

PROPOSED LOCAL LAW 3-2019 (Boards and Commissions)

A Local Law amending Chapter 6 (Boards and Commissions) of the Village of Ossining Code.

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

Section 1. Chapter 6 (Boards and Commissions) is amended as follows to add Article II (Alternate Members) with new matter underlined and deleted matter in [brackets].

Article II (Alternate Members)

Section 6-5 Legislative Intent

There are occasions when a duly appointed member of the Village of Ossining Planning Board/Board of Architectural Review, Zoning Board of Appeals, Historic Preservation Commission and Environmental Advisory Council cannot attend a meeting of said Board, Commission or Council (hereinafter 'Boards') because of conflict of interest, absence, disqualification or otherwise cannot vote on a matter to be considered by said Boards, resulting in less than full Boards and in some cases lack the quorum for the conduct of business. It is the purpose of this chapter to permit the Mayor upon approval by the Board of Trustees to appoint alternate member(s) to said Boards to attend such meeting(s) and to vote in place of such absent or disqualified member(s).

Section 6-6 Authorization.

- A. This article provides a process for appointing no more than two alternate members to the Village's Planning Board/Board of Architectural Review, Zoning Board of Appeals, Historic Preservation Commission and Environmental Advisory Council when a member of one of these boards has recused himself or herself or is otherwise precluded from consideration of a matter or is absent or otherwise unable to participate at a meeting of one of the listed boards. .
- B. The Village Manager is hereby authorized to appoint no more than two alternate members of the Village's Planning Board/Board of Architectural Review, Zoning Board of Appeals and Historic Preservation Commission. These alternate members may serve when the members are absent or unable to participate on an application or matter before the listed boards.
- C. The Board of Trustees is hereby authorized to appoint no more than two alternate members of the Village's Environmental Advisory Council. These alternate members may serve when the members are absent or unable to participate on an application or matter before the council.
- D. An alternate member shall have all of the rights, privileges and responsibilities of a member of the Planning Board/Board of Architectural Review, Zoning Board of Appeals, Historic Preservation Commission and Environmental Advisory Council.

When an alternate member is voting or counting toward the calculation or composition of a quorum, that circumstance shall be noted in the minutes of the particular board meeting.

- E. All provisions of state law and local law relating to member eligibility, vacancy in office, removal, compatibility of office, ethical requirements, training and service on other boards also shall apply to alternate members.
- F. Alternate members shall attend all meetings of the boards to which they are appointed (Planning Board/Board of Architectural Review, Zoning Board of Appeals, Historic Preservation Commission and Environmental Advisory Council) including executive sessions, shall sit with and participate in all deliberations of the respective boards on all matters and shall substitute for a member who has recused himself or herself or is otherwise precluded from consideration of a matter or is absent or is otherwise unable to participate at a meeting of the respective board, but an alternate member shall not vote or count toward the calculation or composition of a quorum unless he or she is substituting for a member.
- G. Insofar as practicable, service by the alternate members shall rotate among the alternate members.
- H. Alternate members shall be appointed for terms similar to those of members of the respective boards (Planning Board/Board of Architectural Review-5 years, Zoning Board of Appeals-5 years, Historic Preservation Commission-5 years and Environmental Advisory Council-2 years).

Section 6-7 Supersession of New York Village Law

This article is hereby adopted pursuant to the provisions of sections 10 and 22 of the New York State Municipal Home Rule Law. It is the intent of the Village of Ossining Board of Trustees to supercede the provisions of any existing law relating to the appointment of members of the Village's Planning Board/Board of Architectural Review and Zoning Board of Appeals to the extent that this article is contrary to sections 7-712 and 7-718.

Section 2. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State pursuant to section 27 of the Municipal Home Rule Law.