

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF PHELPS OF LOCAL LAW NO. 1 OF 2023

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Phelps for a public hearing to be held by said Town Board on January 9, 2023, at 7:00 p.m. at Phelps Town Meeting Hall, 1331 NYS Route 88, Phelps, New York, to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Phelps, on January 28, 2023, and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on February 13, 2023, at 7:00 p.m. at the Phelps Town Meeting Hall, 1331 NYS Route 88, Phelps, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Phelps, after due deliberation, finds it in the best interest of the Town of Phelps to adopt said Local Law.


NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Phelps hereby adopts said Local Law No. 1 of 2023, entitled, "A local law to override the tax levy limit established in General Municipal Law §3-c", a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Phelps, and to give due notice of the adoption of said local law to the Secretary of State of New York.

I, Linda Nieskes, Town Clerk of the Town of Phelps do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Phelps on February 13, 2023, by the following vote:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Norman Teed	<u>X</u>	<u>—</u>	<u>—</u>
Bill Wellman	<u>—</u>	<u>—</u>	<u>X</u>
Kent Ridley	<u>X</u>	<u>—</u>	<u>—</u>
John Duchesneau	<u>—</u>	<u>X</u>	<u>—</u>
Ron Allen	<u>X</u>	<u>—</u>	<u>—</u>

Dated: February 14, 2023


Linda Nieskes, Town Clerk

SEAL

RESOLUTION FOR SPECIAL DISTRICTS

WHEREAS, the Town Board of the Town of Phelps is the governing body of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof; and

WHEREAS, it is the intent of this resolution to override the limit on the amount of real property taxes that may be levied by the Town of Phelps, on behalf of the aforesaid special districts and/or fire protection districts, pursuant to General Municipal Law §3-c, and to allow the Town of Phelps, on behalf of the aforesaid special districts and/or fire protection districts, to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c; and

WHEREAS, this resolution 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.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Phelps, County of Ontario, is hereby authorized to adopt a budget for the fiscal year 2024 on behalf of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

I, Linda Nieskes, Town Clerk of the Town of Phelps do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Phelps on February 13, 2023, by the following vote:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Norman Teed	<u>X</u>	—	—
Bill Wellman	—	—	<u>X</u>
Kent Ridley	<u>X</u>	—	—
John Duchesneau	—	<u>X</u>	—
Ron Allen	<u>X</u>	—	—

Dated: February 14, 2023


Linda Nieskes, Town Clerk

SEAL

TOWN OF PHELPS
2024 SPECIAL DISTRICT SUMMARY

SEWER DISTRICT

WATER FEE – WF401 WHITE RD

WATER FEE – WF402 RT. 96/488

WATER FEE – WF403 ORLEANS

WATER FEE – WF 404 SPAFFORD RD.

WATER DISTRICT 5 – WD405 MELVIN HILL RD. WATER DIST

WATER FEE – WF405 – MELVIN HILL RD.

WATER DISTRICT 6 – WD406 MELVIN HILL RD. WATER DISTRICT EXT. 1

WATER FEE - WF406 MELVIN HILL RD. EXT. 1

WATER DISTRICT 7 – WD407 PELIS RD. WATER DIST

WATER FEE – WF407 PELIS RD.

WATER DISTRICT 8 – WD408 ORLEANS WATER DISTRICT, EXT. 1

WATER FEE – WF408 - ORLEANS, EXT. 1

WATER DISTRICT 9 – WD409 RT. 14 WATER DISTRICT

WATER FEE - WF409 - RT. 14

WATER DISTRICT 10 – WD410 MELVIN HILL DISTRICT, EXT. 2

WATER FEE - WF410 - MELVIN HILL RD. EXT 2

PHELPS FIRE PROTECTION

CLIFTON SPRINGS FIRE PROTECTION

OAKS CORNERS FIRE PROTECTION

AG DISTRICT #1

(Town of Phelps Special District Summary 2024)

PHELPS_2023_1 (https://locallaws.dos.ny.gov/sites/default/files/drop_laws_here/ECMMDIS_appid_DOS20230228123314/Content/09021343803215e4.pdf) (filesize: 119.8 KB)

Municipality Type: TOWN

Law Number: 1

Date Filed: 02/21/2023

Municipality Name: PHELPS

Subject: TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C

*LL #1,
2023
Tax Cap*

Department of State
(<https://dos.ny.gov/>)

Accessibility
(<https://dos.ny.gov/accessibility>)

Contact
(<https://dos.ny.gov/form/contact-us>)

Disclaim
(<https://dos.ny.gov/disclaim>)

Phelps Deputy Clerk

From: Robyn Hanna <RHanna@jeffgrafflaw.com>
Sent: Thursday, March 23, 2023 3:33 PM
To: tclerk
Subject: RE: Local Law #1, 2023

Hi Linda,

Did not receive a letter, so I looked on-line. Does not show on-line as being filed. HOWEVER, I called the State and it was filed on February 21, 2023. 😊

-Robyn

Robyn L. Hanna, Paralegal
rhanna@jeffgrafflaw.com



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From: tclerk@phelpsny.com <tclerk@phelpsny.com>
Sent: Thursday, March 23, 2023 2:39 PM
To: Robyn Hanna <RHanna@jeffgrafflaw.com>
Subject: Local Law #1, 2023

Hi Robyn,

Have you ever heard back from the State regarding Local Law #1, 2023. It was sent to the on February 17, 2023.

Thank you and have a great day,

Linda

Linda B. Nieskes
Phelps Town Clerk/Tax Collector/Registrar
Town of Phelps
79 Main Street

Phelps, NY 14532
Phone: 315-548-5691
Fax: 315-548-5754
Email: tclerk@phelpsny.com