

Chapter 2

ALTERNATE BOARD MEMBERS

ARTICLE 1

Alternate Planning Board Members

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[HISTORY: Adopted by the Town Board of the Town of Patterson on 9-27-2006 by L.L. No. 8-2006. Amendment noted where applicable.]

GENERAL REFERENCES

Defense and indemnification - See Ch. 11.

Code of Ethics - See Ch. 17.

Subdivision of land - See Ch. 138.

Zoning - See Ch. 154.

ARTICLE I
Alternate Planning Board Members
[Adopted 9-27-2006 by L.L. No. 8-2006]

§2-1. Legislative intent.

The Town Board of the Town of Patterson recognizes that it is sometimes difficult to maintain a quorum on the Planning Board, because members are ill, are on extended vacation or find that they have a conflict of interest situation on a specific matter before such board. In such instances, official business cannot be conducted which may delay or impede adherence to required timeliness. The use of alternate members in the absence of Planning Board members is hereby authorized pursuant to the provisions of this local law.

§2-2. Short title; applicability.

Short Title: "Alternate Planning Board Members Act." This Article shall apply to the appointment, terms, functions and powers of alternate members appointed to serve on the Planning Board in the Town of Patterson.

§2-3. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

ALTERNATE MEMBER - an individual appointed by the Patterson Town Board to serve on the Planning Board of the Town of Patterson when a regular member is unable to participate on an application or matter before the Planning Board, as provided herein.

MEMBER - an individual appointed by the Patterson Town Board to serve on the Planning Board of the Town of Patterson pursuant to the provisions of the local law or ordinance which first established such Planning Board.

PLANNING BOARD - the Planning Board of the Town of Patterson as established by the Town Board of the Town of Patterson pursuant to the provisions of Section 271 of the Town Law of the State of New York.

§2-4. Authorization and effect.

A. The Town Board of the Town of Patterson hereby enacts this local law to provide a process for appointing alternate members of the Planning Board. Such alternate member would serve when members of the Planning Board are absent or unable to participate on an application or matter before the Planning Board.

B. Alternate members of the Planning Board shall be appointed by resolution of the Patterson Town Board, for a term of one (1) year.

C. The Chairperson of the Planning Board may designate an alternate member to substitute for a member when such member is unable to participate in an application or matter before the Planning Board. When so designated, the alternate member shall possess all the powers and responsibilities of such member of the Planning Board. Such designation shall be entered into the minutes of the initial Planning Board meeting at which the substitution is made.

D. All provisions of state law relating to Planning Board member eligibility, vacancy in office, removal, compatibility of office and service on other boards, as well as any provisions of a local law relating to training, continuing education, compensation and attendance, shall also apply to alternate members.

§2-5. Supersession of Town Law.

This local law is hereby adopted pursuant to the provisions of Section 10 of the New York State Municipal Home Rule Law and Section 10 of the New York State Statute of Local Governments. It is the intent of the Town Board of the Town of Patterson pursuant to Section 10 of the New York State Municipal Home Rule Law to supersede the provisions of Section 271 of the New York State Town Law.

§2-6. Severability.

If any provisions of this local law are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this local law shall remain in full force and effect.

§2-7. Effective Date.

This local law shall take effect immediately upon the filing with the Secretary of State.