

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 Amenia

Local Law No. 5 of the year 20²³

A local law ADOPTING A LOCAL LAW OF THE TOWN OF AMENIA, NEW YORK, TO OVERRIDE

(Insert Title)

THE TAX LEVY LIMIT FOR FISCAL YEAR 2024 ESTABLISHED IN GENERAL

MUNICIPAL LAW § 3-C

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of AMENIA as follows:

{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 Amenia was duly passed by the Town Board on November 2 2023, 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.)

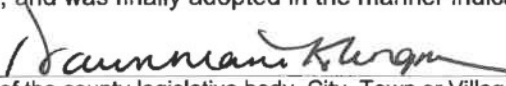
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 1 above.



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

Date: Nov. 6th, 2023

(Seal)





TOWN OF AMENIA
TOWN BOARD

4988 Route 22, AMENIA, NY 12501
(845) 373-8860 www.ameniany.gov

RESOLUTION NO. 104 of 2023

**RE: ADOPTING A LOCAL LAW OF THE TOWN OF AMENIA, NEW YORK,
TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2024
ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c**

WHEREAS, a Resolution was duly adopted by the Town Board of the Town of Amenia introducing proposed Local Law No. ____ of 2023, entitled "Local Law No. ____ of the Year 2023, to Override the Tax Levy Limit for Fiscal Year 2024 Established in General Municipal Law § 3-c."; and

WHEREAS, the Public Hearing was duly advertised in the Millerton News, the official newspaper of the Town; and

WHEREAS, the Public Hearing was held on November 2, 2023, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law or any part thereof; and

WHEREAS, the Town Board determined that the proposed Local Law was not subject to Environmental Review; and

WHEREAS, the Town Board of the Town of Amenia after due deliberation finds that it is in the best interest of the Town to adopt said Local Law; now, therefore, be it

RESOLVED, that the Town Board of the Town of Amenia hereby adopts Local Law No. ____ of 2023 entitled "Local Law No. ____ of the Year 2023, to Override the Tax Levy Limit for Fiscal Year 2024 Established in General Municipal Law § 3-c.", a copy of which is attached hereto and made a part hereof.


Motion made by S/Perotti
Seconded by C/Blackman

The foregoing resolution was voted upon with all councilwomen/councilmen voting as follows:

Supervisor Perotti	Aye
Councilwoman Doyle	Aye
Councilman Gutierrez	Aye
Councilman Blackman	Aye
Councilman Rebillard	Aye

Dated: Amenia, New York
November 2, 2023


DAWN MARIE KLINGNER, TOWN CLERK

IT IS CERTIFIED THAT THIS IS A
COPY OF A TRUE RECORD THAT
IS MAINTAINED IN THE
AMENIA TOWN CLERK'S OFFICE
DATE Nov 4, 2023




TOWN OF AMENIA TOWN BOARD

4988 Route 22, AMENIA, NY 12501
(845) 373-8860 www.ameniany.gov

TOWN OF AMENIA **Local Law No. of 2023**

A Local Law of the Town of Amenia, New York to Override the Tax Levy Limit for Fiscal Year 2024 as Established in General Municipal Law § 3-c.

BE IT ENACTED by the Town Board of the Town of Amenia as follows:

Section-I: TITLE.

This Local Law shall be known and cited as Town of Amenia “Local Law No. ___ of the Year 2023, to Override the Tax Levy Limit for Fiscal Year 2024 Established in General Municipal Law § 3-c.”

Section II: LEGISLATIVE INTENT.

The Town Board acknowledges that it is vitally important to use the taxes of the Town of Amenia in a fiscally responsible manner and to minimize the tax levy in accordance with reasonably projected revenues, especially in economically hard times. The Town Board is reviewing the proposed budget for the Fiscal Year 2024, taking into account the appropriation requests of the various Town Department Heads, the realistic costs of providing governmental services, while at the same time acknowledging reasonably projected revenues and the financial position of the Town. In view of the foregoing, the Town Board has determined that the expenses in the Fiscal Year 2024 Budget are projected to increase while the revenues are projected not to increase sufficiently enough to pay for the increased expenses, which, in turn, will require a tax levy increase that is greater than that allowed by General Municipal Law § 3-c. While the Town Board intends to cut expenses where possible, it also acknowledges that basic government services need to be provided and the infrastructure of the Town must be maintained.

The Town Board hereby determines that a tax levy increase in excess of the General Municipal Law § 3-c limit of 2% or, the rate of inflation as determined by the New York State Comptroller’s Office, may be required because projected expenditures are in excess of the

permitted tax limit increase as determined by the New York State Comptroller's Office pursuant to General Municipal Law § 3-c.

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 Town of Amenia, Dutchess County, New York, pursuant to General Municipal Law § 3-c subdivision 5, and to allow the Town of Amenia, Dutchess County, New York, to adopt a budget for Town purposes and any improvement districts for fiscal year 2024 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section III: AUTHORITY.

This Local Law is adopted pursuant to subdivision 5 of 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 IV: TAX LEVY LIMIT OVERRIDE.

The Town Board of the Town of Amenia, County of Dutchess, is hereby authorized to adopt a budget for fiscal year 2024 that requires a real property tax levy in excess of the limit specified in General Municipal Law § 3-c.

Section V: SEVERABILITY.

- A. If a court of competent jurisdiction finds any provision(s) of this law invalid, in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid, and all other provisions of the law shall continue to be separately and fully effective.
- B. If a court of competent jurisdiction finds the application of any provision of this law to any building, other structure or tract of land to be invalid, in whole or in part, the effect of such decisions shall be limited to the person, property or situation involved in the controversy, and the application of any such provision to any other person, property or situation shall not be affected.

C. The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality, or inapplicability, shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their application to other persons or circumstances. It is hereby declared to be the legislative intent of the Town Board of the Town of Amenia that this Local Law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part thereof is held inapplicable had been specifically exempt therefrom.

Section VI: NUMBERING FOR CODIFICATION.

It is the intention of the Town of Amenia and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of Amenia, that the sections and sub-sections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; the Codifier shall make no substantive changes to this Local Law; the word "Local Law" shall be changed to "Chapter", "Section" or other appropriate word as required for codification; and any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code effected thereby.

Section VII: EFFECTIVE DATE.

This Local Law shall take effect upon its adoption and filing with the Secretary of State in accordance with the provisions of Section 27 of the Municipal Home Rule Law.