

TOWN OF RICHFIELD TOWN BOARD

RESOLUTION NO. 6 OF THE YEAR 2018

The Town of Richfield Town Board met at the Richfield Town Hall, 18 East James Street, Richfield Springs, New York, on April 16, 2018 at 7:00 p.m.

The Meeting was called to order by Town Supervisor Palumbo and upon a roll being called, the following were:

PRESENT: Frederick Eckler, Kane Seamon, Rex Seamon and Larry Frigault

Town Board Member Frigault presented the following resolution, which was seconded by Town Board Member R. Seamon:

WHEREAS, the Town of Richfield Town Board on February 19, 2018 approved the appointment of a Zoning Commission for the purpose of amending the Town of Richfield Zoning Law;

WHEREAS, the Zoning Commission would further the work of the Town of Richfield and Industrial Development Agency Consultant, Elan Planning, Design and Landscape Architecture PLLC, in proposing an amended draft of the Town of Richfield Zoning Law to the Town Board for adoption;

WHEREAS, New York State Town Law § 266 does not require the appointment of a Zoning Commission in order to amend the Town Zoning Law although appointment of a Zoning Commission is required pursuant to New York State Town Law § 266 for the adoption of a town's first zoning ordinance;

WHEREAS, with the appointment of the Zoning Commission, the Town Board, upon the advice of counsel, sought to achieve greater public participation and awareness with public notice, open meetings and a public hearing to be held by the Zoning Commission in advance of the referral of the draft amended Zoning Law to the Town of Richfield Planning Board, Otsego County Planning Department and ultimately, the Town Board;

WHEREAS, a Zoning Commission, as a public body is composed of public officers who must be electors of the Town, pursuant to Town Law § 23 and take an oath of office;

WHEREAS, it has come to the Town Board and Town Counsel's attention that one member designated for appointment, although a property owner within the Town, is unable to meet the elector requirement and another member, designated for appointment, has declined the Town Board's appointment;

THEREFORE, IT IS:

RESOLVED that the Zoning Commission shall be comprised of three appointed members and no more to be filled by the following appointees:

Daniel Sullivan, appointed February 19, 2018;

Carol Frigault, appointed February 19, 2018; and

Brad Smith, appointed as of the date of this Resolution.

RESOLVED that the Zoning Commission shall cease as a public body upon adoption of a resolution by the Town Board accepting the final report of the Zoning Commission.

Eckler-No

Frigault-Yes

K. Seamon-Yes

R. Seamon-Yes

Palumbo- No

From the minutes of the Richfield Town Board held on April 16, 2018

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Maggie Young, Clerk

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