

**Local Law #2 of 2010**  
**Town of Lorraine**  
**Planning Board and Alternate Members Local Law**

Section 1. Short Title and Applicability

Alternate planning board members act. This local law shall apply to the appointment, terms, functions and powers of alternate members to serve on the planning board.

Section 2. Declaration of Policy

It is sometimes difficult to maintain a quorum on the planning board because members are ill, on extended vacation or find they have a conflict of interest situation on a specific matter before such board. In such instances, official business cannot be conducted which may delay or impede adherence to required timelines. The use of alternate members in such instances is hereby authorized pursuant to the provisions of this local law.

Section 3. Definitions

A. **Planning Board** means the planning board of the Town of Lorraine as established by the town board by local law, pursuant to the provisions of Section 271 of the Town Law.

B. **Member** means an individual appointed by the town board pursuant to the local law which first established such planning board.

C. **Alternate Member** means an individual appointed by the town board to serve on the town planning board when a regular member is unable to participate on an application or matter before the board, as provided herein.

Section 4. Authorization/Effect

A. The town board hereby enacts this local law to provide a process for appointing “alternate members” of the planning board. These individuals would serve when members are absent or unable to participate on an application or matter before the board.

B. Alternate members of the planning board shall be appointed by the town board for a term of five years.

C. The chairman of the planning board may designate an alternate to substitute for a member for any reason including but not limited to absence, sickness, or conflicts of interest. When so designated, the alternate member shall possess all the powers and responsibilities of such member of the board. Such designation shall be entered into the minutes of the initial planning board meeting at which the substitution is made.

D. All provisions of state law relating to planning board eligibility, vacancy of office, removal, compatibility of office and service on other boards, as well as any provisions of a local law or ordinance relating to training, continuing education, compensation and attendance, shall also apply to alternate members.

#### Section 5. Supersession of Town Law.

This local law is hereby adopted pursuant to the provisions of Section 10 of the NYS Municipal Home Rule Law and Section 10 of the NYS Statute of Local Governments. It is the intent of the town board pursuant to Section 10 of the NYS Municipal Home Rule Law to supersede the provisions of Section 271 of the Town Law particularly as to when an alternate member may act in place of a member unable to act.

#### Section 6. Severability

If any provisions of this local law are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the local law shall remain in effect.

#### Section 7. Effective Date

This local law shall take effect upon filing with the Secretary of State.