

TITLE: To implement the Provisions of New York State Town Law Sections 267 and 271 Providing for Training of Municipal Planning and Zoning Officials

WHEREAS, New York State Town Law Sections 267 and 271 were recently amended to provide for mandatory training of municipal planning board and zoning board of appeals members, and

WHEREAS, Town Law Sections 267 and 271 provide that to be eligible for reappointment to such boards, such member shall have completed the training promoted by the town board, and

WHEREAS, Town Law Sections 267 and 271 also provide that the town may remove any member of such planning board for cause, and *may* provide by resolution for removal of any planning board member for non-compliance with minimum requirements relating to meeting attendance and training as established by the town by resolution, and

WHEREAS, Town Law Sections 267 and 271 also provide that the training required by this paragraph may be waived or modified by town when, in the judgment of the governing body, it is in the best interest of the town to do so, and

WHEREAS, the town board may request that the town clerk monitor the compliance of town planning board and zoning board appointees and report to the town board, and

WHEREAS, the town board may also request that no training waivers be considered or granted and if requested, not provided without town board approval; now therefore be it

RESOLVED, that the _____ Town Board supports the new law and mandates that each member of the Town Planning Board, and if it exists, the Town Zoning Board of Appeals, complete, at a minimum, four hours of training each year; and be it further

RESOLVED, that 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 Town Law Sections 267 and 271; and be it further

RESOLVED, that the Town Board is hereby authorized to provide for approval of training regime to meet the requirements of the amendments to Town Law Sections 267 and 271 and shall have the authority to approve all training sources or providers and all delivery methods or formats and shall determine the reliability of such sources and shall determine if program content is sufficient to meet intended objectives of the new law; and be it further

RESOLVED, that a system to track and record Town Planning Board, and if it exists, Town Zoning Board of Appeals, members' compliance with the new training requirement shall be established and maintained by the Town Clerk and a summary of such record shall be presented to the Town Board each year, and be it further

RESOLVED, that to be eligible for reappointment and retention of their office, each member of the Town Planning Board, and if it exists, Town Zoning Board of Appeals, shall complete the required training by the end of each calendar year, or if appointed to fill a vacancy, as soon as practicable within a year of appointment; and be it further

RESOLVED, that the Town Board hereby indicates its desire that no application for waivers be requested or entertained and, if requested, not provided without Town Board approval.