

RESOLUTION

Councilman Audia, seconded by Councilman M. Murphy, introduced the following proposed local law, to be known as Local Law No. ___ of 2010 entitled A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK TO AMEND THE ZONING CODE TO: (a) ADD A NEW SECTION 421 "ALTERNATE MEMBERS TO THE ZONING BOARD OF APPEALS"; AND (b) ADD A NEW SECTION 431 "ALTERNATE MEMBERS TO THE PLANNING BOARD."

BE IT ENACTED by the Town Board of the Town of Washington that the Town Code is amended to read as follows:

Section 1. The Zoning Code of the Town of Washington is amended to add a new section 421, which shall read as follows:

SECTION 421. ALTERNATE MEMBERS TO THE ZONING BOARD OF APPEALS

The Town Board may appoint up to two (2) alternate members to the Zoning Board of Appeals, with each such position having a term of one (1) year, for purposes of substituting for a member(s) in the event such member(s) is absent or unable to participate because of a conflict of interest. All provisions relating to members of the Zoning Board of Appeals, including training, continuing education, attendance and compensation apply to alternate members.

The Chairman shall determine when an alternate member shall substitute for a member on any particular application or matter before the Board. Once designated, the alternate member shall possess all the powers and responsibilities of the member being substituted. The minutes of the Zoning Board of Appeals shall reflect the meeting at which the substitution is made.

Section 2. The Zoning Code of the Town of Washington is amended to add a new section 431, which shall read as follows:

SECTION 431. ALTERNATE MEMBERS TO THE PLANNING BOARD.

The Town Board may appoint up to two (2) alternate members to the Planning Board, with each such position having a term of one (1) year, for purposes of substituting for a member(s) in the event such member(s) is absent or unable to participate because of a conflict of interest. All provisions relating to members of planning boards, including training, continuing education, attendance and compensation apply to alternate members.

The Chairman shall determine when an alternate member shall substitute for a member on any particular application or matter before the Board. Once designated, the alternate member shall possess all the powers and responsibilities of the member being substituted. The minutes of the Planning Board shall reflect the meeting at which the substitution is made.

Section 3. Supersession.

Pursuant to §22 of this state's Municipal Home Rule Law, the provisions of this law are intended to supercede any inconsistent provisions of state or local law, including those of the following sections of New York State Town Law governing Zoning Boards of Appeal and Planning Boards: Town Law §§267 and 271.

Section 4. This local law shall take effect immediately upon filing with this state's Secretary of State.

Supervisor prisco advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this local law. Councilman Audia offered the following resolution which was seconded by Councilman M. Murphy, who moved its adoption:

WHEREAS, on June 10, 2010, Councilman Audia has introduced this local law for the Town of Washington, to be known as "Town of Washington Local Law No. ___ of the Year 2010, a local law of the Town of Washington, Dutchess County, New York, to amend the Zoning Code to (a) add a new section 421 "Alternate Members to the Zoning Board of Appeals"; and (b) add a new section 431 "Alternate Members to the Planning Board."

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 10 Reservoir Drive, Millbrook, New York, on July 8, 2010 at 7:00 o'clock, p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Washington, by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Washington will hold a public hearing at the Town Hall, 10 Reservoir Drive, Millbrook, New York on July 8, 2010 at 7:00 o'clock,p.m., on Local Law No. ___ of the Year 2010, to amend the Zoning Code to (a) add a new section 421 "Alternate Members to the Zoning Board of Appeals"; and (b) add a new section 431 "Alternate Members to the Planning Board."

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Washington, at the Town Hall, 10 Reservoir Drive, Millbrook, New York between the hours of 9:00 a.m. to 12:30 p.m. and then between 1:30 p.m. to 3:00 p.m.. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all person interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Millbrook, New York
 June 10, 2010

MARY ALEX, TOWN CLERK

The foregoing resolution was duly put to a vote which resulted as follows:

Supervisor Prisco	Aye
Councilman Turletes	Aye
Councilman M. Murphy	Aye
Councilman Audia	Aye
Councilman W. Murphy	Absent

DATED: Millbrook, New York
June 10, 2010

MARY ALEX, Town Clerk
Town of Washington

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