

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 Brutus

FILED
STATE RECORDS

NOV 02 2020

Local Law No. 1 of the year 2020 DEPARTMENT OF STATE

A local law Override the Tax Levy Limit for 2021 Budget
(Insert Title)

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

County City Town Village
(Select one:)

of Brutus

as follows:

A local law to override the tax levy limit established in General Municipal Law §3-c.

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 Brutus pursuant to General Municipal Law §3-c, and to allow the Town of Brutus to adopt a budget for the fiscal year 2021 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- The 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 3. Tax Levy Limit Override- The Town Board of the Town of Brutus, County of Cayuga is hereby authorized to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law §3-c.

Section 4. Severability- If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted 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, 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 filing with the Secretary of State.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Local Law Filing

Instructions

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

PLEASE OBSERVE THESE INSTRUCTIONS FOR FILING LOCAL LAWS WITH THE SECRETARY OF STATE

1. Each local law shall be filed with the Secretary of State within 20 days after its final adoption or approval as required by section 27 of the Municipal Home Rule Law. The cited statute provides that a local law shall not become effective before it is filed in the office of the Secretary of State.
2. Each local law to be filed with the Secretary of State shall be an original certified copy.
3. Each local law shall be filed on a form provided by the Department of State. If additional pages are required, they must be the same size as the form. Typewritten copies of the text may be attached to the form. Only legible copies will be accepted.
4. File only the number, title and text of the local law.
5. In the case of a local law amending a previously enacted local law, the text must be that of the law as amended. Do not include any matter in brackets, with a line through it, italicized or underscored to indicate the changes made. The printed number of the bill and explanatory matter must be omitted.
6. For the purpose of filing a local law with the Department of State, number each local law consecutively, beginning with the number one for the first local law filed in each calendar year. The next number in sequence should be applied to each local law when it is submitted for filing, regardless of its date of introduction or adoption. The date of filing of a local law is the date on which the local law is placed on file by the Department.

It is suggested that municipalities use introductory identifying bill numbers for proposed local laws. After the local law is enacted (and approved by the voters, if required), the local law should then be numbered with the next consecutive local law number, as described above, and then submitted to the Department for filing.

7. Each copy of a local law filed with the Secretary of State shall have affixed to it a certification by the Clerk of the County legislative body or the City, Town or Village Clerk or other officer designated by the local legislative body. Certification forms are provided herewith.
8. A copy of each local law may be mailed or delivered to:
NYS Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231.

(DO NOT FILE THIS INSTRUCTION SHEET WITH THE LOCAL LAW.)

(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. 1 of 2020 of the (County)(City)(Town)(Village) of Brutus was duly passed by the Town Board on October 12, 2020, 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.

* 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.)

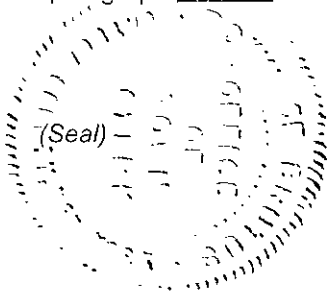
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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



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

Date: 10/27/2020

TOWN OF BRUTUS

9021 North Seneca Street
PO Box 720
Weedsport, New York 13166



Phone: 315-834-9398
FAX: 315-834-9381
E-Mail: townofbrutus@centralny.twcbc.com

NYS Relay 711 or 1-800-662-1220

The Town of Brutus is an Equal Opportunity Employer, Provider, Lender

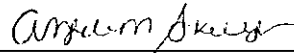
Complaints of discrimination should be sent to:

USDA, Office of Civil Rights, 1400 Independence Ave, Washington, D.C. 20250

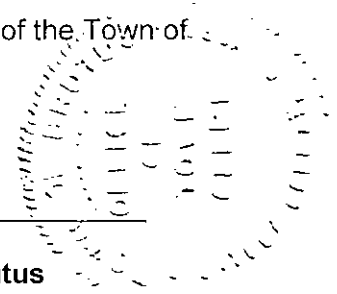
I, **Angela Skellington**, Town Clerk of the Town of Brutus, **DO HEREBY CERTIFY** that the following Resolution was duly adopted by the Town Board of the Town of Brutus at a regular meeting of the Board duly called and held on the 12th day of October, 2020; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I **FURTHER CERTIFY** that all members of said Board had due Notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Brutus this 27th day of October, 2020.



