

Local Law Filing

One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

(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.

FILED
STATE RECORDS

SEP 23 2021

County City Town Village
(Select one.)

of Spencer

DEPARTMENT OF STATE

Local Law No. 1 of the year 2021

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

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

County City Town Village
(Select one.)

of Spencer, NY as follows:

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. 7 of 2021 of the (County)(City)(Town)(Village) of Spencer was duly passed by the Town Board on 09/14/ 2021, 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 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____. 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.

I hereby certify that the local law annexed hereto, designated as local law No. 7 of 2021 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 MacLhane
Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

Date: September 14, 2021

(Seal)

TOWN OF SPENCER

LOCAL LAW 1 OF THE YEAR 2021

**A LOCAL LAW TO ALLOW THE OVERRIDE OF THE TAXLEVY LINIT 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 2022 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 if 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 adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

SECTION III. TAX LEVY LINIT 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 2022 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law 3-C.

SECTION IV. SEVERABILITY

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 September 14, 2021 at 6pm, to hear all interested parties on a proposed local law entitled "A LOCAL LAW TO ALLOW 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 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 "**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 2020, 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.

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.