

**Village of Hamilton  
Board of Trustees  
Special Meeting of April 4, 2019  
1:00 p.m., Village Office**

***APPROVED MINUTES***

**Present:** Mayor RuthAnn Speer Loveless ;Trustees: Russ Lura, Julie Dudrick and Sean Nevison; Administrator/Attorney Jim Stokes; Administrative Assistant Mitchell

**Absent:** Trustee Jen Servedio; Village Treasurer Mary Ann Henderson

**Public:** Ted Halpin

**Call to Order:** Mayor Loveless called the meeting to order at 1:00 p.m.

**Lake Moraine Dam:** Mr. Halpin updated the Board on the condition of the Lake Moraine Dam.

**Local Law #3-2019:**

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  
of \_\_\_\_\_ Hamilton \_\_\_\_\_  
Town  
Village

Local Law No. 3 of the year 2019.

A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c  
(Insert Title)  
for the 2019-2020 fiscal year.

Be it enacted by the \_\_\_\_\_ Board of Trustees \_\_\_\_\_ of the

County  
City  
of \_\_\_\_\_ Hamilton \_\_\_\_\_ as follows:  
Town  
Village

**Section 1. Legislative Intent**

It is the intent of this local law to allow the Village of Hamilton to adopt a budget for the fiscal year commencing June 1, 2019 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

## **Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

## **Section 3. Tax Levy Limit Override**

The Board of Trustees of the Village of Hamilton, County of Madison, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2019 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

## **Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, 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 5. Effective date**

This local law shall take effect immediately upon adoption.

**(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 2019 of the ~~(County)~~(City)  
(~~Town~~)(Village) of Hamilton was duly passed  
by the Board of Trustees on April 4, 2019 in accordance with the  
applicable  
(Name of Legislative Body)  
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)(Village)(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)(Village)(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 elector 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)(Village)(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 Village 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.)**

\_\_\_\_\_ 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 electors of 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 such cities of said county as a unit and a majority of the qualified electors of the Villages 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.

*Kimberly A. Sarant*

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

Date:  4-4-19

(Seal)

**(Certification to be executed by County Attorney, Corporation Counsel, Village Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF MADISON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

*James T. [Signature]*  
\_\_\_\_\_  
Attorney for the Village

Title

County

City

of  Hamilton

**Public Hearing:** The Mayor opened the public hearing on the proposed local law to authorize the Board to override the State tax cap for the 2019-2020 fiscal year at 1:59 p.m. No one was present from the public to comment. The Mayor closed the public hearing at 2:00 p.m.

**RESOLUTION NO. 42- 2019  
TO THE BOARD OF TRUSTEES  
OF THE VILLAGE OF HAMILTON**

**WHEREAS**, the attorney for the Village has prepared and presented a proposed local law entitled, “A local law authorizing a property tax levy in excess of the limit established in General Municipal Law section 3-c for the 2019-2020 fiscal year”, and

**WHEREAS**, the proposed local law is intended to authorize the Village of Hamilton to exceed the tax levy cap otherwise provided under New York State law for the Village’s 2019-2020 budget and fiscal year, and

**WHEREAS**, upon notice duly published and posted as required, a public hearing on this local law was held on April 4, 2019, which public hearing was, or is hereby closed, and

**WHEREAS**, the adoption of this local law is not an action that may have an effect on the environment as defined by the implementing regulations of the New York State Environmental Quality Review Act and is therefore not an action subject to SEQRA.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** as follows:

After due deliberation, the Board of Trustees finds it in the best interest of the Village of Hamilton to adopt this local law, and does hereby adopt this local law entitled, “A local law authorizing a property tax levy in excess of the limit established in General Municipal Law section 3-c for the 2019-2020 fiscal year.” The Village Clerk is hereby directed to enter said Local Law in the minutes of this meeting, and to give due notice of the adoption of said Local Law to the Secretary of State.

**Motion:** Trustee Nevison

**Second:** Trustee Lura

**Roll Call:** Mayor Loveless-aye, Trustee Lura-aye, Trustee Nevison-aye, Trustee Dudrick-aye

**Executive Session:** A motion was made by Trustee Lura to enter executive session at 2:00 p.m. to discuss the employment and compensation of particular employees and to receive advice from legal counsel. The motion was seconded by Trustee Dudrick and unanimously carried. A motion was made by Trustee Nevison to exit executive session at 2:56 p.m., seconded by Trustee Lura and unanimously carried. No action taken.

**Adjournment:**

There being no further business to come before the Board, Trustee Lura made a **motion** to adjourn the meeting at 3:00 p.m. The **motion** was seconded by Trustee Servedio and carried by a vote of five in favor, none opposed.

Respectfully submitted,  
Kim Taranto, Village Clerk