

PROPOSED LOCAL LAW # 9 FOR 2020

A Local Law modifying the Berne Town Code Related to the Recreation and Parks Advisory Board

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BERNE, NEW YORK AS FOLLOWS:

Section 1.

The Code of the Town of Berne shall be modified by amending Chapter 59 to read as follows:

Chapter 59 Recreation and Parks Advisory Board

§ 59-1 Establishment.

The council that was known as the "Switzkill Farm Board" shall now be renamed and established, in and for the Town of Berne, Pursuant to Article 13, General Municipal Law, as the "Berne Recreation and Parks Advisory Board", which shall have all the powers and be subject to all of the responsibilities given to , imposed on or required of such a Board under the appropriate laws of the Town of Berne and the State of New York.

§ 59-1 a. Definitions.

Town Park - Any park, playground, athletic field, swimming pool, beach, Town-owned land and land under water owned by the Town of Berne and any recreation or conservation area under the jurisdiction of the Town Board, whether the same be now or hereafter owned or acquired by the Town of Berne in fee or otherwise, including all land under, and space above, the surface of the ground.

Member - An individual appointed by the Berne Town Board to serve on the Recreation and Parks Advisory Board pursuant to the provisions of the applicable law, local law or ordinance that establishes the Recreation and Parks Advisory Board for the Town of Berne.

§ 59-X. Purpose and objective.

The purposes and objectives of this Board shall be as follows:

- A. To plan, develop and provide opportunities for the residents of the Town for relaxation, recreation and enjoyment in all Berne town parks and recreational areas.
- B. To encourage community participation and achieve maximum return to the Town by supporting broad use of all parks, recreational and conservation areas.
- C. To manage all Berne parks, recreation and conservation areas as a cohesive system, capitalizing on the strengths of each property and expanding the possibilities for use.

§ 59-X. Statutory authority.

The Town Board has adopted this chapter under the authority Pursuant to Article 13, General Municipal Law, of the New York Municipal Home Rule Law.

§ 59-2. Membership.

The Recreation and Parks Advisory Board shall consist of nine members who shall be appointed by the Town Board for terms of two or three years. One member shall be appointed by the Town Board to serve as the Chairperson. Five members shall be appointed to three-year terms, and four members shall be appointed for two years. Vacancies on the Recreation and Parks Advisory Board 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. All regular and alternate members of the current Switzkill Farm Board, serving at the adoption and effective date of this local law shall serve the balance of their unexpired terms. Thereafter, all appointments or reappointments shall be made as above.

§ 59-3 Officers and Committees.

Officers of the Recreation and Parks Advisory Board shall consist of a Chairperson and a Vice Chairperson to be appointed by the Town Board. The Recreation and Parks Advisory Board shall make a recommendation for each position to the Town Board. Each year, at the first meeting of the Recreation and Parks Advisory Board, committees shall be established, and the chairperson of those committees shall be appointed with the consensus of the majority of the Recreation and Parks Advisory Board members. The Recreation and Parks Advisory Board shall appoint a recording secretary to keep meeting minutes at this first meeting.

§ 59-4 Meetings.

- A. The Recreation and Parks Advisory Board shall meet monthly, at a regularly scheduled time and place, with additional meetings scheduled as needed. Emergency meetings should be conducted with a forty-eight-hour notice when possible, but with never less than two hours' notification. The Town Clerk must be notified of changes to the meeting, including emergency or special meetings. Special meetings may be called at the discretion of the Chairperson or may be called at the written request of five members, for the purposes stated in the call for the meeting.
- B. Meeting agendas and notices shall indicate the time, date, and place of the meeting, and indicate all subject matters intended for discussion. A period of public comment may be made available to attendees. Accurate records of Recreation and Parks Advisory Board meetings, including Board members present, all motions enacted and by whom, and the proceedings of the meeting, shall be kept by the recording secretary and filed with the Town Clerk within five days.
- C. A quorum of five members is necessary for the transaction of business.

- D. The Town Board may remove, after public hearing, any member of the Recreation and Parks Advisory Board for cause, including non-compliance with minimum requirements relating to meeting attendance and/or training as applicable, established by the Town Board and set forth in the Town's Training and Attendance Policy.

§ 59-5 Powers and Duties.

