

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one:)

of West Seneca

Local Law No. 2 of the year 2024

A local law to amend Chapter 11 Youth and Recreation Commission

(Insert Title)

Clarification of code provisions and prior amendments.

Be it enacted by the Town Board of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of West Seneca

as follows:

Clarification of conflicting code provisions and in light of the prior amendment to section 11-3(A) with respect to membership, a public hearing is needed to remove section 11-3(B)(1). Subsection 2 would remain continuing three year terms for the commission members and be renumbered (B)(1).

See attached

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2024 of the ~~(County)(City)(Town)(Village)~~ of West Seneca was duly passed by the Town Board on July 15 2024, in accordance with the applicable *(Name of Legislative Body)* provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20   , in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local *(Elective Chief Executive Officer\*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20 \_\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20 \_\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

*Kate Newton Town Clerk*

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: September 10, 2024

(Seal)

# Chapter 11

## Youth and Recreation Commission

[HISTORY: Adopted by the Town Board of the Town of West Seneca 6-20-2011 by L.L. No. 1-2011; amended in its entirety 5-17-2021 by L.L. No. 3-2021. Amendments noted where applicable.]

### § 11-1 Legislative intent.

The purpose of the Youth & Recreation Commission is to promote recreation and social programs in the Town of West Seneca by acting in an advisory capacity to the Town Board and by serving as a liaison between the Town Board, Recreation Department, and Town residents on programs, facilities, parks, and other matters pertaining to recreation. The Commission's main function is to develop a sense of community and enhancement of the Town residents' quality of life by providing recreational opportunities and social programs to youth and adults.

### § 11-2 Establishment of Youth and Recreation Commission.

The Town Board of the Town of West Seneca hereby creates a commission which shall be known as the "Town of West Seneca Youth and Recreation Commission," hereinafter called the "Commission."

### § 11-3 Membership.

[Amended 6-6-2022 by L.L. No. 7-2022;8-1-2022 by L.L. No. 10-2022]

- A. Except where otherwise provided, all members shall be residents of the Town of West Seneca with a proven interest in serving the needs and interests of the Town's residents. The Commission shall consist of seven ~~nine~~ voting members, as follows:
- (1) One member selected by the West Seneca Recreation Supervisor and one member by the Highway Superintendent, none of whom shall be an employee of the Town;
  - (2) Each Town Board member (five) shall appoint one member each;
  - ~~(3) Three members selected by the West Seneca Recreation Supervisor and approved by the Town Board from organizations/individuals affiliated with the West Seneca School District who are not required to be residents of the Town of West Seneca; and~~
  - (4) The Highway Superintendent, ~~Town Attorney, Town Finance Director,~~ Recreation Supervisor, and Town Board Liaison to Recreation shall serve as ex officio members of the Commission without voting rights.
- B. Terms of membership. All terms expire after three years. Members may be reappointed to serve on the Commission.



~~(1) Following appointments every three years.~~

~~C. Ex officio members without voting rights:~~

~~(1) Recreation Supervisor.~~

~~(2) Highway Superintendent.~~

~~(3) Town Attorney.~~

~~(4) Director of Finance.~~

~~(5) Town Board Liaison to Recreation.~~

C D. Vacancies on the Commission shall be filled in the same manner as the original appointment, except that a vacancy occurring other than by the expiration of term of office shall be filled only for the remainder of the unexpired term.

#### **§ 11-4 Selection of Chairman and Recording Secretary.**

At the first meeting of the Youth and Recreation Commission, its members shall elect from among themselves a Chairman and Recording Secretary. The Commission shall use as a guide ~~maintain~~ Roberts Rules of Order and/or follow any Town of West Seneca procedures and policies for meetings. It shall keep accurate records of its meetings and activities and shall file an annual report as provided in § 11-5 of this chapter.

#### **§ 11-5 Powers and duties of members.**

The powers and duties of the Youth and Recreation Commission shall be to:

- A. Complete at least bi-annual survey of Town residents to assess the recreational needs and interests in West Seneca using the information obtained in the survey.
- B. Develop and/or work in conjunction with a professional retained by the Town with respect to a master plan for recreation, including parks, facilities, and programs that meet the future needs of the community, including recommending any acquisitions, design and improvement of current and future facilities.
- C. Recommend all service, participation, registration and admission fees.
- D. Provide well-researched and well-thought-out recommendations to the Town Board to enhance and/or expand recreation. The Commission may be tasked with carrying through these recommendations, if approved by the ~~West Seneca~~ Town Board.
- E. The Commission shall recommend various community events and assist the Recreation Department by volunteering at other programs and events.
- F. The Commission works to establish and maintain cooperative relationships with

community partners and other local recreation groups and agencies.

- G. Hold meetings on a bi-monthly ~~quarterly~~ basis at a minimum.
- H. Three unexcused absences in a period of two years may be regarded as grounds for termination of Recreation Commission membership. A determination of excused/unexcused absences shall be made by the Town Board.
- I. Advise Town officials and assist in the development and maintenance of a capital plan to enhance recreation opportunities for all residents of all ages.
- J. Increase community input.
- K. The members must work closely with the Town Board, Recreation Supervisor, and Highway Superintendent.
- L. Periodically review and recommend ~~Adopt~~-suitable rules of conduct for use of all recreational facilities and the conduct of all persons while on or using the same.

#### **§ 11-6 Reports.**

The Youth and Recreation Commission shall submit an annual report to the Town Board no later than the April 1<sup>st</sup> of each year. The report must include a detailed summary of the activities and work of the Commission for the past year, including but not limited to, any recommendations made and the outcome of those recommendations, all programs/events that took place, fees collected, etc. From time to time, the Commission may be asked by the Town Board to submit an interim report, as may be necessary to fulfill the purposes of this chapter. Interim reports shall be due 30 days from the date requested by the Town Board.

#### **§ 11-7 Compensation and expenses.**

The members of the Commission shall receive no compensation for their services as members but may be reimbursed from funds raised by and held for the benefit of the Commission for reasonable and necessary expenses incurred in the performance of their duties upon the submission of such documentation as may be required by the Town. All funds must be held in an account established and maintained by the Town Finance Department. The Commission must follow the Towns Purchasing Policy and vendor payment policy.

#### **§ 11-8 Open meetings.**

The Commission shall be subject to the New York State Open Meeting Law. As such, the meeting shall be public meetings and minutes shall be taken.

#### **§ 11-9 Town policies.**

All members of the Commission shall abide by the Town of West Seneca Ethics Code, Whistleblower Policy, ~~and~~ Social Media Policy, and all other relevant policies as determined by the Board.

**§ 11-10 Construction.**

This chapter shall be deemed an exercise of the powers of the Town of West Seneca to preserve and improve the quality of life on behalf of the present and future inhabitants thereof. This Chapter is not intended and shall not be deemed to impair the powers of any other public corporation.

**§ 11-11 When effective.**

This chapter shall become effective immediately upon its enactment by the Town Board after proper filing, including filing with the office of ~~the State Comptroller and the Office of the~~ Secretary of State.