

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 Niilo

FILED
STATE RECORDS

NOV 01 2023

DEPARTMENT OF STATE

Local Law No. 5 of the year 2023

A local law Amend the payment policy of
(insert Title) the town of Niilo

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

County City Town Village
(Select one.)

of Niilo

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. 5 of 2023 of the (County)(City)(Town)(Village) of Wino was duly passed by the Town Board on July 17 2023, 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 1 above.

Richard M. Brady **ESQ., TOWN CLERK**
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: *10/23/23*

(Seal)



Resolution 44-2023
Local Law Payment Polices

At a regular meeting of the Town Board of the Town of Milo, County of Yates, State of New York, held at the Town Hall, 137 Main Street, Penn Yan, New York, on July 17, 2023 at 7:00 P.M. there were

	PRESENT	ABSENT
Leslie Church, Supervisor	_X_	___
James Harris, Councilperson	___	_X_
Dale Hallings, Councilperson	___	_X_
Arden Sorensen, Councilperson	_X_	___
Gene Spanneut, Councilperson	_X_	___

ALSO PRESENT: Patricia L. Christensen, Town Clerk,

At 7:00 p.m., a Public Hearing was held before the Town Board to hear all persons wishing to comment on a proposal to amend the payment policies for the Town of Milo. The Town Attorney, Richard M. Buck, Jr., had prepared the draft local at the request of the Town. The Town Supervisor asked if there were any questions and answered questions from those present. The Town Supervisor declared the public hearing closed and proceeded with the regular business of the regular board meeting.

Later in the regular Board meeting Supervisor Church stated that the next order of business on the Board agenda was consideration of proposed Local Law Number 5 of 2023, for which the public hearing had been earlier held. She asked if any Board members had any questions. Following discussion, the following resolution was offered by Councilmember Sorensen, who moved its adoption, and seconded by Councilmember Spanneut, to wit:

WHEREAS, Introductory Local Law Number 5 of 2023 was duly introduced and

considered at a regular meeting of the Town Board of the Town of Milo, held on July 17, 2023, and a resolution was adopted calling for a public hearing before the Town Board on June 19 2023 at 7:00 p.m., to be held at the Milo Town Hall; and

WHEREAS, the legal notice calling for such Public Hearing was duly published and posted as required by law, and such public hearing has been duly held this evening, and all persons desiring to be heard have been given an opportunity to speak and express their wishes to the members of the Town Board of the Town of Milo; and

WHEREAS, the Town Board has determined that it is in the best interest of the town to adopt this local law amending its payment policies to offer additional convenience and flexibility to its residents to pay their financial obligations to the town.

NOW, THEREFORE BE IT RESOLVED: that the Town of Milo adopts Local Law Number 5 of 2023, as submitted which is attached hereto and made part of this resolution.

Following discussion, the foregoing resolution was called to a vote which resulted as follows:

AYES: Church, Sorensen, Spanneut

NOES: none

The Supervisor then declared the resolution to be adopted and directed the Clerk to proceed to contact the Town Attorney if necessary and to complete the publishing and posting as required by law.

Dated: July 17, 2023

Patricia L. Christensen

Town Clerk

TOWN OF MILO
Local Law No. 5 of 2023

INTRODUCTORY LOCAL LAW AMENDING PAYMENT POLICIES

Section 1. Intent and Authority

This local law is proposed pursuant to the authority of Section 10 of the Municipal Home Rule Law authorizing towns to adopt a local law which may amend or supercede any provision of State law in relation to the property, affairs or government of the town unless there is a State legislative restriction on such amendment or supercession and in accordance with Section 20 of the Municipal Home Rule Law.

Section 2. Amend Part 1, Chapter 69, Article II of the Town Code of the Town of Milo

§69-3 shall now read as follows:

Agreement for acceptance of credit card payments

The Town of Milo has entered into an agreement with a credit card issuer to provide for the acceptance by the local government of credit cards as a means of payment of fines, taxes, fees, charges, including, but not limited to special assessments or utility payments owed to the Town of Milo.

The Town shall also accept E-checks and shall have the discretion to accept other electronic payments from financial institutions or business entities so long as those institutions or entities are authorized to do business within the State of New York.

§69-4 shall now read as follows:

Responsibility for transaction fee

The Town of Milo requires as a condition of accepting payment by credit card for the purpose of payment for taxes, including, but not limited to special assessments or utility payments, that the person making the credit card or electronic payment pay any transaction fee the credit card company, institution or business entity charges the Town.

Chapter 69-5 shall be added to read as follows:

This chapter may be amended by resolution of the Town Board.

Section 3. Severability

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of this local law, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Section 4. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

STATE OF NEW YORK }
 } SS.:
COUNTY OF YATES }

I, the undersigned, Patricia L. Christensen, Town Clerk of the Town of Milo, Yates County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the regular meeting of the said Town Board including the resolution contained therein, held on July 17, 2023 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting, and that, pursuant to Section 104 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media:

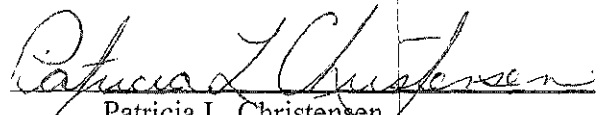
<u>Newspaper and/or other news media</u>	<u>Date given</u>
Chronicle Express	July 6, 2023

and that further notice of the time and place of such meeting was given to the public by posting such notice in the following places on the following dates, and by giving such notice as follows:

<u>Location of posted notice</u>	<u>Date given</u>
Town Clerk's Bulletin Board	June 20, 2023

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town of Milo this date, July 18, 2023.

TOWN SEAL


Patricia L. Christensen
Town Clerk
Town of Milo