

# Village of Mamaroneck



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TO: Mayor Murphy and the Board of Trustees  
Daniel Sarnoff, Acting Village Manager

FROM: Robert A. Spolzino, Esq.

RE: Proposed Local Law Regarding Appointment of Village Clerk-Treasurer

DATE: December 3, 2018

In the course of preparing the agenda for the annual organizational meeting of the Board of Trustees, it became apparent that I had made an error in drafting Local Law 12 of 2017 regarding the authority to appoint the Clerk-Treasurer.

Village Code § 9-5(A)(7) states that the power to appoint the Clerk-Treasurer is given to the Board of Trustees by Village Code § 76-1(A). That is incorrect, as I advised the Board of Trustees by email on November 19, 2018. The power to appoint the Village Clerk-Treasurer rests with the Mayor.

Village Code §76-1(A) does not change that authority. As stated in my memo to the Board of Trustees dated June 22, 2017, a copy of which is attached, that provision of the code gives the Village Manager the authority to supervise the Clerk-Treasurer, but does not change the power to appoint the Clerk-Treasurer. Village Code §9-5(A)(7) was not intended to change that. It was intended to be a compilation of other appointment provisions, not a new source of authority