

TOWN OF WEST SENECA



Legal Department

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To: Town Board

From: Chris G. Trapp, Attorney for the Town

Re: Suburban Town

Date: April 12, 2020

local law no. 6 - Suburban Town

In furtherance of the movement from the classification as a traditional town to a suburban town, the following process must be used: there must be a public hearing on the issue following the standard notice provisions; a resolution must be passed by the Town Board prior to July 1st in order to have the status change by January 1st; the resolution must state that it is subject to a permissive referendum if the Board chooses to not seek a referendum on its own; if a petition seeking a referendum is obtained, rather than the normal thirty day requirement, individuals have until September 5th to submit a petition; if a petition is filed, it must be voted on either forty-five days after submission or in November at the option of the Board; and if there is no vote or it is positive for the change, then the Town Clerk must file the certification of the change to the Secretary of State by January 10th.

Therefore, step one is to schedule a public hearing on the following resolution at the next meeting.

WHEREAS, the Town of West Seneca is a first class town with a current population of less than 50,000 people which would otherwise permit the town to regulate its own traffic rules on Town streets and highways, and

WHEREAS, the Town Board after a careful review and study has determined that it is in the best interests of the town residents to change the classification of the Town of West Seneca to that of a suburban town pursuant to Article 3-A of the Town Law of the State of New York, and

WHEREAS, a public hearing on such change was duly noticed and held on May __, 2022 at which time the public was invited to share their comments and concerns with respect to the change in classification, and

WHEREAS, this resolution is subject to a permissive referendum as provided under Town Law,

NOW, BE IT THEREFORE RESOLVED, that the Town of West Seneca hereafter shall be classified as a suburban town in the State of New York effective upon the filing of the necessary certification by the Town Clerk on or before January 10, 2023.