

LOCAL LAW NO. 4 -2021

Be it enacted by the Village Board of the Village of Chestnut Ridge as follows:

++ Local Law Filing

NEW YORK STATE DEPARTMENT OF
STATE
DIVISION OF CORPORATIONS, One Commerce
Plaza, 99 Washington Avenue, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of CHESTNUT RIDGE
Town
Village

Local Law No.4 of the year 2021

BOARD OF TRUSTEES

Be it enacted by the _____ of the
County CHESTNUT RIDGE
City _____ as follows:
Town
Village

VILLAGE OF CHESTNUT RIDGE LOCAL LAW NO. 4 of 2021

A LOCAL LAW CONFIRMING AND RATIFYING THE ESTABLISHMENT AND CONTINUANCE OF THE VILLAGE OF CHESTNUT RIDGE PLANNING BOARD PURSUANT TO NEW YORK STATE VILLAGE LAW §7-718.

BE IT ENACTED by the Village Board of the Village of Chestnut Ridge, Rockland County, New York ("Village Board") as follows:

Section 1. Part I, titled "Administrative Legislation," Chapter 13, titled "Boards and Bureaus," of the Village of Chestnut Ridge Village Code is hereby amended by adding a new Article to read as follows:

ARTICLE III – PLANNING BOARD

§13-26: Establishment.

- A. Pursuant to New York State Village Law §7-718, as amended, there shall be in the Village of Chestnut Ridge, a Planning Board consisting of five members appointed by the Village Board of Trustees in accordance with Section 7-718 of the New York State Village Law. All appointments and reappointments shall be made by resolution of the Village Board pursuant to Section 7-718 of the New York State Village Law. Any person appointed to fill an unexpired term of a member shall be entitled to serve for the remainder of the unexpired term.

- B. Designation of Chairman. The Chairman and Deputy Chairman of the Planning Board shall be designated by resolution of the Village Board.
- C. Removal from Office. Any member may be removed for cause by the Mayor, after public hearing or for non-compliance with minimum requirements relating to meeting attendance and training as set forth below in Section 13-28.

§13-27: Alternate Members.

- A. The Mayor, subject to approval by the Village Board, shall appoint two alternate members to the Planning Board to serve as provided herein. Said alternate members shall attend all meetings of the Planning Board, and the Chairman of the Planning Board shall designate the alternate members as acting members as necessary when absence of regular members of the Planning Board or a conflict of interest of regular members of the Planning Board would otherwise prevent five members of the Planning Board from considering any pending matter. The alternate members shall be so designated on a rotating basis so that each alternate member shall be afforded an equal opportunity to serve, except that the Chairman shall designate the alternate member with the longer remaining term if the particular matter is likely to continue beyond the current official year. Once designated to serve on a particular matter before the Planning Board, the alternate member shall have the same powers and duties as regular members of the Board until that matter is concluded. Any determination by the Planning Board consisting of alternate members shall have the same weight and be entitled to the same authority as the act or deed of the regular Planning Board and all laws, statutes and regulations shall apply and be applied with equal force and effect.
- B. Both alternate members shall serve two-year terms expiring at the end of the official year except in the first year of the application of this chapter, to stagger the terms, one alternate member shall be appointed for one year and one for two years. Their successors shall be appointed for a term of two years after the expiration of the terms of their predecessors in office. If a vacancy shall occur otherwise than by expiration of term, it shall be filled by the Village Board for the unexpired term. The Mayor shall have the power to remove any alternate member of the Planning Board for cause, after a public hearing, if one is requested.
- C. Although both alternate members of the Planning Board shall attend all meetings of the Planning Board, they shall have no power to participate in any actions of the Planning Board except as provided herein.

§13-28: Training and Education.

Each member of the Planning Board shall complete, at a minimum, four hours of training each year designed to enable such members to more effectively carry out their duties. Training received by a member in excess of four hours in any one year may be carried over by the member for up to two years in order to meet the requirements of this provision. Such training shall be approved by the Village Board and may include, but is not limited to, training provided by a municipality, regional or county planning office or commission, county planning federation, state agency, statewide municipal association, college or other similar entity. Training may be provided in a variety of formats, including but not limited to electronic media, video, distance learning, and traditional classroom training.

§13-29: Rules of Procedure.

The Planning Board may adopt rules and regulations with respect to procedure before it and with respect to any subject matter over which it has jurisdiction, subject to approval of the Village Board. Such regulations shall include provisions for conduct of meetings, notification of parties, form of applications and filing of decisions.

§13-30: Powers and duties.

- A. General Provisions. The Planning Board shall have and exercise the powers and duties as follows:
1. To submit a written recommendation to the Village Board of Trustees any regulations relating to any subject matter over which the Planning Board has jurisdiction under New York State Village Law §7-712, or under any other statute, or under local law of the Village. Adoption of any such recommendations by the Village Board shall be by local law.
 2. To submit a written report to the Village Board of Trustees within 30 days on any matter or class of matters referred to the Planning Board by the Village Board of Trustees.
 3. To review and make recommendations on any proposed Village comprehensive plan or amendment thereto. In addition, the Planning Board shall have the full power and authority to make investigations, maps, reports, and recommendations in connection therewith relating to the planning and development of the Village as it seems desirable, providing that the total expenditure of said Planning Board shall not exceed the appropriation provided therefor.
- B. Referrals by Village Board. The Planning Board shall also exercise all other powers conferred upon it by the provisions of the New York State Village Law and shall pass upon all matters which may be referred to it from time to time by resolution of the Village Board. It shall conduct hearings and perform its duties in accordance with such procedure as provided in New York State Village Law §7-718 and acts amendatory thereof.

§13-31: Compensation; expenses.

The compensation of the Planning Board members, including any alternate members, shall be as established by resolution of the Village Board of Trustees, and as amended by resolution from time to time. The Village Board of Trustees shall be authorized to make such appropriations by resolution as it may see fit for expenses of the Planning Board.

Section 2. State Environmental Quality Review Act.

This Local Law is classified as a Type II action under the Regulations governing the State Environmental Quality Review Act.

Section 3. Severability.

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which such judgment shall have been rendered.

Section 4. Supersession.

It is the express intent of the Village Board, pursuant to Municipal Home Rule Law §§10 and 22, to supersede Village Law §7-718 to appoint alternate members of the Planning Board who can participate, not only in the event of a conflict of interest, but whenever such participation is required to form a quorum of the Planning Board.

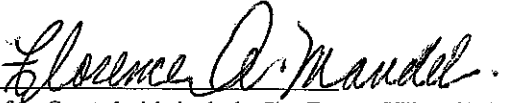
Section 5. Effective Date.

This Local Law shall become effective immediately upon filing with the Secretary of State.

(Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2021 of the (County)(City)(Town)(Village) of CHESTNUT RIDGE was duly passed by the Board of Trustees on June 17, 2021, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript there from and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.


Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

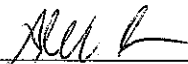
Date: June 17, 2021

(Seal)

(Certification to be executed by, County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.

STATE OF NEW YORK
COUNTY OF ROCKLAND

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.


Signature

VILLAGE ATTORNEY
Title

VILLAGE OF CHESTNUT RIDGE

Date: June 17, 2021