

At a Regular Meeting of the Shelby Town Board held on October 9, 2018, the following Resolution was made by Councilman Bacon and seconded by Councilman Smith:

WHEREAS Deputy Supervisor Schaal has introduced for consideration pursuant to the provisions of the New York Municipal Home Rule Law Town of Shelby Draft Local Law No. A of 2018 entitled A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C; be it therefore

RESOLVED that the Shelby Town Board shall conduct a public hearing at a regular meeting of the Shelby Town Board on November 1, 2018 at 6:45 p.m. to consider the adoption of said Draft Local Law No. A of 2018, said Local Law to read as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF SHELBY AS FOLLOWS:

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 Shelby pursuant to General Municipal Law §3-c, and to allow the Town of Shelby to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the “tax levy limit”, including taxes levied on behalf of special districts, 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 Shelby, County of Orleans, is hereby authorized to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the amount otherwise prescribed 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 separation 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.

and it is further

RESOLVED that the Shelby Town Clerk shall cause notice of such public hearing to be published at least once in the official Town newspaper in accordance with all legal requirements.

Ayes-4, Opposed-0, Absent-1
Motion Carried

Darlene A. Rich, MMC, RMC
Town Clerk