Powers and duties of the Board are as follows:

- A. Strategic planning, including but not limited to the following:
 - 1. Update a comprehensive development plan for all town parks, recreation and conservation areas every year.
 - 2. Consider and recommend ideas and present proposals for capital improvements of the parks and recreation areas to the Town Board.
 - 3. Foster strategic partnerships, working cooperatively with those partners to enhance programming and usage.
 - 4. Recommend policies and regulations to the Town Board that enhance the use of the town parks and recreation areas while promoting safety and security.
 - 5. Identify and define the design of programs and services.
 - 6. Facilitate relationships with all town parks, recreation and conservation area special interest support groups, to align their support with all town park needs.
 - 7. Suggest needed funding through budget requests to the Town Board.
- B. Guide the development, growth and uses of all Town Parks and their facilities, including but not limited to the following:
 - 1. Establish committees such as education, program, land and publicity committees to structure events and activities, and to enhance use of the town parks and recreation areas.
 - 2. Refine, develop, and implement quality programs designed to engage the public.
 - 3. Monitor strengths, weaknesses and the contributions of programs.
 - 4. Suggest and implement options for strengthening programs and services.
 - 5. Foster diverse uses of the town parks and recreation areas, such as stargazing, birding, drama productions, geocaching, concerts, guided hikes, cross-country races, etc.

6. Identify and write grants that support and enhance programs and services provided by and in all town parks and recreation areas.
 7. Submit grants requiring matching funds to the Town Board for approval prior to application.
 8. Develop resources such as picnic and camping areas, an amphitheater, maps, and information boards that enhance use of all town parks and recreation areas.
 9. Identify and help solve day-to-day problems.
 10. Obtain Town Board approval for any significant changes to landscape, buildings, trails, rules or regulations that pertain to town park or recreational area use and functions.
 11. Obtain Town Board approval for any programs involving children unaccompanied by parents, legal guardians, or other parent-authorized adults. This would include but is not limited to bus trips and overnight excursions.
- C. Serve as an advocate for all town parks and recreational areas, including but not limited to the following:
1. Inform the public of facilities and programs available at all town parks and recreational areas.
 2. Advertise relevant information of upcoming events to the public through various media outlets, ads, and online resources.
 3. Enlist residents to join in projects and scheduled activities.
 4. Seek to engage and elicit input from the public.
 5. Provide the Town Board with feedback from the public.
 6. Develop relationships with local civic groups to foster use of all town parks and recreational area resources.

§ 59-6 Powers and duties of Chairperson.

Powers and duties of the Chairperson are as follows:

- A. Set the agenda for Recreation and Parks Advisory Board meetings, accepting input from Recreation and Parks Advisory Board members.
- B. Act as the Chairperson for all Recreation and Parks Advisory Board meetings.
- C. Authorize special meetings.

- D. Approve, supervise and evaluate programs and activities with other Recreation and Parks Advisory Board members.
- E. Be responsible for all required reports and documentation.
- F. Ensure materials and supplies are ordered pursuant to the Town of Berne procurement policy.
- G. Sign, approve, and oversee grants to ensure compliance with grant guidelines.
- H. Inform the Vice Chairperson in the event of a necessary absence, providing information for him/her to successfully chair the meeting.
- I. Approve requests from the Recreation and Parks Advisory Board for budget funding and ensure materials and supplies are ordered in accordance with the Town of Berne procurement policy.
- J. Be an ex-official member of all committees and subcommittees so appointed.
- K. Be responsible for providing quarterly reports to the Town Board, consisting of reports, actions, results of workshops, future initiatives, attendance, and any other such items as may be in the interests of the Town Board and Town at large.

§ 59-7 Powers and duties of Vice Chairperson.

Powers and duties of the Vice Chairperson are as follows:

- A. The Vice Chairperson shall assume and perform the duties of the Chairperson in the event of the absence or disability of the Chairperson, or if a vacancy of that office occurs.
- B. The Vice Chairperson shall assume delegated duties and functions of the Chairperson in his/her absence, or in the event of excessive demand on the Chairperson.
- C. The Vice Chairperson shall represent the Recreation and Parks Advisory Board in circumstances when the Chair is not available.

§ 59-8 Finances.

- A. Yearly appropriations will be determined by the Town Board.
- B. The Recreation and Parks Advisory Board may conduct fundraising with Town Board approval.
- C. The Recreation and Parks Advisory Board may accept donations. All monetary funds must be turned in to the Town Clerk for deposit in the Town's General Fund.

- D. The Recreation and Parks Advisory Board Chairperson must sign and approve all grant requests, submitting any requiring matching funds to the Town Board for approval before applications are submitted.

§ 59-9 Reports.

The Chairperson of the Recreation and Parks Advisory Board shall submit quarterly and annual reports to the Town Board, outlining the activities, programs, and work of the Recreation and Parks Advisory Board throughout the year. It shall include any recommendations that will foster the development and growth of the park. Other reports and recommendations the Recreation and Parks Advisory Board deems necessary or advisable, or are requested by the Town Board, shall be submitted by the Chairperson.

§ 59-10 Compensation and expenses.

The Chairperson of the Recreation and Parks Advisory Board shall receive compensation for their services. Other members of the Recreation and Parks Advisory Board shall receive no compensation for their services as members thereof.

Section 2. Effective date

This Local Law shall take effect immediately upon filing with the Secretary of State.