of the advisory board.

§ __-8. Appropriations for advisory boards.

Advisory board members shall serve without pay. The Town Board may authorize the payment of the just and reasonable actual expenses of the members of such advisory board, such expenses including the cost of photocopying, typing and, if necessary, mileage. No payment of the just and reasonable actual expenses of the members or any other payments shall be made to the members of the advisory board unless the Town Board shall have, by resolution adopted by majority vote, approved of the incurring of the expense prior to the time that the expense was incurred.

§ __-9. Abolishment of advisory board.

The Town Board of the Town of Amenia shall have the right, at any time, to abolish any board established by resolution in accordance with this Chapter.

§ __-10. Inapplicability of this Chapter to other committees, boards and appointments.

The foregoing provisions of this Chapter shall not apply to the following:

A. Town Board committees consisting of Town Board members which the Town Supervisor has sole discretion to create and appoint to aid and assist the Town Board in the performance of its duties.

B. Boards and committees established by other local laws or ordinances, including but not limited to the Planning Board, Zoning Board of Appeals, Conservation Advisory Council and Ethics Board.

Section IV: SEVERABILITY.

A. If a court of competent jurisdiction finds any provision(s) of this law invalid, in whole or in part, the effect of such decision shall be limited to those provisions which are expressly

stated in the decision to be invalid, and all other provisions of the law shall continue to be separately and fully effective.

- B. If a court of competent jurisdiction finds the application of any provision of this law to any building, other structure or tract of land to be invalid, in whole or in part, the effect of such decisions shall be limited to the person, property or situation involved in the controversy, and the application of any such provision to any other person, property or situation shall not be affected.

- C. The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality, or inapplicability, shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their application to other persons or circumstances. It is hereby declared to be the legislative intent of the Town Board of the Town of Amenia that this Local Law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part thereof is held inapplicable had been specifically exempt therefrom.

Section V: NUMBERING FOR CODIFICATION.

It is the intention of the Town of Amenia and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of Amenia, that the sections and sub-sections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; the Codifier shall make no substantive changes to this Local Law; the word "Local Law" shall be changed to "Chapter", "Section" or other appropriate word as required for codification; and any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code effected thereby.

Section VI: EFFECTIVE DATE.

This Local Law shall take effect upon its adoption and filing with the Secretary of State in accordance with the provisions of Section 27 of the Municipal Home Rule Law.