

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 Elbridge

FILED
STATE RECORDS

OCT 12 2023

Local Law No. 4 of the year 20 23

A local law Article V DEPARTMENT OF STATE
(Insert Title)

Property Tax Cap

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

County City Town Village
(Select one.)

of Elbridge

as follows:

" see 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. 4 of 20 23 of the (County)(City)(Town)(Village) of Elbridge was duly passed by the Town Board on Sept. 28 20 23, in accordance with the applicable 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)(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 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 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.)

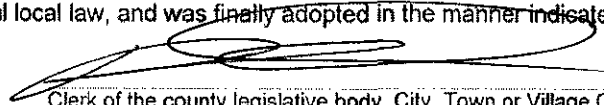
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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



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

Date: 10.03.2023

(Seal)

IN THE MATTER
Of
LOCAL LAW 2023 – 4 TO OVERRIDE THE
PROPERTY TAX CAP PERSUANT TO
GENERAL MUNICIPAL LAW 3C

RESOLUTION ENACTING
LOCAL LAW

The **TOWN BOARD OF THE TOWN OF ELBRIDGE (the “Board”)**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Elbridge, located at 5 Rt. 31, Village of Jordan, County of Onondaga, State of New York, on the 28th day of September, 2023, at 7:00 p.m.

The meeting was called to order by Vernon J. Richardson, Supervisor, and the following were present, namely:

Vernon J. Richardson	Supervisor
Douglas Blumer	Councilor
Floyd Duger	Councilor
Mike Caron	Councilor
Todd Platten	Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2023 - 4, amending Article V of Chapter 247 (“Taxation”) to override the tax levy limit established by General Municipal Law Section 3-c (the “Property Tax Cap”);

**LOCAL LAW 2023 - 4, A LOCAL LAW AMENDING
CHAPTER 247 OF THE CODE OF THE TOWN OF
ELBRIDGE TO AMEND ARTICLE V ENTITLED
PROPERTY TAX CAP:**

**Be it enacted by the Town Board of the Town of Elbridge, Onondaga County,
New York as follows:**

**ARTICLE V
PROPERTY TAX CAP**

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 Elbridge County of Onondaga pursuant to General Municipal Law § 3-c, and to allow the Town of Elbridge, County of Onondaga 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 2023 and 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 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 Elbridge County of Onondaga is hereby authorized to adopt a budget for the fiscal year 2023 and 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 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.

WHEREAS, upon review of the projected expenses facing the Town, especially State pension costs, special district costs, health insurance and other state mandated costs for which the Town has no control, the Town Board hereby finds that this override is a necessary prudent step;

WHEREAS, the Town Board is in the midst of the Town Budget review process for FY 2024 and cannot determine, with certainty, that it will be within the property tax cap, especially because the special district calculations have not been completed;

WHEREAS, if the Town is above the property tax cap when all the final calculations have been completed, it would be subject to penalties by the State of New York;

WHEREAS, the Town Board held a public hearing on Local Law 2023 - 4 on September 28, 2023 at which time the public was given an opportunity to speak for and against the Local Law;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Elbridge, County of Onondaga, State of New York, hereby adopts Local Law 2023 - 4 for the reasons stated in this Resolution; and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to file Local Law 2023- 4with the Secretary of State within 20 days of its adoption by the Town Board pursuant to the Municipal Home Rule Law.

I, DANIELLE KARLIK, Town Clerk of the Town of Elbridge, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Elbridge at a regular meeting of the Board duly called and held on the 28th day of September 2023; 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 Elbridge, this 28th day of September, 2023.

DATED: September 28, 2023
Elbridge, New York



Danielle Karlik
Town Clerk of the Town of Elbridge
Onondaga County, New York