

RESOLUTION NO. 138

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale that the Town Board of the Town of Johnsbury having held earlier today a Public Hearing on proposed Local Law #1 of 2013, moves to adopt as presented the proposed Local Law #1 of 2013 entitled ""Local Law #1 of 2013 of the Town of Johnsbury reducing the number of Planning Board Members from 7 to 5" (text as follows)

**A LOCAL LAW OF THE
TOWN OF JOHNSBURG, WARREN COUNTY NEW YORK,
TO PROVIDE FOR A CHANGE IN THE NUMBER OF
PLANNING BOARD MEMBERS FROM 7 TO 5**

Be it enacted by the Town Board of the Town of Johnsbury as follows:

Section 1 - **PREAMBLE AND ENACTING CLAUSE**

For the purpose of providing for the orderly operation of the properties within the Town of Johnsbury and in order to protect and safeguard the Town of Johnsbury, its residents and their property with respect to certain land development within the Town, the Town Board of the Town of Johnsbury, Warren County, New York, duly convened in regular session and having duly held a public hearing thereon, does hereby enact this Local Law pursuant to the authority granted under Section 271(7) of the Town Law of the State of New York.

Section 2 - **TITLE**

This Local Law shall be known and cited as the "Local Law #1 of 2013 of the Town of Johnsbury reducing the number of Planning Board Members from 7 to 5."

Section 3 - **TEXT OF LAW**

Effective immediately the number of Planning Board Members shall be reduced from 7 to 5 Planning Board Members to take effect upon the expirations of the next two terms in accordance with Section 271(7) of the Town Law of the State of New York.

Section 4 - **CONSTITUTIONALITY**

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Johnsbury hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 5 - **REPEALER**

All resolutions, ordinances, Local Laws and part thereof inconsistent with this Local Law are hereby repealed.

Section 6 - **EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0