

LOCAL LAW 7-2017

A Local Law amending Chapter 24, (“Landlord-Tenant Relations Council”) of the Village of Ossining Code.

BE IT ENACTED by the Board of Trustees of the Village of Ossining as follows:

Section 1. Chapter 24, Section 24-3 “Membership” is amended as follows with deleted matter in [brackets] and new matter underlined.

§ 24-3 Membership; attendance requirements.

- A) The Village of Ossining Landlord-Tenant Relations Council shall consist of [seven] nine members who shall be appointed by the Board of Trustees for a term not exceeding two years and who shall be unsalaried. A quorum shall consist of five members. Members may be reappointed for no more than four consecutive terms (8 years). Should a member’s term expire and no replacement has been appointed or the member has not yet been reappointed, the member shall continue to serve until a new member is appointed or the member is reappointed by the Board of Trustees. If the member has served for four consecutive terms, that member must be off the Council for one year before applying for appointment. Three of such members shall represent landlord interests, three shall represent tenant interests and [the seventh shall be an impartial appointee] three shall be neither Landlords nor Tenants in the Village of Ossining. Examples of these three members include but are not limited to owners of single family homes, owners of cooperative units, owners of condominium units, owners of non-real estate related businesses who reside in the Village of Ossining. The three members who represent Landlord interests, need not be residents of the Village of Ossining. The Landlords may designate representatives to serve on the Council as the Landlord members. In addition to the nine members, the Village’s Building Inspector and Director of Section 8 Housing will serve as non-voting ex-officio members. The Village’s Corporation Counsel will provide legal counsel to the Council as necessary.
- B) All members of the Council shall be required to attend a minimum of 75% of the Council meetings scheduled within a calendar year. Non compliance with minimum requirements relating to attendance at meetings shall be deemed a proper cause for removal from the Council by the Board of Trustees.
- C) The chairperson of the Council shall notify the Board of Trustees on or about December 1 in any year, or at any other time if so warranted of any Council member who fails to comply with the minimum requirements for meeting attendance in any calendar year.
- D) Notwithstanding the foregoing attendance requirements, the failure of a Council member to attend the required percentage of meetings shall not affect the member’s authority to vote on Council determinations or the validity of such Council member’s actions.

Section 2. Chapter 24, Section 24-4, “Officers; administration” is amended as follows with deleted matter in [brackets] and new matter underlined.

§ 24-4 Officers; administration.

The Chairperson of the Landlord-Tenant Relations Council shall be designated by the Board of Trustees from among the members appointed to the Council. The Board of Trustees shall have the authority to remove any member of the Council so appointed, for cause, after a public hearing.[, if requested.] [A vacancy] Vacancies shall be [filed] filled for the unexpired term in the same manner as an original appointment. The Board of Trustees is hereby authorized to make such appropriations as it may see fit for such expenses incurred by the Council. The Council may appoint such clerks and other employees as it may from time to time require, with the approval of the Board of Trustees. The expenses of the Council shall not exceed the appropriation that is made [therefor] therefore by the Board of Trustees.

Section 3. Chapter 24, Section 24-5 “Authority to Hold Hearings, Subpoena Witnesses and Documents” is added and new matter is underlined.

24-5 Authority to Hold Hearings; Subpoena Witnesses and Documents

As noted in section 24-2E, the Landlord-Tenant Relations Council, is authorized to resolve problems and disputes between landlords and tenants through mediation and discussion. Pursuant to that authority, the Landlord Tenant Relations Council may hold hearings attended by the Landlord, Tenant and their representatives. The hearings shall be open to the public except for those matters which are subject to privilege pursuant to applicable local, state and/or federal law. The Landlord-Tenant Relations Council may, if necessary request from the Landlord and Tenant documents and other information deemed necessary by the Landlord-Tenant Relations Council to fairly consider the matter before it. If the requested documents are not provided in a timely manner, the Landlord-Tenant Relations Council may direct the Corporation Counsel or his/her designee to issue a subpoena for the production of the requested records.

Section 4. Chapter 24, Section 24-6 “Rules of Procedure” is added and new matter is underlined.

24-6 Rules of Procedure

The Landlord-Tenant Relations Council shall adopt rules of procedure for the conduct of its business. Such rules and any amendments thereto shall be a part of the Council’s written record and be made available to the public. The Council’s rules and any amendments thereto shall not conflict with the provisions of this chapter. Such rules of procedure shall be submitted to the Board of Trustees for review. Failure of the Board of Trustees to approve, reject or modify such rules of procedure and any amendments thereto within thirty (30) days after submission shall be deemed to constitute approval thereof.

Section 5 Partial Invalidity

If any section of this Local Law 7-2017 shall be held unconstitutional, invalid or ineffective, in whole or in part, such determination shall not be deemed to affect, impair or invalidate the remainder of this Local Law.

Section 6 Effective Date

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