

(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 of New Paltz

~~Village~~

Local Law No. _____ of the year 2018

A local law TO Amend Chapter 31, "Planning Board" of the Code of the Town of New Paltz.

Be it enacted by the Town Board of the

~~County~~

~~City~~

Town of New Paltz as follows:

~~Village~~

Section 1. PURPOSES AND INTENT: New York State Municipal Home Rule Law, §10 allows the Town Board to supersede various state laws relating to the property, affairs or government of the town by the adoption of a local law, provided that such enactment is not inconsistent with the United States Constitution or the New York State Constitution unless the Legislature expressly shall have prohibited the adoption of such local law.

It is the intent of this local law to supersede Town Law, §271 to the extent that such law provides for the power and authority of the Planning Board of the Town of New Paltz to hire experts, clerks and a secretary.

It is the further intent of this local law to provide for the training and continuing education of Planning Board members as provided by law.

Section 2. AMENDMENT: Section 31-3, "Experts and staff" of Chapter 31, "Planning Board" of the Code of the Town of New Paltz is repealed and a new section 31-3 is hereby adopted to read as follows:

"§ 31-3. Experts and staff.

"The Town Board shall have the exclusive power and authority to employ experts and a staff in their service to the Planning Board and to pay for such services and such other expenses

as may be necessary and proper, not exceeding the appropriations that may be made by the Town Board.”

Section 3. AMENDMENT: Section 31-5, “Powers and duties” of Chapter 31, “Planning Board” of the Code of the Town of New Paltz is hereby amended to add a new subdivision G to read as follows:

“G. To complete training and continuing education courses as required by New York State General Municipal Law.”

Section 4. SUPERSESSION: To the extent that this local law may be found to be inconsistent with any provision of the New York State Town Law, including Section 271, or any special law, the Town Board declares that it is its intent that pursuant to Municipal Home Rule Law, §10, this local law shall supersede any such inconsistent provision in order to effectuate the purposes of this local law.

Section 5. SEVERABILITY: If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court or competent jurisdiction, such judgment shall be confined in its operation to the part, 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 person or circumstances and the Town Board hereby declares that it would not have enacted this local law or the remainder thereof had the invalidity of such provision or application thereof been apparent.

Section 6. EFFECTIVE DATE: This local law shall take effect immediately upon filing with the Secretary of State.