

TOWN OF ROCHESTER

50 Scenic Drive • P.O. Box 65 • Accord, NY 12404
Area Code 845



Procedure for Appointments to Boards and Commissions of the Town of Rochester Adopted by the Town Board on January 5, 2006

1. Authority

In accordance with State Law, the Town Board has the authority to appoint members and officers of Boards and Commissions and make other citizen appointments for terms prescribed by applicable law. These Boards, Commissions, and citizen appointments include (but are not limited to):

Name of Board or Commission	Term	# of Members	Legal Reference
Environmental Conservation Commission	Pleasure of Town Board up to 3 years	3 to 9, and may include 2 youth members aged 16 to 21	Code of Town of Rochester (the "Code"), Section 14-4
Historic Preservation Commission	3 years	7 to 15	Code, Section 22-1
Planning Board (Training Required)	7 years, alternate serves 2 years	7, plus one alternate	Code, Section 37-1 and NYS Town Law Section 271. Alternates appointed under Code, 38-4
Zoning Board of Appeals (Training Required)	5 years	5, plus one alternate	Code, Section 140-60
Board of Assessment Review (Training Required)	5 years, expiring Sept. 30	3 to 5	NYS Real Property Law, Title 1a, Section 523
Board of Ethics	At the pleasure of the Town Board 3 years	3, including 1 town employee or elected official	Code, Section 17-7
Historian ¹	At the pleasure of the	1	NYS Arts and Cultural Affairs Law, Section 57.07

¹ NYS Arts and Cultural Affairs Laws Section 57.07 give the Town Supervisor the power to appoint the Town Historian.

	Town Supervisor		
Youth Commission	At the pleasure of the Town Board 3 years	6-12 members, of whom at least half must be 21 yrs and remaining members may be 14 yrs and older	Town Board Resolution adopted December 7, 2006.

2. **Appointment Process**

A. **Advertisement**

The Town Board shall authorize and direct the Town Clerk to advertise any vacancy or expiring term of any Town board, commission or citizen appointment to solicit applications or letters of intent for such positions at least ten days but not more than 60 days before filling any such vacancy. Such advertisement shall be made in the newspaper of record for at least one day and on the Town Clerk's bulletin board during the entire notice period and state a date by which applications or letters of intent are due. Such applications and letters shall be directed to the Supervisor.

The Supervisor shall endeavor to announce any vacancy or term expiration at the regularly scheduled Town Board meeting that occurs in the month prior to such expiration or vacancy.

B. **Application**

Applications shall be accepted from residents of the Town in the form attached or in the form of a letter of intent containing answers to the questions on the attached form. Such applications or letters of intent shall be directed to the Supervisor who shall compile them and distribute copies to the Town Board. The Supervisor or his or her designee shall promptly acknowledge receipt of each application or letter of intent by letter, email or telephone call.

C. **Review Process**

The Town Board shall review and discuss all applications and letters of intent in executive session. The vote to select any candidate shall, however, be made at a public meeting of the Town Board. The Town Board may also decide not to appoint or re-appoint any of the candidates and direct the Town Clerk to advertise for more applications or letters of intent with a new deadline. The Town Board may, at its discretion, also retain prior letters for reconsideration at another date for subsequent vacancies.

D. **Notification**

The Supervisor shall promptly notify each appointee by letter. Such notification letter shall include a copy of the relevant laws relating to the position, the expiration date of the appointment and indicate any oath or training requirements. This letter shall also indicate the honoraria paid, if any, subject at all times to the budget allocation by the Town Board.

The Supervisor shall also promptly notify other applicants that the position has been filled by the Town Board.

3. **Oath of Office**

Section 25 of NYS Town Law requires that all officers of the town take the required oath of office before entering the duties of such office. Section 10 of Public Officers Law requires that the taking of such oath be filed with the office of the Town Clerk, who maintains an Oath Book. Such written filing must occur within 30 days of taking office.

Town officers are deemed to be any individuals who occupy a position where the functions and duties of such office directly affect the citizens of the Town and the exercise of the powers of the town in such position. This includes members of the Planning Board, Zoning Board of Appeals, and the Board of Assessment Review, for whom the oath of office is required.

Members of other boards and commissions are encouraged to take and file the oath of office.

4. **Ethics Law**

All appointees are subject to and shall adhere to the Code of Ethics adopted by the Town Board on 2/15/05.

