



Town/Village of East Rochester

317 MAIN STREET, SUITE 2000
EAST ROCHESTER, NEW YORK 14445

585-586-3553 ~ Fax: 585-419-8282

www.eastrochester.org

Mayor – John R. Alfieri

BOARD OF TRUSTEES

*Ted Conners
Kelley Swagler
Mark McDermott
Chad M. Woodworth*

ADMINISTRATOR

Martin G. D'Ambrose

CLERK/TREASURER

Shelby E. Simmons

DEPUTY CLERK

Sandi Consiglio

April 22, 2024

NYS Department of State
Division of Corporations, State Records
& Uniform Commercial Code
One Commerce Plaza
Albany, NY 12231
Attn: State Records, Carolyn Van-Wormer

RE: Local Law No. 1 – 2024

A Local Law To Override The Tax Levy Limit Established In General Municipal Law §3-c

Dear Madam,

Enclosed for filing is one original of the above referenced local law of the Town/Village of East Rochester, New York.

Very Truly Yours,

Martin G. D'Ambrose
Administrator

Cc: Mayor John R. Alfieri
Board of Trustees
Shelby Simmons, Clerk/Treasurer
Sandi Consiglio, Deputy Clerk
Daniel Bryson, Esq.

***EAST ROCHESTER, NEW YORK . . . "1897 to 2022 Celebrating 125th Anniversary
Quasiquicentennial"***

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.state.ny.us/corps

(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 East Rochester

Local Law No. 1 of the year 2024

A Local Law To Override The Tax Levy Limit Established In General Municipal Law §3-c

(Insert Title)

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

County City Town Village
(Select one .)

of East Rochester as follows:

SEE ATTACHED SHEET

(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. 1 of 2024 of the (Town)(Village) of East Rochester was duly passed by the Town Board on April 11, 2024 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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* 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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20__. *(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 information.)

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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20__. Such local *(Elective Chief Executive Officer*)*

law was submitted 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 _____ 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.

Shelley E. Simmons
Clerk of the Town/Village of East Rochester

Date: 4/22/2024



TOWN/VILLAGE OF EAST ROCHESTER, COUNTY OF MONROE

**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/Village of East Rochester, pursuant to General Municipal Law §3-c, and to allow the Town/Village of East Rochester, to adopt a budget for the fiscal year commencing June 1, 2024 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 tax levy limit 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 Town/Village of East Rochester, County of Monroe is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2024 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, subdivision or part of the 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 to its operation to the clause, sentence, paragraph 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.

NOTICE OF PUBLIC HEARING ON LOCAL LAW

PUBLIC NOTICE is hereby given that there has been presented to the Board of Trustees of the Town/Village of East Rochester, Monroe County, New York, on March 14, 2024, a Local Law entitled "A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c.

Said Local Law is intended to override the limit on the amount of real property taxes that may be levied in excess of the tax levy limit as defined by General Municipal Law §3-c.

A copy of the proposed Local Law is on file with the Town/Village Clerk.

THEREFORE, the Board of Trustees of the Town/Village of East Rochester will hold a public hearing on the Local Law at 317 Main Street, East Rochester, New York on April 11, 2024 at 7:00 p.m., at which time all persons interested will be heard.

By Order of the Village Board

March 14, 2024



Shelby E. Simmons, Town/Village Clerk