

RESOLUTION NO.: 35 - 2022

OF

FEBRUARY 14, 2022

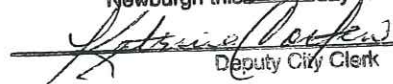
A RESOLUTION ADOPTING THE CITY OF NEWBURGH  
BOARD AND COMMISSION APPOINTMENT POLICY AND PROCEDURE

BE IT RESOLVED, that the Council of the City of Newburgh, New York hereby adopts the City of Newburgh Board and Commission Appointment Policy and Procedure, a copy of which is attached hereto and made a part of this Resolution; and

BE IT FURTHER RESOLVED, that the City of Newburgh Board and Commission Appointment Policy and Procedure shall take effect on February 15, 2022.

I, Katrina Cotten, Deputy City Clerk of the City of Newburgh  
hereby certify that I have compared the foregoing with the  
original resolution adopted by the Council of the City of  
Newburgh at a regular meeting held 2/14/22  
and that it is a true and correct copy of such original.

Witness my hand and seal of the City of  
Newburgh this 15<sup>th</sup> day of Feb 20 22

  
Deputy City Clerk

**CITY OF NEWBURGH**  
**BOARD AND COMMISSION APPOINTMENT POLICY AND PROCEDURE**

I. Purpose

To implement a uniform policy and procedure for the appointment of individuals to serve on the City's boards and commissions.

II. General

Consistent with New York State Law and the Newburgh City Charter and Code of Ordinances, the City Council and the City Manager have the authority to appoint members of the City's boards and commissions for terms prescribed therein. The City's boards and commissions are listed in Appendix A.

The Executive Office, the City Clerk and the Corporation Counsel are responsible for administering this policy.

No member of City staff, either full-time, part-time, seasonal or temporary, may be appointed to serve as a voting member of a City board or commission unless specifically provided in the board or commission enabling legislation.

Each year, on or before December 31, the Executive Office in consultation with the City Clerk will prepare and provide to the City Council a list of all board and commission members in the City. The appointment list will include list of all current City board and commission vacancies which will expire during the next calendar year with the name of the incumbent appointee, the date of appointment, and the date the term expires. The appointments list will be made available to members of the public on the City's website.

III. Appointment Process

A. The Executive Office will advertise any vacancy or expiring term of any City board or commission for the purpose of soliciting applications or letters of intent for such positions at least 30 days but not more than 60 days before filling any such vacancy. Such advertisement will be made in the newspapers of record, City website, and City social media during the notice period and include the board or commission name, minimum qualifications (if applicable), current date/time/place/frequency of meetings, term of office, date by which applications or letters of intent are due, and directions to submit such applications and letters to the Executive Office. The City Manager will include an announcement of any vacancy or term expiration during the City Manager's Update at each Council meeting that occurs in the month before term expiration and as soon as practicable after a vacancy occurs.

- B. Applications will be accepted from applicants 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 Executive Office.

All incumbent board and commission members seeking re-appointment to a new term must submit an application form or a letter of intent containing answers to the questions in the application form.

The Executive Office will retain the applications received for boards and commissions appointed by the City Manager.

The Executive Office will receive, compile and distribute copies of applications for boards and commissions appointed by the City Council to the City Council.

- C. The Review Process

- 1. City Council appointments

The City Council will review all applications and letters of interest at a work session but may conduct such review in an executive session. The City Council may select candidates for interviews. The Council may conduct interviews in an executive session. The Council may discuss applications following the conduct of any interviews and may conduct those discussions in an executive session. The vote to appoint a candidate to any board or commission shall be by resolution at a public meeting of the City Council.

- 2. City Manager appointments

The City Manager will review all applications and letters of interest. The City Manager may select candidates for interviews. The City Manager's appointment of a candidate to a board or commission shall be confirmed by a letter as provided in Section III(D).

- 3. The City Council and/or the City Manager may decide not to appoint or reappoint any of the candidates and instead direct the Executive Office to re-advertise for applications and letters of intent with a new deadline for submission. The City Council and/or City Manager may retain applications received from any solicitation for subsequent consideration for future vacancies for up to one year, at which time such applications shall be considered expired.

- D. Notification

1. Each appointee shall be notified by letter. The Executive Office is responsible for preparing letters of appointment for the City Manager and letters confirming appointments by City Council which will be signed by the City Manager.
  
2. Each notification letter shall include the name of the board or commission to which the appointment is made; a copy of the resolution of the City Council, where the appointment is made by City Council; the term of the appointment, including expiration date; oath requirements and procedure; training requirements; a copy of the board or commissions enabling law; and a copy of the City's Ethics Code located in Chapter 34 of the City Code of Ordinances.
  
3. The Executive Office will be responsible for notifying other applicants that the position has been filled. This notification may be made by mail or e-mail.

IV. Schedule of Boards and Commissions

The Schedule of Boards and Commissions will be reviewed annually and updated to include boards and/or commissions created by law or ordinance; to delete boards and/or commissions repealed by law or ordinance; and to modify based on amendments made by law or ordinance.

Name of Board or Commission	Method of Appointment	Term	Number of Members	Legal Reference
Architectural Review Commission	City Manager	5 years	7 2 alternates	NYS General Municipal Law, Article 5-K City Code Chapter 300
Arts and Cultural Commission	Council	3 years	No fewer than 9 and no more than 15	City Code Chapter 14
Board of Assessment Review	Council	5 years	no fewer than 3 and no more than 5	NYS Real Property Tax Law Article 5 City Charter Section C7.30
Board of Electrical Examiners	City Manager	serve until successors appointed and qualified	5	City Code Chapter 30
Board of Ethics	Council	At the pleasure of the Council	5	NYS General Municipal Law Article 18

				City Code Chapter 34
Conservation Advisory Council	Council	2 years	7	NYS General Municipal Law Article 5 & Article 12-F, NYS Executive Law City Code Chapter 159
Citizens Advisory Committee	Council	2 years	7	City Code Chapter 12
Civil Service Commission	Council	7 years	3	NYS Civil Service Law City Charter Section C15.10
Districting Commission	Council	Date of appointment to 60 days after map is filed	7	City Charter Section C1.21
Examining Board of Plumbers	City Manager	3 years	5	NYS General City Law Article 4 City Code Chapter 230
Human Rights Commission	Council	3 years	7	NYS General Municipal Law Article 12-D City Code Chapter 51
Newburgh Housing Authority	City Manager	5 years	7 5 appointed 2 tenant-elected	NYS Public Housing Law Article III; Section 453
Newburgh Industrial Development Agency	Council	At the pleasure of the Council	not less than 3 or more than 7	NYS General Municipal Law Article 18-a; Section 913
Police Community Relations and Review Board	Council	3 years	7 – one from each ward & 3 at large	City Code Chapter 72
Planning Board	City Manager	7 years	7 2 alternates	NYS General City Law Article 3

				City Code Chapter 76 and Chapter 300
Strategic Economic Development Committee	Mayor	At the pleasure of the Mayor		Community Advisory
Transportation Advisory Committee	Council	2 years	9 – 6 residents; 1 representing an agency advocating for persons with disabilities; 2 City employees from Engineering; Planning & Development or Public Works	City Code Chapter 71
Zoning Board of Appeals	Council	7 years	7 2 alternates	NYS General City Law Article 5-a City Code Chapter 300

V. This policy is effective February 15, 2022.