

LOCAL LAW FILING

FILED
STATE RECORDS

DEC 13 2016

**Village of Earlville County of
Madison/Chenango**

DEPARTMENT OF STATE

Local Law No. 1 of the year 2016

Override of the Tax Levy Limit Established in General Municipal Law 3-c for the Village of Earlville, Madison/Chenango County for Fiscal Year 2017.

Be it enacted by the Town Board of the Village of Earlville as follows:

Section 1. Title

The title of this Law shall be "Override of the Tax Levy Limit Established in General Municipal Law 3-c for the Village of Earlville, Madison/Chenango County for Fiscal Year 2017."

Section 2. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Village of Earlville, County of Madison/Chenango pursuant to General Municipal Law § 3-c, and to allow the Village of Earlville, County of Madison/Chenango to adopt a village budget for (a) village purposes and (b) any other special or improvement district governed by the village board for the fiscal year 2017 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 3. Authority

This local law is adopted pursuant to Municipal Home Rule Law of the State of New York and subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the village board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 4. Tax Levy Limit Override

The Village Board of the Village of Earlville, County of Madison/Chenango is hereby authorized to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 5. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, 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 take effect immediately upon filing with the Secretary of State.

[END OF LOCAL LAW TEXT]

MOTION by Trustee Nicholas French, seconded by Trustee Daniel Piliero

to adopt Local Law No. 1 of 2016, "Override of the Tax Levy Limit Established in General Municipal Law 3-c for the Village of Earlville, Madison/Chenango County for Fiscal Year 2017."

Adopted by:	William Excell, Mayor	<u>Y</u>
	Daniel Piliero, Trustee	<u>Y</u>
	Henry Moore, Trustee	<u>Y</u>
	Margaret Corey, Trustee	<u>Y</u>
	Nicholas French, Trustee	<u>Y</u>

Attest:

Kelly Beach
Kelly Beach, Clerk-Treasurer
Village of Earlville

-- Seal --

RESOLUTION 33-2 "AUTHORIZING ADOPTION OF LOCAL LAW #1 of 2016"

WHEREAS a resolution was duly adopted by the Village Board of the Village of Earlville introducing proposed Local Law #1 of 2016 entitled "A Local Law To Override The Tax Levy Limit Established in General Municipal Law 3-c" and scheduling a public hearing on said proposed local law for August 9, 2016, at 6:30 PM at the Village of Earlville Office, 8 North Main Street, Earlville, NY to hear all interested parties on said proposed local law; and

WHEREAS notice of said public hearing was duly advertised in the official newspaper of the Village, at least 5 days prior to said public hearing, and

WHEREAS notice of said public hearing was posted in the Village Clerk's office, and

WHEREAS each member of the Village Board received a copy of said proposed local law in final form in accord with the Municipal Home Rule Law, and

WHEREAS the Village Board after due deliberation finds it in the best interest of the Village to adopt said Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Earlville hereby adopts, by roll call vote, said local law and designates it as Local Law #1 of 2016 entitled "A Local Law To Override The Tax Levy Limit Established in General Municipal Law 3-c" a copy of which is attached hereto and made a part of this Resolution, and

BE IT FURTHER RESOLVED, that the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village, to give due public notice of its adoption, and to give due notice of the adoption of said Local Law to the Secretary of State.

ON MOTION OF Trustee Nicholas French

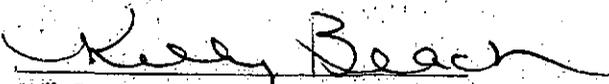
SECONDED BY Trustee Daniel Piliro

Excell yes no Piliro yes no Moore yes no

Corey yes no French yes no

Dated: August 9, 2016

Attest:



Kelly Beach
Clerk-Treasurer
Village of Earlville

(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. 1 of 2016 of the (County)(City)(Town)(Village) of Earlville was duly passed by the Village of Earlville Board on August 9 2016, 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 _____ above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: _____

(Seal)