

Proposed Local Law of 2019

A LOCAL LAW to establish the title of Secretary to the Planning Board, Zoning Board of Appeals, and Architectural Review Board by amending Chapter 52, Residency Requirements, amending Chapter 305 – Zoning, to establish the position, and amending Chapter 9, to reference the position.

Section 1. Be it enacted by the **Board of Trustees** of the **Village of Tarrytown** as follows (Language in **Bold and Underlined** to be added, language in ~~Strikethrough and italics~~ to be deleted):

Section 2. Chapter 305 – Zoning, Section 305-117 entitled *Planning Board*, is amended to add a new Section C.

C. There shall be a Secretary to the Planning Board, Zoning Board of Appeals and/or Architectural Review Boards, pursuant to the provisions of Civil Service, who shall be assigned by the Village administration to provide administrative and clerical support services.

Section 3. Chapter 305 – Zoning, Section 305-118 entitled *Board of Appeals*, is amended to provide for new language in the opening of Section 118, as follows:

The Board of Appeals heretofore established pursuant to the Village Law is hereby continued with all powers and duties prescribed by law and by this chapter. **There shall be a Secretary to the Planning Board, Zoning Board of Appeals and/or Architectural Review Boards, pursuant to the provisions of Civil Service, who shall be assigned by the Village administration to provide administrative and clerical support services.** Such powers and duties **of the Board of Appeals** are summarized and more particularly specified as follows, provided that none of the following provisions shall be deemed to limit any power of the Board of Appeals conferred by general law:

Section 4. Chapter 9, Architectural Review Board, Section 9-2 entitled *Creation, Membership, Terms of Office, Organization* shall be amended to add a new Section D. to read as follows:

D. There shall be staff assigned by the Village administration to provide administrative and clerical support services, namely a Secretary to the Planning Board, Zoning Board of Appeals and/or Architectural Review Boards, pursuant to the provisions of Civil Service.

Section 5. Chapter 52, Residency Requirements, Section 52-2 entitled *Village, County, or bordering County residency* shall be amended to read as follows:

Notwithstanding any other general or special law, no person shall be eligible to be appointed to or hold the office of Administrator, Assistant Village Administrator, Village Clerk, Deputy Clerk, Village Treasurer, Deputy Treasurer, Engineer, Building Inspector, Superintendent of Public Works, and **Secretary to the Planning Board, Zoning Board of Appeals and Architectural Review Boards** in the Village of Tarrytown unless such person is a resident of the Village or a resident of Westchester County or a resident of a county which directly borders Westchester County during such appointment. A person shall be eligible to be appointed to or hold the nonjudicial position of Village Court Clerk, Assistant Court Clerk or Court Attendant provided such person is a resident of Westchester County or in a County in New York State, such as the five boroughs of New York City, Rockland County, Putnam County and Dutchess County during such appointment.

Section 6: Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

Section 7: Effective Date

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