

A LOCAL LAW AMENDING AN EXISTING LOCAL LAW

LOCAL LAW NO. 2 OF THE YEAR 2009

A Local law Amending Local Law No. 3 of the Year 1989 entitled “*Zoning Law, Town of Saugerties, New York*”.

Be It Enacted by the Town Board of the Town of Saugerties, New York as follows:

SECTION I. - AMENDMENT

That Local Law Amending Local Law No. 3 of the Year 1989 entitled “*Zoning Law, Town of Saugerties, New York*” is amended as follows:

To Amend Section 7.1.7 regarding Appointment of Alternate Members to the Planning Board and To Amend Section 8.1(D) regarding Appointment of Alternate Members to the Zoning Board of Appeals as follows:

Section 7.1.7 - Planning Board - Appointment of Alternate Members is amended to read:

A. Declaration of Policy

It is sometimes difficult to maintain a quorum or, a full board on the Planning Board, because members are ill, or 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 if there is not a quorum or be fully reviewed, if there is not a full board, which may delay or impede adherence to required timeliness. The use of alternate members in such instances is hereby authorized pursuant to the provisions of this section.

C. The Chairperson of the Planning Board may designate an alternate to substitute for a member when such member is unable to participate due to a conflict of interest on an application or matter before the board, or when a member notifies the chair that he or she will be absent for two or more consecutive meetings. When so designated, the alternate member shall possess all of the powers and responsibilities of such member of the board. Such designation shall be entered into the minutes of the initial Planning Board meeting at which the substitution is made.

Section 8.1(D)- Zoning Board of Appeals – Appointment of Alternate Members is amended to read:

D. Declaration of Policy

1. It is sometimes difficult to maintain a quorum or, a full board on the Zoning Board of Appeals, because members are ill, or 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 if there is not a quorum or be fully reviewed, if there is not a full board, which may delay or impede adherence to required timeliness. The use of alternate members in such instances is hereby authorized pursuant to the provisions of this section.

3. The Chairperson of the Zoning Board of Appeals may designate an alternate to substitute for a member when such member is unable to participate due to a conflict of interest on an application or matter before the board, or when a member notifies the chair that he or she will be absent for two or more consecutive meetings. When so designated, the alternate member shall possess all of the powers and responsibilities of such member of the board. Such designation shall be entered into the minutes of the initial Zoning Board of Appeals meeting at which the substitution is made.

SECTION II. - SEVERABILITY

If any clause, sentence, paragraph, section article or part of this Local Law shall be adjudicated in any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

SECTION III. - EFFECT OF AMENDMENT

Except as herein modified, Local Law No. 3 of the year 1989, and any subsequent valid amendments thereto, is hereby ratified and confirmed.

SECTION IV. - EFFECTIVE DATE

This Local Law shall be effective as provided by law, upon filing and acceptance by the New York Secretary of State.