

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
WWW.DOS.NY.GOV

ANDREW M. CUOMO
GOVERNOR
ROSSANA ROSADO
SECRETARY OF STATE

June 25, 2018

Elisete Acosta
Intermediate Clerk
Village Hall
PO Box 369
Mamaroneck NY 10543

RE: Village of Mamaroneck, Local Law 7 2018, filed on June 19, 2018

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492

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JUN 28 2018

VILLAGE ATTORNEY



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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 Mamaroneck

FILED
STATE RECORDS

JUN 19 2018

DEPARTMENT OF STATE

Local Law No. 7 of the year 2018

A local law to amend Chapters 6, 7, 20, 21 58, 72, 240, 318 and 342 of the Code of

(Insert Title)

the Village of Mamaroneck regarding compliance by advisory boards with

Open Meetings Law requirements.

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

☐ County ☐ City ☐ Town ☒ Village
(Select one:)

of Mamaroneck

as follows:

Please 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. 7 of 2018 of the County of Mamaroneck (County)(City)(Town)(Village) of Board of Trustees (Name of Legislative Body) on June 11, 2018, in accordance with the applicable provisions of law.

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 20 was duly passed by the and was (approved)(not approved) (Name of Legislative Body) on 20 (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 20 was duly passed by the and was (approved)(not approved) (Name of Legislative Body) on 20 (repassed after disapproval) by the and was (approved)(not approved) (Elective Chief Executive Officer) on 20. 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 20 was duly passed by the and was (approved)(not approved) (Name of Legislative Body) on 20 (repassed after disapproval) by the and was (approved)(not approved) (Elective Chief Executive Officer) 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: ce/5/18

(Seal)

LOCAL LAW 7 - 2018

A LOCAL LAW TO AMEND CHAPTERS 6, 7, 20, 21 58, 72, 240, 318 AND 342 OF THE CODE OF THE VILLAGE OF MAMARONECK REGARDING COMPLIANCE BY ADVISORY BOARDS WITH OPEN MEETINGS LAW REQUIREMENTS.

BE IT ENACTED by the Board of Trustees of the Village of Mamaroneck as follows:

Section 1.

Section 6-5 of the Code of the Village of Mamaroneck, is amended as follows:

§ 6-5 Meetings; procedures; rules and regulations.

Meetings of the Board of Architectural Review shall be held at the call of the Chairman and at such other times as the Board may determine, but shall be held within 18 days of the date of any application for a building permit referred to the Board as required in § 6-6 below. The Chairman or, in his absence, the Acting Chairman may administer oaths and compel the attendance of witnesses. A majority of said Board shall constitute a quorum for the transaction of business. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact and shall also keep records of its examinations and other official actions. The Board shall have power, from time to time, to adopt, amend and repeal rules and regulations, not inconsistent with law or the provisions of this chapter, governing its procedure and the transaction of its business and for the purpose of carrying into effect the standards outlined in § 6-7 hereof. The rules will provide that the Board of Architectural Review will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Board is acting in an advisory capacity. Such rules, regulations and amendments thereto shall be approved by the Board of Trustees, and a copy thereof shall be filed in the Clerk-Treasurer's office.

Section 2.

Chapter 7 (Arts Council) of the Code of the Village of Mamaroneck is amended by adding section 7-6, as follows:

§ 7-6. Procedures.

The Council will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Council is acting in an advisory capacity.

Section 3.

Chapter 20 (Committee for Environment) of the Code of the Village of Mamaroneck is amended by adding section 20-5, as follows:

§ 20-5. Procedures.

The Committee will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Committee is acting in an advisory capacity.

Section 4.

Chapter 21 (Code of Ethics) of the Code of the Village of Mamaroneck is amended by adding section 21-10(D), as follows:

- D. The Ethics Board will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Ethics Board is acting in an advisory capacity.

Section 5.

Section 58-1 of the Code of the Village of Mamaroneck is amended as follows:

§ 58-1. Statutory authorization; powers; Board membership; terms; procedure.

A Planning Board is hereby created pursuant to § 7-718 of the Village Law of the State of New York hereby giving and granting to said Planning Board all of the powers enumerated in said § 7-718 of the Village Law of the State of New York, or any amendments thereto, including, but without limiting the generality of the foregoing, the power to approve plans showing new streets or highways and, simultaneously with the approval of such plans, either to confirm the zoning regulations of the land so platted as shown by the Official Zoning Map of said Village or to make any reasonable change therein in accordance with the provisions of said Act or amendments thereto. Board membership shall include a total of five members. The Board of Trustees shall appoint the members and chairperson of the Planning Board and fill vacancies in those offices. Terms of membership for members shall be five years. The Planning Board will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Planning Board is acting in an advisory capacity.

Section 6.

Chapter 72 (Traffic Commission) of the Code of the Village of Mamaroneck is amended by adding section 72-3(C), as follows:

- C. The Traffic Commission will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Commission is acting in an advisory capacity.

Section 7.

Chapter 240 (Management of Coastal Zone, Harbor and Vessels) of the Code of the Village of Mamaroneck is amended by adding section 240-36(E), as follows:

- C. The Harbor and Coastal Zone Management Commission will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Commission is acting in an advisory capacity.

Section 8.

Section 318-5 of the Code of the Village of Mamaroneck is amended as follows:

§ 318-5 Chairperson; rules and regulations; quorum.

The Board of Trustees shall appoint the Chairperson. The Committee shall make its own rules and regulations and shall keep a record of its proceedings. A majority of the members shall be a quorum for the transaction of business. The Committee will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Committee is acting in an advisory capacity.

Section 9.

Chapter 342 (Zoning) of the Code of the Village of Mamaroneck is amended by adding section 342-94(I), as follows:

- I. The Board of Appeals will comply with the requirements of the Open Meetings Law of the State of New York (Public Officers Law § 100 et seq.), even if that law does not apply because the Board of Appeals is acting in an advisory capacity.

Section 10.

If any section, subsection, clause, phrase or other portion of this local law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

Section 11.

This law is adopted pursuant to the authority granted by Municipal Home Rule Law § 10(1)(e)(3) and will supersede the provisions of the Village Law to the extent that they are inconsistent with this local law.

Section 12.

This local law will take effect immediately upon its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.