

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 Duanesburg

FILED
STATE RECORDS
OCT 26 2020

DEPARTMENT OF STATE

Local Law No. 3 of the year 2020

A local law entitled " Tax Cap Override for FY 2021" will allow the Town of Duanesburg to override
(Insert Title)

the limit on the amount of real property taxes that may be levied, pursuant to General

Municipal Law and allow the Town of Duanesburg to adopt a town budget for fiscal year

2021 that requires a tax levy in excess of the tax levy limit.

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

County City Town Village
(Select one.)

of Duanesburg as follows:

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. 3 of 2020 of the (County)(City)(Town)(Village) of Duanesburg was duly passed by the Town Board on October 22 2020, 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 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.

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____.

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.

* 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.)

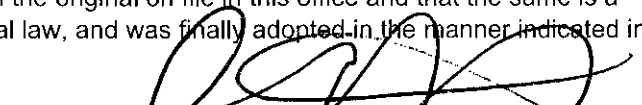
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.

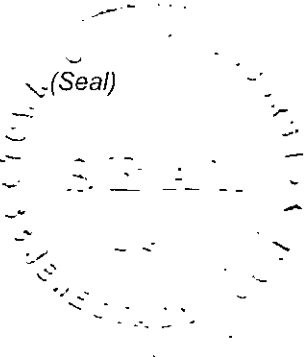
(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

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: October 22, 2020



TOWN OF DUANESBURG LOCAL LAW NO. 3 OF 2020

TAX CAP OVERRIDE FOR FY 2021

BE IT ENACTED by the Town Board of the Town of Duanesburg in the County of Schenectady as follows:

Section 1. Title of the Local Law.

This local law shall be entitled "Tax Cap Override for FY 2021."

Section 2. Authorization.

This local law is adopted pursuant to subdivision 5 of the General Municipal Law § 3-C, which expressly authorizes the town 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 3. Purpose.

The purpose of this local law is to permit the override of the limit on the amount of real property taxes that may be levied by the Town of Duanesburg, County of Schenectady, pursuant to General Municipal Law § 3-C, and to allow the Town of Duanesburg to adopt a town budget for the fiscal year 2021 ("FY 2021") that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-C.

Section 4. Tax Cap Override for FY 2020

The Town Board of the Town of Duanesburg, County of Schenectady, is hereby authorized to adopt a budget for FY 2021 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law § 3-C.

Section 5. Supersession.

Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes all provisions of the Town of Duanesburg Town Code, in so far as such statutes are inconsistent with this Local Law and any other laws or regulations of the Town of Duanesburg are superseded to the extent necessary to give this Local Law full force and effect. All other provisions shall remain the same.

Section 6. Severability.

Each separate provision of this Local Law shall be deemed independent of all other provisions therein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 7. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.

TOWN OF DUANESBURG TOWN BOARD

115
RESOLUTION NO. -2020

FILED
STATE RECORDS
OCT 26 2020

October 22, 2020

DEPARTMENT OF STATE

Adopting Local Law No. 3 of 2020


WHEREAS, Local Law No. 3 of 2020 entitled "Tax Cap Override for FY 2021" (the "Proposed Local Law") will allow the Town of Duanesburg to override the limit on the amount of real property taxes that may be levied, pursuant to General Municipal Law §3-C, and allow the Town of Duanesburg to adopt a town budget for fiscal year 2021 that requires a tax levy in excess of the tax levy limit; and

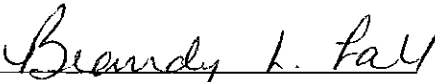
WHEREAS, the proposed local law was introduced at the meeting of October 8, 2020 of the Town Board and each member of the Town Board received the Proposed Local Law; and

WHEREAS, a public hearing was duly noticed and held on October 22, 2020.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby adopts Local Law No. 3 of 2020 and directs that the local law be filed in the Town Clerk's office and with the New York State Secretary of State's Office.

Motion made by Council Member Potter
Motion seconded by Council Member Ganther


Roger Tidball, Supervisor


Town Clerk/Deputy Town Clerk

Present: Supervisor Tidball, Council Member Potter, Council Member Ganther,
Absent: Council Member Senecal, Council Member Wenzel

Council Members:

Roger Tidball	<u>Yea</u>	Nay	Abstain
John Ganther	<u>Yea</u>	Nay	Abstain
Rick Potter	<u>Yea</u>	Nay	Abstain
William Wenzel	<u>Yea</u>	Nay	Abstain
Jeff Senecal	<u>Yea</u>	Nay	Abstain