

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of BEEKMAN

Local Law No. 3 of the year 2017

A local law AMENDING CHAPTER 31, ARTICLE II
(Insert Title)

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of BEEKMAN as follows:

AS ATTACHED HEREWITH

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2017 of the ~~(County)(City)(Town)(Village)~~ of BEEKMAN was duly passed by the TOWN BOARD on SEPTEMBER 6 2017, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

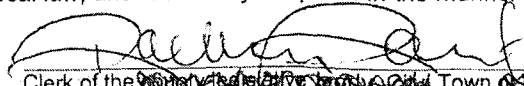
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

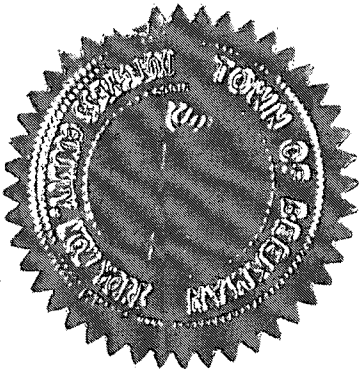
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.


Clerk of the ~~County~~ ~~Legislative~~ ~~Body~~ ~~City~~ ~~Town~~ ~~Village~~ ~~Office~~
~~Office designated by local legislative body~~

Date: September 7, 2017





TOWN OF
BEEKMAN
New York

4 Main Street
Poughquag, NY 12570
www.townofbeekman.com
(845) 724-5300

CERTIFICATION

STATE OF NEW YORK)
 : SS
COUNTY OF DUTCHESS)

I, RACHAEL RANCOURT, being the duly elected Clerk of the Town of Beekman, New York, do hereby certify that the foregoing is a true and exact copy of RESOLUTION NO. 09:06:17-7 (130) "Amend Town of Beekman code, Chapter 31, Article II" adopted by the Town Board at their Regular Meeting held on September 6, 2017.





RACHAEL RANCOURT

Dated: September 7, 2017

RESOLUTION NO. 9:06:17 - 7 (130)
RE: Amend Town of Beekman Code, Chapter 31, Article II

COUNCILMAN STIEGLER offers the following and moves for its adoption:

WHEREAS, New York State requires training for all Planning and Zoning Board Members pursuant to Town Law 271 (7-a) and 267 (7-a); and

WHEREAS, the Town Board is desirous in amending Chapter 31 of Beekman Town Code, Planning and Zoning Boards; and

WHEREAS, a public hearing was held on August 16, 2017 to hear comments from Beekman residents; and

WHEREAS, no comments, written or verbal were received for review; now therefore be it

RESOLVED, that Chapter 31, Planning and Zoning be amended as per the attached, adding Article II, Training Requirements; and be it further

RESOLVED, that certified copies of this local law be filed immediately in the offices of the Beekman town Clerk and the New York Secretary of State.

Seconded COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilwoman Covucci	AYE
Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: September 6, 2017

TOWN OF BEEKMAN
LOCAL LAW NO. ____ - 2017

Be it enacted by the Town Board of the Town of Beekman as follows:

1. LEGISLATIVE INTENT: The Town of Beekman desires to ensure that all members of the Town Planning Board and the Town Zoning Board of Appeals receive adequate training, in harmony with the requirements of New York Town Law, to assist those board members in making proper and well-reasoned determinations concerning the matters before them which directly affect property within and residents of the Town.
2. STATUTORY AUTHORITY: This Local Law is enacted under the authority of Municipal Home Rule Law § 10.
3. NEW ARTICLE:

The following shall be added as a new "Article II" to Chapter 31 of the Town Code:

Article II – Training Requirements

31-4 Legislative intent and declaration of policy.

The State of New York has recognized the importance of training for municipal board members and requires training for members of planning boards and zoning boards of appeals pursuant to Town Law §§ 271(7-a) and 267(7-a), respectively. This article is intended to mandate training requirements similar to those required by New York Town Law. However, in the event of a conflict between the provisions of Town Law and this article, unless a different result is required, the more stringent requirements shall apply. This article shall apply to the members of both the Planning Board and the Zoning Board of Appeals of the Town of Beekman.

31-5 Training requirements.

Each member and alternate member of the Town Planning Board and the Town Zoning Board of Appeals shall complete, at a minimum, four hours of training each year designed to enable such members to more effectively carry out their duties. Training received by a member in excess of four hours in any one year may be carried over by the member into succeeding years in order to meet the requirements of this subdivision. Such training shall be approved by the Town Board and may include, but not be limited to, training provided by a municipality, regional or county planning office or commission, county planning federation, state agency, statewide municipal association, college or other similar entity. Training may be provided in a variety of formats, including but not limited to, electronic media, video, distance learning and traditional classroom training.

31-6 Additional provisions.

- a. To be eligible for reappointment to the same board, or appointment to a different board, such member shall have completed the training required by this article and by Town Law.
 - b. The training required by this subdivision may be waived or modified by resolution of the Town Board when, in the judgment of the Town Board, it is in the best interest of the Town to do so.
 - c. No decision of the Planning Board or the Zoning Board of Appeals shall be voided or declared invalid because of a failure of any member thereof to comply with this subdivision.
 - d. Absent action by the Town Board, the failure of any member to obtain the required training shall not affect that member's appointment to serve on such Board, to entertain or vote on any matter before such Board, or the validity of any vote cast by that member on any matter.
 - e. Non-compliance with minimum requirements relating to training as established by this article or by Town Law shall be grounds for removal of any member of the Planning Board or the Zoning Board of Appeals.
 - f. The costs of training for any board member shall be subject to prior approval by the Town Board, and when approved, shall be a Town charge.
 - g. The Town Board may designate in advance its approval of certain courses or providers, and such courses or providers shall be deemed approved until further action thereon is taken by the Town Board.
 - h. Board members shall provide to the Town Clerk copies of any certificates of completion or other evidence of training received within thirty days of the receipt thereof or of completion of the training.
4. SCOPE: This proposed Local Law consists of a direct legislative action by the Town of Beekman Town Board. The action does not involve any construction, land alteration or other physical land development activities.
5. EFFECTIVE DATE: This local law shall take effect immediately upon filing with the Secretary of State, or as soon as permissible thereafter.