

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 Spencer

FILED
STATE RECORDS

OCT 24 2018

DEPARTMENT OF STATE

Local Law No: 1 of the year 20 18

A local law to allow the override of the tax levy
(Insert Title)
limit established in general municipal
law 3-C

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

County City Town Village
(Select one.)

of Spencer as follows:

(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 20 18 of the (County)(City)(~~Town~~)(Village) of Spencee was duly passed by the Town Board on October 2, 2018, 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.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* 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.

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

Date: October 2, 2018

(Seal)

October 2, 2018

NYS Department of state

Division of Corporations, State records and Uniform Commercial Code

One Commerce Plaza, 99 Washington Avenue

Albany, NY 12231

RE: Town of Spencer – Local Law No. 1 of the Year 2018

Dear Sirs and Ladies:

Enclosed is Town of Spencer Local Law 01 of the Year 2018 entitled :A LOCAL LAW TO ALLOW THE OVERRIDE OF THE TOXAX LEVY LINIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C".

Please forward your usual receipt for the filing of the Local Law to the undersigned.

Sincerely,

Terri MacCheyne

Spencer Town Clerk

Encl: Local Law 01 of the Year 2018

Cc: William Troy, Esq.

**RESOLUTION ADOPTING A LOCAL LAW TO ALLOW THE
OVERRIDE OF THE TAX LEVY LIMIT ESTABLISHED IN
GENERAL MUNICIPAL LAW 3-C**

WHEREAS, a resolution was duly adopted by the Town board of the Town of Spencer directing that a public hearing be held by said Town Board on October 2, 2018, at 7:00PM, to hear all interested parties on a proposed local law entitled **"A LOCAL LAW TO ALLOW THE OVERRIDE OF THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C;"** and

WHEREAS, said public hearing was duly held on said date and time at the Town Hall of the Town of Spencer 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 Spencer has determined under the implementing Regulations pertaining to Article 8 of the New York state Environmental Conservation Law (the State Environmental Quality Review Act ["SEQRA"]) that the approval of the proposed action is not an "action" (because it will not affect the environment) or is a Type II action, and thus, in either case, may be processed without further regard to SEQRA;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Spencer hereby adopts said local law entitled **"A LOCAL LAW TO ALLOW THE OVERRIDE OF THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C,"** and designated Local Law No. 1 of the year 2018, a copy of which is attached hereto and made a part of this resolution; and it is further

RESOLVED, that the Town clerk is hereby authorized and directed to file said local law with the Secretary of State and any other governmental agencies as required by law.

TOWN OF SPENCER

LOCAL LAW 1 OF THE YEAR 2018

A LOCAL LAW TO ALLOW THE OVERRIDE OF THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C

Be it enacted by the Town Board of the Town of Spencer as follows:

SECTION I. PURPOSE & INTENT.

It is the purpose and intent of this local law to allow, if determined necessary and/or appropriate, for the Town Board of the Town of Spencer to adopt a budget for the fiscal year commencing in 2019 that requires a real property tax levy in excess of the tax levy limit as defined by General municipal Law 3-C.

SECTION II. AUTHORITY.

This local law is adopted pursuant to subdivision 5 of General Municipal Law 3-C which expressly authorizes a local governing body to override the property tax cap 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 III. TAX LEVY LIMIT OVERRIDE.

The Town Board of the town of Spencer, County of Tioga, is hereby authorized, if determined necessary and/or appropriate, to adopt a budget for the fiscal year commencing in 2019 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law 3-C.

SECTION IV. SEVERABILITY.

If a court determines that any clause, sentence, paragraph, subdivision or part of this local law or the application thereof to any person, firm, or corporation or circumstance is invalid or unconstitutional, the court order or judgment shall not

affect impair or invalidate the remainder of this local law 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, corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

SECTION V. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State.