Town Board Member Responsibilities:

The legislative authority of the town rests in the town board, which is the governing board of the town. The town board, among other functions, generally fills vacancies in town offices, elective or appointive; may select a town attorney and a town engineer; appoints constables or police officers; and provides for the hiring of other employees as necessary for the conduct of the town’s business (Town Law, Sections 20 and 64). Certain highway employees are hired by the highway superintendent, but within appropriations authorized by the town board (Highway Law, Section 140[4]). The town board adopts a budget, fixes the salaries of officers and employees, establishes rules of board procedure and designates the official newspaper of the town. Other functions are so numerous that only a sample can be given here. The town board may provide for the construction of drainage flood control facilities; provide for towers to be built, at the request of the Department of Environmental Conservation, to watch for forest fires; buy and install traffic control equipment; provide for feeding deer; provide for certain public health services; establish a publicity fund; regulate certain dangerous conditions; sponsor band concerts; compromise or settle claims; call special town elections; license certain occupations; provide for town improvements; establish fire, fire alarm and fire protection districts; create improvement districts; and designate depositories for town moneys. The general powers of the town board are set forth primarily in Section 64 and other sections of the Town Law. Most of the functions of the town board are set forth in the Town Law. However, some functions are set forth in other statutes such as the General Municipal Law, the Highway Law, the Education Law, the Agriculture and Markets Law, and the Not-for-Profit Corporation Law. In addition, town boards may adopt local laws pursuant to the home rule powers granted by Article 9 of the State Constitution and the Municipal Home Rule Law. Meetings Certain budget and organizational meetings are required by law (Town Law, Sections 62, 106 and 109). In towns of the first class, the law provides that at least one meeting be held each month; we recommend this for all towns. With limited exceptions, the meetings must be held within the town at a location specified by resolution of the town board. In a town of the second class, there is no specific statutory requirement for the number of town board meetings that must be held. However, the law does provide for certain meetings and hearings, such as the hearing on the preliminary budget, an annual accounting day and others (Town Law, Sections 106 and 123). Beyond these requirements, a town board is generally free to establish, by resolution, a time, date and place for regular meetings (Town Law, Section 62; Public Officers Law, Article 7). Occasionally there will be a need for a special meeting. The supervisor may call a special meeting, and must give at least two days notice in writing to members of the board as to the place and time of the meeting. When two members of the board other than the supervisor request a special meeting in writing, the supervisor must, within 10 days of the request, call a special meeting, giving at least two days notice in writing. The supervisor has no option in this matter (Town Law, Section 62).