

PROPOSED LOCAL LAW G - 2018

A Proposed Local Law to amend Chapters 6, 7, 20, 21 58, 72, 240, 318 and 342 of the Code of the Village of Mamaroneck regarding compliance by advisory boards with Open Meetings Law requirements

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

*(Language in strike-through ~~abedefghijk~~ to be deleted; language in **bold** is to be added.)*

Section 1.

Section 6-5 of the Code of the Village of Mamaroneck, is amended as follows:

§ 6-5 Meetings; procedures; rules and regulations.

Meetings of the Board of Architectural Review shall be held at the call of the Chairman and at such other times as the Board may determine, but shall be held within 18 days of the date of any application for a building permit referred to the Board as required in § 6-6 below. The Chairman or, in his absence, the Acting Chairman may administer oaths and compel the attendance of witnesses. A majority of said Board shall constitute a quorum for the transaction of business. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact and shall also keep records of its examinations and other official actions. The Board shall have power, from time to time, to adopt, amend and repeal rules and regulations, not inconsistent with law or the provisions of this chapter, governing its procedure and the transaction of its business and for the purpose of carrying into effect the standards outlined in § 6-7 hereof. **The rules will provide that the Board of Architectural Review will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Board is acting in an advisory capacity.** Such rules, regulations and amendments thereto shall be approved by the Board of Trustees, and a copy thereof shall be filed in the Clerk-Treasurer's office.

Section 2.

Chapter 7 (Arts Council) of the Code of the Village of Mamaroneck is amended by adding section 7-6, as follows:

§ 7-6. Procedures.

The Council will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Council is acting in an advisory capacity.

Section 3.

Chapter 20 (Committee for Environment) of the Code of the Village of Mamaroneck is amended by adding section 20-5, as follows:

§ 20-5. Procedures.

The Committee will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Committee is acting in an advisory capacity.

Section 4.

Chapter 21 (Code of Ethics) of the Code of the Village of Mamaroneck is amended by adding section 21-10(D), as follows:

D. The Ethics Board will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Ethics Board is acting in an advisory capacity.

Section 5.

Section 58-1 of the Code of the Village of Mamaroneck is amended as follows:

§ 58-1. Statutory authorization; powers; Board membership; terms; procedure.

A Planning Board is hereby created pursuant to § 7-718 of the Village Law of the State of New York hereby giving and granting to said Planning Board all of the powers enumerated in said § 7-718 of the Village Law of the State of New York, or any amendments thereto, including, but without limiting the generality of the foregoing, the power to approve plans showing new streets or highways and, simultaneously with the approval of such plans, either to confirm the zoning regulations of the land so platted as shown by the Official Zoning Map of said Village or to make any reasonable change therein in accordance with the provisions of said Act or amendments thereto. Board membership shall include a total of five members. The Board of Trustees shall appoint the members and chairperson of the Planning Board and fill vacancies in those offices. Terms of membership for members shall be five years. **The Planning Board will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Planning Board is acting in an advisory capacity.**

Section 6.

Chapter 72 (Traffic Commission) of the Code of the Village of Mamaroneck is amended by adding section 72-3(C), as follows:

C. The Traffic Commission will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.),

even if that law does not apply because the Commission is acting in an advisory capacity.

Section 7.

Chapter 240 (Management of Coastal Zone, Harbor and Vessels) of the Code of the Village of Mamaroneck is amended by adding section 240-36(E), as follows:

C. The Harbor and Coastal Zone Management Commission will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Commission is acting in an advisory capacity.

Section 8.

Section 318-5 of the Code of the Village of Mamaroneck is amended as follows:

§ 318-5 Chairperson; rules and regulations; quorum.

The Board of Trustees shall appoint the Chairperson. The Committee shall make its own rules and regulations and shall keep a record of its proceedings. A majority of the members shall be a quorum for the transaction of business. **The Committee will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Committee is acting in an advisory capacity.**

Section 9.

Chapter 342 (Zoning) of the Code of the Village of Mamaroneck is amended by adding section 342-94(I), as follows:

I. The Board of Appeals will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Board of Appeals is acting in an advisory capacity.

Section 10.

If any section, subsection, clause, phrase or other portion of this local law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

Section 11.

This law is adopted pursuant to the authority granted by Municipal Home Rule Law § 10(1)(e)(3) and will supersede the provisions of the Village Law to the extent that they are inconsistent with this local law.

Section 12.

This local law will take effect immediately upon its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.