

**Local Law # 1 of 2009**

**A Local Law Amending Local Law # 2 of 2001 Regarding the Town of Danube Cemetery Board**

**Section 1. FINDING.** As authorized by law the Danube Town Board, for more efficient governmental operation, hereby desires to continue the Cemetery Board previously created and to amend some of the provisions now applicable to such Board.

**Section 2. PURPOSE.** The purpose of the Town of Danube Cemetery Board shall continue to be the administration of care and maintenance for each of the six (6) Town of Danube Cemeteries identified as: Houpt, Garlock, Ostrander, Bellinger, Gardinier, Hess, and any others that may become the property of the Town of Danube.

**Section 3. REFORMATION.** The Town of Danube Cemetery Board shall hereafter consist of not less than three (3) nor more than seven (7) persons to be called Trustees appointed by the Town Board. Officers of the Cemetery Board shall be selected by the Town Board from among the Trustees and shall be designated as President, Vice President and Secretary/Treasurer. From the effective date of this local law the full, or pro-rata remaining, term of any sitting, or hereafter appointed, Secretary/Treasurer shall be two (2) calendar years, that of Vice President three (3) calendar years and that of President four (4) calendar years. A minimum of three (3) Trustees shall serve four (4) calendar year terms with any newly appointed Trustees drawing by lot for a specific period, or periods, designated by the Town Board from among the following: a calendar year term of four (4) years, a calendar year term of three (3) years, a calendar year term of two (2) years, or a calendar year term of one (1) year.

**Section 4. MEETINGS.** The Cemetery Board shall meet at least once annually or at any other time as either the President or Town Board may determine. During a Cemetery Board meeting a quorum of the total number of then duly appointed Trustees constituting the Board will be necessary to conduct business. The Secretary/Treasurer shall record, for public record, the minutes of each meeting and shall keep a record of all resolutions, transactions, findings and determinations. A final copy of the minutes of each Cemetery Board meeting shall be forwarded to both the Town Clerk and Supervisor within forty (40) days. Draft minutes shall be available for public inspection within fourteen (14) days of each meeting.

**Section 5. REMOVAL.** The Town Board, after public hearing, may remove any Cemetery Board member for just cause.

**Section 6. BUDGET.** The Cemetery Board may submit an annual budget request to the Town Supervisor on or before September 1 of each year. The President, with approval of the Cemetery Board, may also seek additional appropriations from the Town Board as deemed necessary for cemetery care and maintenance not provided for in the applicable yearly budget.

**Section 7. JURISDICTION.** The Cemetery Board, subject to final approval by the Town Board and any required public notice, shall adopt fee charges, regulations, interment rules and instructions applicable to cemetery lot owners.

**Section 8.** Local Law # 1 of 2001 is hereby repealed

**Section 9. EFFECTIVE DATE.** This local law shall take effect upon proper filing with the New York Secretary of State.

**Adopted on July 8, 2009 by the following vote to adopt by the Town of Danube Town Board:**

**Jodway – aye, Lasher – aye, Stock – aye, Welden – aye, Cook – absent**