

**Adam TOWN OF LEBANON
TOWN BOARD RESOLUTION**

November 11, 2019

TOWN OF LEBANON LOCAL LAW B OF 2019
("A Local Law Overriding the Tax Levy Limit Established
in General Municipal Law §3-c in the Town of Lebanon")

The following resolution was offered by Councilor Adam Carvell, who moved its adoption, seconded by Councilor Marie Morgan, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. B-2019, "A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-c in the Town of Lebanon," was presented and introduced at a regular meeting of the Town Board of the Town of Lebanon held on October 14, 2019; and

WHEREAS, a public hearing was held on such proposed local law on this 11th day of November, 2019, by the Town Board of the Town of Lebanon and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Lebanon in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of Proposed Local Law No. B-2019 has previously been determined to be an unlisted action and will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. B-2019.

NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Lebanon, Madison County, New York, does hereby enact proposed Local Law No. B-2019 as Local Law No. 2-2019 as follows:

**“TOWN OF LEBANON
LOCAL LAW NO. 2 OF 2019**

**A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW § 3-C IN THE TOWN OF LEBANON**

Be it enacted by the Town Board of the Town of Lebanon 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 Lebanon, County of Madison pursuant to General Municipal Law §3-c, and to allow the Town of Lebanon 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 2020, that requires a real property tax levy in excess of the “tax levy limit” as defined by the General Municipal Law §3-c.

SECTION 2. AUTHORITY

This local law is adopted pursuant to Subdivision 5 of the 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 a vote of sixty percent (60%) of the Town Board.

SECTION 3. TAX LEVY LIMIT OVERRIDE

The Town Board of the Town of Lebanon, County of Madison, is hereby authorized to adopt a budget for the fiscal year 2020 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, section, article or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. EFFECTIVE DATE

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

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Marie Morgan	Councilor	Voted	Yes/No
Patricia Matson	Councilor	Voted	Yes/No
Adam Carvell	Councilor	Voted	Yes/No
Carol King	Councilor	Voted	Yes/No
James Goldstein	Supervisor	Voted	Yes/No

The foregoing resolution was thereupon declared duly adopted.

DATED: October 14, 2019

CERTIFICATE

STATE OF NEW YORK)
COUNTY OF MADISON)

I, the undersigned Town Clerk of the Town of Lebanon, Madison County, New York, **DO**
HEREBY CERTIFY:

That I have compared the foregoing Resolution with the original thereof on file in the Office of the Town Clerk of the Town of Lebanon, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on November 11__, 2019.

JOANN COLLINS
Town Clerk

(SEAL)