Angela M. Skellington
Town Clerk of the Town of Brutus
Cayuga County, New York



Public Hearing – Local Law # 1 of 2020 – Override the Tax Cap Levy for 2021 Budget

Supervisor Hotaling opened the public hearing at 6:15 PM. Clerk Skellington communicated that a legal notice was placed in *The Citizen*, notice and law posted on the town's website, notice posted at village office, and on doors of town office. She read the law information to the group.

The total amount to be taxed including all special districts is currently below the tax cap levy limit of \$730,647. As a precaution, the board has decided to pass the local law to override the tax cap levy should it be necessary.

Local Law No. 1 – 2020 - Town of Brutus, County of Cayuga

A local law to override the tax levy limit established in General Municipal Law §3-c.

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 Brutus pursuant to General Municipal Law §3-c, and to allow the Town of Brutus to adopt a budget for the fiscal year 2021 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

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Section 3. Tax Levy Limit Override

The Town Board of the Town of Brutus, County of Cayuga is hereby authorized to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law §3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted 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, 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 filing with the Secretary of State.

The public hearing was left open in case anyone from the public came in to comment.

Public Hearing – Local Law # 1 of 2020 – Override the Tax Cap Levy for 2021 Budget

No one commented on this local law. Content was read at the beginning of the meeting by the clerk.

Motion by Deputy Supervisor Flynn to close the public hearing and adopt Local Law # 1 of 2020 – Override the Tax Cap Levy for 2021 Budget. The motion was seconded by Councilor Abraham.

ROLL CALL VOTE:

Supervisor James Hotaling:	aye
Deputy Supervisor Thomas Flynn:	aye
Councilman John Abraham:	aye
Councilwoman Amy Chirco:	aye
Councilman Derric Slocum:	aye

RES 97-2020 VOTE: 5 ayes, 0 nays. Carried.

TOWN OF BRUTUS

9021 North Seneca Street
PO Box 720
Weedsport, New York 13166



Phone: 315-834-9398
FAX: 315-834-9381
E-Mail: townofbrutus@centralny.twcba.com

NYS Relay 711 or 1-800-662-1220

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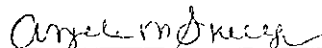
Complaints of discrimination should be sent to:

USDA, Office of Civil Rights, 1400 Independence Ave, Washington, D.C. 20250

I, **Angela Skellington**, Town Clerk of the Town of Brutus, **DO HEREBY CERTIFY** that the following Resolution was duly adopted by the Town Board of the Town of Brutus at a regular meeting of the Board duly called and held on the 14th day of September, 2020; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I **FURTHER CERTIFY** that all members of said Board had due Notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Brutus this 27th day of October, 2020.



Angela M. Skellington
Town Clerk of the Town of Brutus
Cayuga County, New York



Clerk Skellington shared that local governments are limited to a tax cap levy of no more than 1.56% for 2021. At this point in the budget planning process, it is not known how much taxes will increase. In anticipation of a possibility of the budget needing to increase above 1.56%, the board will begin the process of passing a local law to override the tax levy limit.

Local Law No. 1 – 2020

Town of Brutus, County of Cayuga

A local law to override the tax levy limit established in General Municipal Law § 3-c.

Section 1. Legislative Intent

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Section 5. Effective date

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Councilor Chirco moved to override the tax cap levy for the 2021 budget and schedule the public hearing for October 12, 2020. The motion was seconded by Deputy Supervisor Flynn.

Roll Call Vote:

Councilor Abraham	yes
Deputy Supervisor Flynn	yes
Supervisor Hotaling	yes
Councilor Chirco	yes
Councilor Slocum	yes

RES 70-2020 VOTE: 5 ayes, 0 nays. Carried.