

**LOCAL LAW 1 OF 2021 OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING AN AMENDMENT TO LOCAL LAW 2 OF 2000 AMENDING PLANNING BOARD, CHAPTER 96, SECTION 96-1 COMPOSITION, TERMS, VACANCIES; REMOVAL OF THE CODE OF THE CITY OF KINGSTON**

Sponsored By:      Laws & Rules Committee: Alderman: Ventura  
Morell, O'Reilly, Scott-Childress, Tallerman,  
Worthington

**WHEREAS**, presently Chapter 96, Section 96-1 Composition; Terms, Vacancies, Removal consists of five members appointed by the Mayor, which Section needs to be brought into compliance with State law; and

**WHEREAS**, Section 96-1 needs to be revised to reflect the word "may" instead of the word "shall"; and

**WHEREAS**, said revisions to the Planning Board, Chapter 96, Section 96-1 is in the best interests of said Board in order to come into compliance with State law.

**NOW THEREFORE, BE IT ENACTED AS FOLLOWS:**

**SECTION 1.** That the Common Council authorizes amending Local Law 2 of 2000, amending Planning Board, Chapter 96, Section 96-1 of the City Code as follows:

Section 96-1 Composition, Terms, Vacancies, Removal

There shall be a City Planning Board appointed by the Mayor of the City of Kingston, which Board may consist of two members who may be officials of the City of Kingston and three who do not hold any municipal office therein. The terms of the two official members shall terminate with that of the appointing Mayor.

**SECTION 2.** If any provisions of this local law are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the local law shall remain in effect.

**SECTION 3.** This local law shall take effect upon filing with the Secretary of State.

Submitted to the Mayor this \_\_\_\_ day of  
\_\_\_\_\_, 2021

Approved by the Mayor this \_\_\_\_ day of  
\_\_\_\_\_, 2021

\_\_\_\_\_  
Elisa Tinti, City Clerk

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2021

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THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES  
COMMITTEE REPORT

DEPARTMENT: Mayor DATE: 2-17-21

Description: Resolution to amend the City Code regarding the City Planning Board as per attached.

Signature: \_\_\_\_\_

Motion by RSC

Seconded by PO'R

Action Required: \_\_\_\_\_

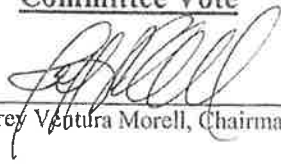

SEORA Decision:  
 Type I Action \_\_\_\_\_  
 Type II Action \_\_\_\_\_  
 Unlisted Action \_\_\_\_\_

Negative Declaration of Environmental Significance: \_\_\_\_\_

Conditioned Negative Declaration: \_\_\_\_\_

Seek Lead Agency Status: \_\_\_\_\_

Positive Declaration of Environmental Significance: \_\_\_\_\_

Committee Vote	YES	NO
 Jeffrey Ventura Morell, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patrick O'Reilly Ward 7	<input type="checkbox"/>	<input type="checkbox"/>
 Rennie Scott-Childress, Ward 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Don Tallerman, Ward 5	<input type="checkbox"/>	<input type="checkbox"/>
Rita Worthington, Ward 4	<input type="checkbox"/>	<input type="checkbox"/>

# CITY OF KINGSTON

## Office of the Mayor

mayor@kingston-ny.gov



Steven T. Noble  
Mayor

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February 11, 2021

Honorable Andrea Shaut  
President/Alderman- at-Large  
Kingston Common Council  
420 Broadway  
Kingston, NY 12401

Re: Planning Board Code Language Change

Dear President Shaut,

Recently, two City of Kingston employees who have served on the Kingston Planning Board have either retired or plan to retire in the weeks ahead. At this time, in an effort to bring our code into compliance with state law, I believe we need to amend our City Code to indicate that the Mayor "may" instead of "shall" appoint two city employees to the Board. This will allow for the potential addition of city residents who are not city staff to sit on the Planning Board, which I believe would allow for even greater transparency and openness in the process.

I propose that the Common Council amend the code to replace the word "shall" with the word "may" in this statement "...which Board [shall (replace with may)] consist of two members who [shall (replace with may)] be officials of the City of Kingston." This will have to be done via a local law. I respectfully request that this be added as a late agenda item to the Laws and Rules Committee this month.

The current text from our city code is below:

[Amended 12-16-1999 by L.L. No. 2-2000, approved 1-3-2000]

There shall be a City Planning Board Appointed by the Mayor of the City of Kingston, which Board shall consist of two members who shall be officials of the City of Kingston and three who do not hold any municipal office therein. The terms of the two official members shall terminate with that of the appointing Mayor.

Please feel free to contact me with any questions regarding the projects. Thank you for your consideration.

Sincerely,

Steven T. Noble  
Mayor

STN:rjv