

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 Town Village
(Select one.)

of Briarcliff Manor

Local Law No. 9 of the year 2024

A local law A LOCAL LAW AMENDING CHAPTER 45 PLANNING BOARD ARTICLE IV
(Insert Title)
ALTERNATE MEMBER OF THE CODE OF THE VILLAGE OF BRIARCLIFF MANOR

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Briarcliff Manor as follows:

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. 9 of 2024 of the (County)(City)(Town)(Village) of BRIARCLIFF MANOR was duly passed by the BOARD OF TRUSTEES on JUNE 4 2024, 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) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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) (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(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) (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.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* 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.)

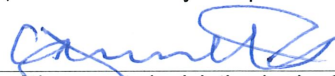
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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: 6-17-24

(Seal)

A LOCAL LAW AMENDING CHAPTER
45 PLANNING BOARD ARTICLE IV
ALTERNATE MEMBER OF THE CODE
OF THE VILLAGE OF BRIARCLIFF
MANOR

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

Section 1. Chapter 45 Planning Board Article IV Alternate Member of the Code of the Village of Briarcliff Manor, is hereby repealed in its entirety and replaced with the following:

Article IV. Alternate Member

§ 45-5. Purpose.

The alternate Planning Board member article shall apply to appointment, terms, functions and powers of alternate members appointed to serve on the Planning Board of the Village of Briarcliff Manor.

§ 45-6. Declaration of policy.

As a result of recusals by Board members or other reasons which may keep a member of the Planning Board from participating in the consideration of a specific matter before such Board, official business may not always be able to be conducted and may delay or impede adherence to required timelines. The use of alternate members in such instances is hereby authorized pursuant to the provisions of this article.

§ 45-7. Authorization.

A. This article provides a process for appointing one alternate member to the Planning Board to serve when a member has recused himself or herself or is otherwise precluded from consideration of a matter or is absent or otherwise unable to participate at a meeting of the Board.

B. The alternate member shall be appointed by the Board of Trustees for a term of one year.

C. An alternate member shall have all of the rights, privileges, and responsibilities of a member of the Planning Board. When an alternate member is voting or counting toward the calculation or composition of a quorum, that circumstance shall be noted in the minutes of the Board meeting.

D. All provisions of state law relating to Planning Board member eligibility, vacancy in office, removal, compatibility of office and service on other

boards, as well as any provision of a local law relating to Planning Board members, shall also apply to alternate members.

E. An alternate member shall attend meetings of the Planning Board, including work sessions, regular meetings, and executive sessions, shall sit with and participate in all deliberations of the Board on all matters, and subject to § 45-7F below shall substitute for a member who has recused himself or herself or is otherwise precluded from consideration of a matter or is absent or otherwise unable to participate at a meeting of the Board, but an alternate member shall not vote or count towards the calculation or composition of a quorum unless he or she is substituting for a member.

F. An alternate member who is substituting for a member pursuant to this article may vote and count towards the calculation and composition of a quorum on all matters and issues if he has attended all the meetings held on any matter, or otherwise makes an informed decision based on sufficient knowledge of the matter at hand.

§ 45-8 Supersession of Village Law.

This article is hereby adopted pursuant to the provisions of § 10 of the New York State Municipal Home Rule Law and § 10 of the New York State Statute of Local Governments. It is the intent of the Village Board of Trustees, pursuant to § 10 of the New York State Municipal Home Rule Law, to supersede the provisions of § 7-718 of the Village Law relating to the appointment of members to the Village Planning Board.

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.