

LOCAL LAW NO. 1 -2007
A LOCAL LAW TO ESTABLISH A PLANNING BOARD FOR THE TOWN OF
NEWFIELD, NEW YORK

SECTION 1. PURPOSE AND INTENT

1.1 To provide a mechanism to protect the health, safety and general welfare of the community, and to facilitate planning for transportation, water and sewer improvements, drainage, schools, parks and recreation through the use of comprehensive planning.

1.2 To provide for a membership which reflects the varied geographic areas of the Town, through the appointment of members, where practicable, from several areas of the Town.

1.3 To provide for a membership which exhibits concern and knowledge in regard to the long term planning, design and construction within the Town of Newfield.

1.4 To provide for a procedure for the just consideration of all matters within the jurisdiction of the Planning Board.

SECTION 2. PLANNING BOARD ESTABLISHED

2.1 A Planning Board for the Town of Newfield, New York is hereby established, pursuant to New York Town Law, Article 16 of the State of New York, and pursuant to the Municipal Home Rule Law of the State of New York. The Planning Board shall be known as the “Planning Board of the Town of Newfield”.

SECTION 3. POWERS GENERALLY

3.1 The Planning Board shall have, and act pursuant to, all of the powers, duties and procedures provided for a Town Planning Board in Article 16 of the Town Law as such powers, duties, and procedures are granted therein and permitted and authorized in this Local Law.

3.2 In addition, pursuant to Town Law @71 (14) the Town Board from time-to-time may, by resolution, refer any matter or class of matters to the Planning Board for its review and recommendation within such time limits as set by the Town Board.

3.3 In accordance with Article 16 of the Town Law and subject to Town Board approval, the Planning Board may adopt rules and regulations and procedures, concerning matters before it and in respect to any subject matter over which it has jurisdiction pursuant to this local law.

SECTION 4. APPOINTMENT, REMOVAL AND COMPENSATION OF MEMBERS

4.1 The Planning board shall consist of five (5) members, each to be appointed by the Town Board. None may be a Town Board member and at least one member shall be an “agriculture member” or defined under Town Law 271 (11). Of the five (5) members, the Town Board shall designate one (1) to be the Chairman of the Planning Board, or upon the failure of the Town Board to designate a Chairman, the members of the planning Board may elect their own Chairman, from among themselves to serve as chairman until such time the Town Board designates a chairman.

4.2 The Town Board may remove any Planning Board member at any time for cause, after a public hearing, upon reasonable notice, in writing to the member, stating the reasons for such removal. “Cause” shall be deemed to include failure to meet any attendance or training requirements established by the Town Board or Planning Board.

4.3 Of the members first appointed to the Planning Board consisting of five (5) members, one shall hold office for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years after his or her appointment. In the discretion of the Town Board, an eligible Planning Board member may be re-appointed.

4.4 The terms of the members shall commence on the same calendar day as the original appointment and thereafter upon the expiration of term of each member, his or her re-appointment, or the appointment of a successor, shall be for a term of five years.

4.5 In the case of a vacancy, other than by expiration of term, it shall be filled by the Town Board by appointment for the unexpired term.

4.6 Members of the Planning Board shall not be compensated for their service buy may be reimbursed for mileage and other reasonable disbursements incurred in connection with performing services as a Planning Board member pursuant to procedures and policies set by the Town.

4.7 In accordance with Town Law 271 (15), the Town Board may, by duly adopted resolution, establish alternate Planning Board member positions for purpose of substituting for a member in case he or she has a conflict or is otherwise unable to participate in a particular deliberation.

SECTION 5. HIRING OF EXPERTS

5.1 The Town Board may appropriate from time to time monies for the hiring by the Planning Board of a clerk and/or secretary and such consulting engineers and planning experts as the Planning Board may require for the

