

Proposed Local Law No. ____ (2009)

Local Law No. 1 of the year 1993, a local law establishing minimum attendance and continuing education requirements of members of the Zoning Board of Appeals and providing a procedure for removal of members not meeting such requirements and for cause, is amended as follows:

1. The last sentence of SECTION 1. PURPOSE, AUTHORITY. is amended to read as follows:
“This local law is enacted and amended under the authority of Town Law Sections 267(2); 267(7-a) and 267(9).”
2. The heading of SECTION 2 is amended to read: MINIMUM MEETING AND HEARING ATTENDANCE REQUIREMENTS.”
3. SECTION 3. MINIMUM ATTENDANCE REQUIREMENTS (Continuing Education and Training). is deleted in its entirety and a new SECTION 3 is adopted to read as follows:

SECTION 3. TRAINING AND ATTENDANCE REQUIREMENTS.

- (a) Each member of the 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 these requirements. 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.
- (b) To be eligible for reappointment to such board, such member shall have completed the training promoted by the town pursuant to this section.
- (c) 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.

(d) No decision of a Zoning Board of Appeals shall be voided or declared invalid because of a failure to comply with this section.

4. SECTION 4. CONTINUING EDUCATION AND TRAINING. is deleted in its entirety and a new SECTION 4 is adopted to read as follows:

“SECTION 4. CONTINUING EDUCATION AND TRAINING. The costs of such training shall be a town charge. Members shall be reimbursed for travel and meal expenses associated with such training according to Town policies.”

5. The heading and introductory paragraph of SECTION 5 is amended to read as follows:
“REMOVAL PROCEDURE. In the event a member of the Zoning Board of Appeals has failed to meet the minimum attendance requirements set forth in Section 2 or the training requirements set forth in Section 3, then the Town Board may remove such member from the Zoning Board of Appeals as herein provided:”