

A LOCAL LAW AMENDING SECTIONS 28-2 and 28-3 OF THE TOWN CODE ENTITLED
“CREATION OF PLANNING BOARD”

Be it enacted by the Town Board of the Town of Forestburgh, County of Sullivan, State of New York, as follows:

Section 1. Title and Applicability

This Local Law shall be referred to as the Local Law Amending Section 28-2 of the Town Code Entitled “Creation of Planning Board”.

Section 2. Purpose and Intent

The Town Board of the Town of Forestburgh has determined that it is in the best interest of the residents of the Town of Forestburgh to provide for two (2) additional members to sit on the Planning Board to improve the efficiency of the Town government. In that regard, the Town Board hereby amends Section 28-2 and Section 28-3 of the Town Code to read as follows:

§28-2 Planning Board Established, membership. A Planning Board of the Town of Forestburgh is hereby established, which Planning Board shall consist of seven (7) members who shall be appointed by resolution of the Town Board and one member of which who shall be designated as the chairperson thereof by resolution of the Town Board. Appointments shall be in accordance with the New York State Town Law, and an appointment to a vacancy occurring prior to the expiration of a term shall be for the remainder of the unexpired term. In the absence of a Town Board appointment of a Chairperson or in the absence of the Board member so appointed, the Planning Board may designate a member to serve as Acting Chairperson.

§28-3 The terms of members of the Planning Board shall be for terms so fixed that the term of one member shall expire at the end of the calendar year in which such member was initially appointed and the terms of the remaining members shall be so fixed that one term shall expire at the end of each calendar year thereafter. At the expiration of the term of each member first appointed, his or her successor shall be appointed for a term of seven (7) years.

Section 3. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Forestburgh hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule.