

# Local Law Filing

(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 BRIARCLIFF MANOR
- Town
- Village

Local Law No. 4 of the year 20 09

A local law TO AMEND CHAPTER 38 OF THE CODE OF THE VILLAGE OF BRIARCLIFF MANOR  
*(Insert Title)*  
WITH RESPECT TO VILLAGE MANAGER RESIDENCY REQUIREMENTS

Be it enacted by the BOARD OF TRUSTEES of the  
*(Name of Legislative Body)*

- County
- City of BRIARCLIFF MANOR as follows:
- Town
- Village

SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 20 09 of the (County)(City)(Town)(Village) of BRIARCLIFF MANOR was duly passed by the BOARD OF TRUSTEES on JULY 1, 20 09, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_ *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

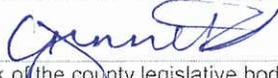
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20 \_\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20 \_\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

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 therefrom 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: 7-17-09

(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 WESTCHESTER

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.

Wormser, Kiely, Galef + Jacobs LLP  
By: Clark B. Smith

Signature  
Village Attorney, Wormser, Kiely, Galef and Jacobs  
Title

County  
City of BRIARCLIFF MANOR  
Town  
Village

Date: 7/18/09

Adopted 7-1-09

A LOCAL LAW TO AMEND  
CHAPTER 38 OF THE CODE OF  
THE VILLAGE OF BRIARCLIFF  
MANOR WITH RESPECT TO  
VILLAGE MANAGER RESIDENCY  
REQUIREMENTS

Be it enacted by the Village Board of Trustees of the Village of Briarcliff Manor,  
as follows:

Section 1. Section §38-1 of the Code of the Village of Briarcliff Manor is hereby  
amended to read as follows:

“§ 38-1 Appointment; compensation; residency requirement.

“The administrative and executive powers of the Village, including the power of appointment of all employees, except the Treasurer, Village Clerk, Deputy Clerk, Building Inspector and Village Attorney, and officers and members of the Police Department, are vested in an officer to be known as the "Village Manager," who shall be appointed by the Board of Trustees and hold office during the pleasure of such Board. The Village Manager shall receive such compensation as shall be fixed by the Board of Trustees. At the time of his or her appointment he or she need not be a resident of the Village or the state, but shall become a resident of the Village of Briarcliff Manor, the Town of Ossining, or the Town of Mount Pleasant within 90 days after appointment and so remain during his or her tenure of office. He or she shall be chosen by the Board of Trustees without regard to his or her political beliefs and solely upon the basis of his or her executive and administrative ability. He or she may be bonded as the Board of Trustees may deem necessary. No member of the Board of Trustees shall be appointed as Village Manager during the term for which he or she shall have been elected. During the absence or disability of the Village Manager, the Board of Trustees may designate any properly qualified person to perform the duties of the office during such absence or disability.”

Section 2. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such valid part or parts.

“Section 3. Effective Date.

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