§ 99-w. Land for monument erection. 1. The following terms whenever used or referred to in this section shall have the following meanings unless a different meaning clearly appears in the context:

(a) "military action or period of war" means the American Revolution; American Civil War; Spanish-American War; the Mexican border period; World War I; World War II; the hostilities known as the Korean War; the hostilities known as the Vietnam War; the Persian Gulf conflict including but not limited to Operation Enduring Freedom; Operation Iraqi Freedom and Operation New Dawn; and military operations other than war: Panama; Bosnia; Somalia and Haiti;

(b) "military monument" means any structure or part of any structure that was erected or later dedicated with the intent to honor a current or former member or members of the armed forces or to mark or commemorate a military action, battle or period of war, including but not limited to, a tablet, plaque, wall, building, or structure;

(c) "military memorial" means a park, field, grove of trees, land or artwork surrounding a military monument;

(d) "change in status" means a military monument or military memorial that will be alienated, leased, transferred, sold, moved or discontinued for use as a memorial site;

(e) "municipal corporation" means a county, city, town, village, school district or board of cooperative educational services; and

(f) "legislative body" means the board of supervisors, board of aldermen, common council, council, commission, town board, board of trustees or other elective governing board or body of a municipality now or hereafter vested by state statute, charter or other law with jurisdiction to initiate and adopt local laws and ordinances, whether or not such local laws or ordinances require approval of the elective chief executive officer or other official or body to become effective; provided however, in the case of a school district shall mean the board of education, board of trustees or sole trustee, as the case may be; and provided further, in the case of a board of cooperative educational services shall mean the elected members of the board of cooperative educational services.

2. Prior to any change in status of a military monument or military memorial erected or constructed pursuant to sections two hundred

twenty-six of the county law, eighty-one of the town law, seventy-two and seventy-seven-a of the general municipal law or where the military monument or military memorial receives a real property tax exemption pursuant to section four hundred forty-four-a of the real property tax law, the legislative body of the municipal corporation where the military monument or military memorial is situated shall adopt a local law, by a two-thirds vote of its members, or in the case of a school district or board of cooperative educational services a resolution, by a two-thirds vote of its members, to authorize such change in status. At least ninety days prior to the adoption of such local law, the municipal corporation shall hold at least one public hearing. Such public hearing shall be on such notice as is required by section twenty of the municipal home rule law. Notice of such public hearing shall also be posted in at least five public places, and shall be advertised for three consecutive days in at least one newspaper of general circulation in the municipal corporation, which shall be the official newspaper if one exists, within fifteen days of such public hearing. The municipal corporation shall also post such notice on its official website, if one exists, for at least fifteen days prior to such hearing. Written notice shall also be sent by certified mail to the chief executive officer of the municipal corporation, if one exists, prior to the publication of the notice requirements required by this subdivision.