

Town of Woodbury, NY
Tuesday, January 4, 2022

Chapter 60. Police Commission

[HISTORY: Adopted by the Town Board of the Town of Woodbury 5-19-2016 by L.L. No. 2-2016^[1].
Amendments noted where applicable.]

[1] *Editor's Note: This local law also repealed former Ch. 60, Police Advisory Committee, adopted 2-5-1981 by L.L. No. 3-1981.*

§ 60-1. Town Board powers.

The Town Board shall exercise all powers relating to police matters as authorized pursuant to the Town Law of the State of New York.

§ 60-2. Establishment; purpose; composition.

- A. The Town Board of the Town of Woodbury hereby determines that a board of Police Commissioners consisting of five members is hereby established in order to promote the effective management of the Town Police Department.
- B. The members of the Police Commission shall be the duly elected Town Supervisor and the duly elected Councilpersons of the Town of Woodbury. The Town Supervisor shall act as the Chairperson of the Police Commission, and, in the absence of the Town Supervisor, the Deputy Town Supervisor shall serve as the Chairperson.

§ 60-3. Board of Commissioners members; compensation; term

- A. Members of the Police Commission shall serve without compensation.
- B. Members' terms shall run concurrent with their respective elected terms of office.
- C. The Police Commission shall appoint two members to serve as liaisons to the Police Department.

§ 60-4. Rights and duties.

- A. Except as may otherwise be provided by the laws of the State of New York, and subject to the limitations contained in this chapter, the Commissioners shall:
 - (1) Solicit applications and conduct all interviews for the position of Chief of Police and call for such civil service tests and promotional lists as may be required to ensure the efficient functioning of the Police Department.
 - (2) Solicit applications and conduct all interviews for commissioned officers, after consultation with the Chief of Police.
 - (3) Conduct interviews for all new hires of the Police Department, but may delegate that duty to the Chief of Police or such other members of the Police Department as it deems necessary and advisable.

- (4) Approve the promotions of members of the Department and commissioned officers upon recommendation of the Chief of Police, who shall keep a complete service record of each member of the Police Department in accordance with applicable civil service rules.
 - (5) Adopt rules, orders and regulations for the government, discipline, administration and disposition of the Police Department and of the members thereof.
 - (6) Conduct regular performance evaluations of the Chief of Police at least once annually; developing with the Chief of Police plans to address any deficiencies in job performance; monitor progress towards improvement; and maintain and review the Police Chief's personnel file.
 - (7) Consistent with the laws of the State of New York and with the terms of any collective bargaining agreement or amendment thereof, adopt rules and regulations for the examination, hearing, investigation and determination of charges made against any member of the Police Department;
 - (8) Have access to all records of the Police Department.
 - (9) Fulfill the Town's responsibilities under collective bargaining agreements, including but not limited to the following:
 - (a) Participating in the review of grievances after they have been presented to the Chief of Police for his informal review and initial determination; if not resolved, presented again in writing;
 - (b) Providing prompt written notification to the Chief of Police whenever a civilian complaint is received regarding other members of the Police Department or when information or accusations are made by any person that an employee or commissioned officer (not including the Chief) has violated any rule, regulation or order of the Department;
 - (c) Receiving copies of any complaints against the Police Department received by the Chief of Police;
 - (d) Monitoring the disposition of complaints and/or accusations and receiving complete written reports on pending complaints or accusations and the investigation thereof, including the Police Chief's final adjudication, if any. When the Commissioners receive a report from the Chief of Police that does not contain a final adjudication, the Commissioners may dispose of the matter in a manner consistent with the terms of the existing collective bargaining agreement and/or any other statutes or regulations that may apply. In such event, the Commissioners shall issue a written decision determining the matter.
- B. The duties and responsibilities of the Police Commission shall not conflict with the duties and responsibilities of the Chief of Police, as set forth in the appropriate civil service job classification, who shall be responsible for the day-to-day operation of the Police Department.
- C. The Police Department shall prepare and submit monthly and special reports to the Commissioners through its liaisons.
- D. The Police Commission shall require, subject to budgetary restrictions imposed with respect to the Department, the Chief comply with the Commissioners' established policy with respect to purchases. Competitive bidding requirements, including the advertisement, acceptance and the letting of contracts shall be the responsibility of the Town Board. All vouchers will be signed by the Commissioners.
- E. Commissioners must approve all training for the entire Department.

§ 60-5. Oath of office; insurance and indemnification; operations.

- A. The Commissioners shall file an oath of office with the Town Clerk upon commencement of their duties and shall be governed by all applicable state and local laws, rules and regulations, including the provisions of the Town Code with respect to ethical conduct, and shall be deemed employees of the Town for the purposes of defense and indemnification as set forth in the Town Code. All decisions and actions of the Commissioners shall be formally voted upon, with a majority vote of the full Commission needed to pass any motion, proposal or resolution.
- B. Meetings shall be called consistent with the provision of Article 7 of the Public Officers Law (Open Meetings Law), and all member of the Commission shall be given prior, written notice of the time and place of all Commission meetings, except in emergency circumstances when personal and/or telephone notice shall be deemed to be sufficient. Special meetings may be called by the Chairperson of the Commission or by any three Commission members.
- C. The Commission shall hold meetings which shall be publicly announced and open to the public pursuant to the Open Meetings Law of the State of New York (Public Officers Law, Article 7). A voting record shall be compiled that identifies how individual members voted on motions, proposals and resolutions of the Commission.
- D. In addition, minutes of open meetings (and executive sessions at which a final determination of action was taken) shall be compiled pursuant to the Open Meetings Law and made available to the Records Access Officer of the Town of Woodbury/Town Clerk.