TOWN BOARD
TOWN OF AMENIA

4988 Route 22, AMENIA, NY 12501
845-373-8860 www.ameniany.gov

NOTICE OF PUBLIC HEARING
TOWN OF AMENIA

PLEASE TAKE NOTICE that a Public Hearing will be held by the Town Board of the Town of Amenia on October 15, 2020 at 7:00 p.m. at Amenia Town Hall, 4988 Route 22, Amenia New York, regarding the proposed Local Law known as Local Law X of 2020 entitled "a Local Law of the Town of Amenia to Override the Tax Levy Limit for Fiscal Year 2021 Established in General Municipal Law § 3-c."

PLEASE TAKE FURTHER NOTICE that this Local Law would authorize the Town Board to adopt a budget for fiscal year 2021 that requires a real property tax levy, and to levy real property taxes, in excess of the tax levy limit pursuant to General Municipal Law § 3-c, if necessary.

PLEASE TAKE FURTHER NOTICE that any resident of the Town of Amenia shall be entitled to be heard upon said proposed Local Law at such Public Hearing.

PLEASE TAKE FURTHER NOTICE that a copy of the proposed Local Law No. X of the Year 2020 is available for review and inspection at the Office of the Town Clerk during regular office hours, at Amenia Town Hall, 4988 Route 22, Amenia, New York, and on the Town's website at www.ameniany.gov.

Dated: Amenia, New York
September 17, 2020

BY ORDER OF THE TOWN BOARD

DAWN MARIE KLINGNER, TOWN CLERK

TOWN OF AMENIA
TOWN BOARD

4988 Route 22, AMENIA, NY 12501
(845) 373-8860 www.ameniany.gov

RESOLUTION NO. 38/2020

RE: A LOCAL LAW OF THE TOWN OF AMENIA, NEW YORK, TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2021 ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c

WHEREAS, by this Resolution, the Town Board introduces the proposed Local Law to be known as Local Law No. X of 2020, to override the limit on the amount of real property taxes that may be levied by the Town of Amenia and to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c; now, therefore be it

RESOLVED, that the Town Board schedules a Public Hearing on the proposed Local Law No. X of 2020 for October 15, 2020 at 7:00 p.m. and directs the Town Clerk to provide notice thereof, in the official newspaper of the Town and to post the Notice of Public Hearing accordingly.

Motion made by Perotti

Seconded by Somogyi

The foregoing resolution was voted upon with all councilwomen/councilmen voting as follows:

Supervisor Perotti	Aye
Councilwoman Doyle	Aye
Councilman Gutierrez	Aye
Councilman Morris	Aye
Councilwoman Somogyi	Aye

Dated: Amenia, New York
September 17, 2020

DAWN MARIE KLINGNER, TOWN CLERK

TOWN OF AMENIA
TOWN BOARD

4988 Route 22, AMENIA, NY 12501
(845) 373-8860 www.ameniany.gov

TOWN OF AMENIA
Local Law No. of 2020

A Local Law of the Town of Amenia, New York to Override the Tax Levy Limit for Fiscal Year 2021 as Established in General Municipal Law § 3-c.

BE IT ENACTED by the Town Board of the Town of Amenia as follows:

Section-I: TITLE.

This Local Law shall be known and cited as Town of Amenia "Local Law No. ___ of the Year 2020, to Override the Tax Levy Limit for Fiscal Year 2021 Established in General Municipal Law § 3-c."

Section II: LEGISLATIVE INTENT.

The Town Board acknowledges that it is vitally important to use the taxes of the Town of Amenia in a fiscally responsible manner and to minimize the tax levy in accordance with reasonably projected revenues, especially in economically hard times. The Town Board is reviewing the proposed budget for the Fiscal Year 2021, taking into account the appropriation requests of the various Town Department Heads, the realistic costs of providing governmental services, while at the same time acknowledging reasonably projected revenues and the financial position of the Town. In view of the foregoing, the Town Board has determined that the expenses in the Fiscal Year 2021 Budget are projected to increase while the revenues are projected not to increase sufficiently enough to pay for the increased expenses, which, in turn, will require a tax levy increase that is greater than that allowed by General Municipal Law § 3-c. While the Town Board intends to cut expenses where possible, it also acknowledges that basic government services need to be provided and the infrastructure of the Town must be maintained.

The Town Board hereby determines that a tax levy increase in excess of the General Municipal Law § 3-c limit of 2% or, the rate of inflation as determined by the New York State Comptroller's Office, may be required because projected expenditures are in excess of the

permitted tax limit increase as determined by the New York State Comptroller's Office pursuant to General Municipal Law § 3-c.

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 Amenia, Dutchess County, New York, pursuant to General Municipal Law § 3-c subdivision 5, and to allow the Town of Amenia, Dutchess County, New York, to adopt a budget for Town purposes and any improvement districts for fiscal year 2021 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section III: 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 IV: TAX LEVY LIMIT OVERRIDE.

The Town Board of the Town of Amenia, County of Dutchess, is hereby authorized to adopt a budget for fiscal year 2021 that requires a real property tax levy in excess of the limit specified in General Municipal Law § 3-c.

Section V: SEVERABILITY.

A. If a court of competent jurisdiction finds any provision(s) of this law invalid, in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid, and all other provisions of the law shall continue to be separately and fully effective.

B. If a court of competent jurisdiction finds the application of any provision of this law to any building, other structure of tract of land to be invalid, in whole or in part, the effect of such decisions shall be limited to the person, property or situation involved in the controversy, and the application of any such provision to any other person, property or situation shall not be affected.

C. The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality, or inapplicability, shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their application to other persons or circumstances. It is hereby declared to be the legislative intent of the Town Board of the Town of Amenia that this Local Law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part thereof is held inapplicable had been specifically exempt therefrom.

Section VI: NUMBERING FOR CODIFICATION.

It is the intention of the Town of Amenia and it is hereby enacted that the provisions of this Local

Law shall be included in the Code of the Town of Amenia, that the sections and sub-sections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; the Codifier shall make no substantive changes to this Local Law; the word "Local Law" shall be changed to "Chapter", "Section" or other appropriate word as required for codification; and any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code effected thereby.

Section VII: EFFECTIVE DATE.

This Local Law shall take effect upon its adoption and filing with the Secretary of State in accordance with the provisions of Section 27 of the Municipal Home Rule Law.