

VILLAGE OF AIRMONT

LOCAL LAW NO. 3 OF 2022

A LOCAL LAW CONFIRMING AND ESTABLISHING THE EXPANSION OF RESIDENCY REQUIREMENTS FOR THE POSITIONS OF CLERK-TREASURER, DEPUTY CLERK-TREASURER, DEPUTY CLERK AND THE APPOINTED VILLAGE JUSTICE IN THE VILLAGE OF AIRMONT

BE IT ENACTED by the Village Board for the Village of Airmont, Rockland County, New York (“Village Board”) as follows:

Section 1. Legislative Intent.

The Village Board of the Village of Airmont hereby finds and determines that it is in the best interests of the residents of the Village to find and appoint qualified people to fill Village offices including Clerk-Treasurer, Deputy Clerk-Treasurer, Deputy Clerk and the Appointed Village Justice. The Village Board further finds that the State requirement requiring these positions to be filled by Village residents may limit the Village’s ability to find qualified persons for these positions.

Accordingly, it is the intent of this Local Law, and in accordance with the State Law, to allow the Village Clerk-Treasurer, Deputy Clerk-Treasurer, Deputy Clerk and the Appointed Village Justice to reside outside of the Village of Airmont so long as such officials reside within the County of Rockland.

Section 2. Authority; Supersession of State Law.

This Local Law is adopted pursuant to Section 10 of the Municipal Home Rule Law and is further intended to supersede New York State Public Officers Law § 3 and New York State Village Law § 3-300 and any other special law to the extent that such special law may require the Village Clerk-Treasurer, Deputy Clerk-Treasurer, Deputy Clerk and the Appointed Village Justice to reside within the Village of Airmont.

Section 3. A new Chapter shall be added to the Village Code of the Village of Airmont, Part I, “Administrative Legislation,” entitled “Residency” as follows:

CHAPTER__ : RESIDENCY

§____ - 1 Clerk-Treasurer

Persons holding the position of Village Clerk-Treasurer shall reside in the County of Rockland, State of New York.

§____ - 2 Deputy Clerk-Treasurer

Persons holding the position of Village Deputy Clerk-Treasurer shall reside in the County

of Rockland, State of New York.

§ _____ - 3 Deputy Clerk

Persons holding the position of Village Deputy Clerk shall reside in the County of Rockland, State of New York.

§ _____ - 4 The Appointed Village Justice

Persons holding the position of the Appointed Village Justice shall reside in the County of Rockland, State of New York

Section 4. State Environmental Quality Review Act.

Pursuant to 6 NYCRR 617.5 (26) and (33), this Local Law is classified as a Type II action which requires no further review under the State Environmental Quality Review Act.

Section 5. Severability.

If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective date.

This Local Law shall be effective immediately upon filing with the Secretary of State.