

Town of Milo
Special Meeting
October 13, 2015

Members Present: Leslie Church, Supervisor
Dale Hallings, Councilperson
James Harris, Councilperson
Arden Sorensen, Councilperson
Gene Spanneut, Councilperson

Others Present: Patricia L. Christensen, Town Clerk
Robert Fox Accountant, EFP Group
Tina DeNigro Senior Associate, EFPR Group

Supervisor Church opened the special meeting at 4:00 PM at the Town of Milo Hall, 137 Main Street, Penn Yan, NY.

Mr. Fox and Mrs. DeNigro presented the 2016 Preliminary Budget. Discussions, budget review, revisions, and financial strategy were discussed.

Introduced by: Supervisor Church

Seconded by: Councilperson Harris

To schedule a special meeting and public hearing for the 2016 budget, fire contracts and special assessment hearing for November 4, 2015 at 6:00 PM.

Motion Carried: Ayes: Church, Hallings, Harris, Sorensen,Spanneut

Noes: none

1TOWN BOARD
TOWN OF MILO
RESOLUTION INTRODUCING A LOCAL LAW
CONCERNING TAX CAP LEGISLATION
AND CALLING FOR A PUBLIC HEARING
56 - 15

At a special meeting of the Town Board of the Town of Milo, Yates County, New York, held at Town of Milo Town Office, 137 Main Street, Penn Yan, New York on October 13, 2015, at 4:00 p.m. there were:

PRESENT: Leslie Church
Dale Hallings
James Harris
Arden Sorensen
Gene Spanneut

ABSENT: none

being all of the members of the town board.

Mr. Gene Spanneut, offered the following Resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Milo, after due deliberation, finds it is in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c, and

WHEREAS, this proposed local law is intended to override the limit on the amount of real property taxes that may be levied by the Town of Milo, County of Yates pursuant to General Municipal Law §3-c, and to allow the Town of Milo, County of Yates, to adopt a town budget for: (a) town purposes; (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2016 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c, and

WHEREAS, the Town Board of the Town of Milo has reviewed the draft of the aforementioned proposed Local Law, attached hereto as Exhibit "A" and deems it in the best interests of the Town of Milo to proceed in accordance with the Code of the Town of Milo and the Laws of the State of New York in adopting said Local Law, and

WHEREAS, the Town Board of the Town of Milo has determined that this proposed local law is now in its final form, and

WHEREAS, a public hearing on this proposed legislation is required before it may be enacted,

NOW, THEREFORE BE IT RESOLVED, that the Town Clerk be and she hereby is directed to schedule a public hearing to be held by the Town Board of the Town of Milo at the Town of Milo Town Office, 137 Main Street, Penn Yan, New York on November 4, 2015, at____ 6:30 p.m. during its a special meeting, to consider this proposed legislation, and it is further

RESOLVED, that the Town Clerk be and she hereby is authorized to forward to the official newspaper of the Town a Notice of Public Hearing, and it is further

RESOLVED, that the Town Clerk be and she hereby is directed to post a copy of the proposed Local Law and Notice of said hearing on the Town of Milo signboard and take any and all necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Milo for its consideration, and it is further

RESOLVED, that the Town Clerk be and she hereby is authorized to provide all other notices as required by law for the adoption of this Local Law.

Seconded by Mr. James Harris and duly put to a vote as follows:

AYES: Church, Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution was thereupon adopted.

DATED: October 13, 2015

Patricia L. Christensen
Patricia L. Christensen
Town Clerk
Town of Milo

S E A L

Schedule "A"

Section 1: 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 Town of Milo, County of Yates pursuant to General Municipal Law §3-c, and to allow the Town of Milo, County of Yates, to adopt a town budget for: (a) town purposes; (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2016 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 the town board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the town board.

Section 3: Tax Levy Limit Override

The Town Board of the Town of Milo, County of Yates, is hereby authorized to adopt a budget for the fiscal year 2016 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4: Severability:

If any clause, sentence, paragraph, section or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged 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, section 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 law shall be operative immediately and effective upon being filed with the New York State Secretary of State pursuant to Section 27 of the Municipal Home Rule Law of the State of New York.

Muni Milo fld/Milo LL ,2015 (TAX CAP) fld/Sch A

There being no further business to come before the Town Board of the Town of Milo, a **Motion** was made by Councilperson Spanneut to adjourn, seconded by Councilperson Harris.

Motion Carried: Ayes: Church, Hallings, Harris, Sorensen, Spanneut

Noes: none

Meeting adjourned at 6:45 PM.

Respectfully submitted,

Patricia L. Christensen

Town Clerk

Town of Milo