

**A LOCAL LAW  
AMENDING THE CORINTH TOWN CODE  
TO CREATE ALTERNATE MEMBER POSITIONS FOR THE  
PLANNING BOARD AND ZONING BOARD OF APPEALS**

**BE IT ENACTED BY THE CORINTH TOWN BOARD AS FOLLOWS:**

**ARTICLE 1. Purpose, Intent** – The Town Board wishes the ability to appoint alternate members to the Planning Board and Zoning Board of Appeals to be available to substitute for regular Members who are unable to participate in review of a matter before the Board because of conflict of interest, illness, scheduling conflicts or any other reason.

**ARTICLE 2. Amendment of Town Code**

**A. Alternate Planning Board Members** – Section 36-1 of the Town Code is amended to read as follows:

**§36-1. Board established; membership; alternate members.**

A. There shall be a Board for the Town of Corinth, Saratoga County, New York, to be known as the "Planning Board", consisting of five members appointed according to the requirements of Article 16 of the Town Law with one member to be appointed Chairman of said Planning Board.

B. The Town Board shall appoint one (1) alternate member(s) of the Planning Board to substitute for any regular member in the event of a conflict of interest or other factor such as illness, vacation or other absences. The alternate member(s) shall be appointed by Resolution of the Town Board for a term of five (5) years. The chairperson of the Planning Board may designate an alternate member to substitute for a regular member when such regular member is unable to participate in an application or matter before the Board. When so designated, the alternate member shall possess all of the powers and responsibilities of such regular member. Such designation shall be entered into the minutes of the initial Planning Board meeting at which the substitution is made. All provisions relating to Planning Board member training and continuing education, attendance, conflict of interest, compensation, eligibility, vacancy in office, removal and service on other Boards shall also apply to alternate members.

**B. Alternate Zoning Board of Appeals Members** - Section 89-47 of the Town Code is amended to read as follows:

**§89-47. Creation, Appointment, Organization and Removal**

A. The Town Board shall appoint a Zoning Board of Appeals pursuant to §267 of Town Law. Said Board shall consist of five members, to serve for staggered five-year terms. The Chairperson of the Board shall be one of the five members and shall be designated as such annually by the Town Board. Vacancies shall be filled for such unexpired term only. The Board shall elect a Vice-Chairman from its membership, and shall establish rules for the conduct of the officers. The Town Board shall appoint a Secretary, and be in charge of any/all personnel and employment decisions.

B. The Town Board shall appoint one (1) alternate member(s) of the Board of Appeals to substitute for any regular member in the event of a conflict of interest or other factor such as illness, vacation or other absences. The alternate member(s) shall be appointed by Resolution of the Town Board for a term of five (5) years. The chairperson of the Board of Appeals may designate an alternate member to substitute for a regular member when such regular member is unable to participate in an application or matter before the Board of Appeals. When so designated, the alternate member shall possess all of the powers and responsibilities of such regular member. Such designation shall be entered into the minutes of the initial Board of Appeals meeting at which the substitution is made. All provisions relating to Board of Appeals member training and continuing education, attendance, conflict of interest, compensation, eligibility, vacancy in office, removal and service on other Boards shall also apply to alternate members.

C. The following actions are cause for removal of any member by the Town Board:

1. Three consecutive unexcused absences;
2. Violation of the code of ethics;
3. Misconduct; or

4. Failure to satisfy the training requirements of New York Town Law §271.

**ARTICLE 3. Authority; Supersedence** - This Local Law is adopted pursuant to Municipal Home Rule Law Section 10 and is specifically intended to supersede the provisions of Town Law Sections 267(11) and 271(15) that restrict substitution of alternate members of zoning boards of appeal and planning boards, respectively, to instances of conflict of interest.

**ARTICLE 4. Severability** - The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

**ARTICLE 5. Repealer** - All Local Laws or ordinances or parts of Local Laws or ordinances in conflict with any part of this Local law are hereby repealed.

**ARTICLE 6. Effective Date** - This Local Law shall take effect upon filing in the office of the New York State Secretary of State.