**REGULAR MEETING**

**TOWN OF ELIZABETHTOWN**

**OCTOBER 29, 2024**

The Regular meeting of the Town of Board of the Town of Elizabethtown, County of Essex in the State of New York was held at the Town Hall, 7563 Court Street, Elizabethtown, NY on October 29, 2024, and the public could attend in person or via GoToMeeting.

PRESENT: Cathleen Reusser-Supervisor

Adam Bailey-Councilperson

William Wright-Councilperson

Ben Morris-Councilperson

Jeffrey Allott-Councilperson

GUESTS: Paige Saltamach, Robert Lakstagala, Marsha Fenimore, Ken Fenimore, Jack Pulsifer and Mike Dunsmore.

Start time 5:16 PM

**RESOLUTION NO. 165-24**

Resolution introducing proposed Local Law No. 1 of 2024 entitled A local law to override the tax levy limit established in General Municipal Law §3-c offered by Councilperson Allott who moved its adoption upon the passage of this motion to consider from the floor and the same appearing proper and necessary. Be it resolved the Town of Elizabethtown Town Board hereby introduces Local Law No. 1 of 2024 entitled a local law to override the tax levy limit established in General Municipal Law § 3-c.

BE IT ENACTED, by the Town of Elizabethtown Town Board 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 Elizabethtown pursuant to General Municipal Law §3-c, and to allow the Town of Elizabethtown to adopt a budget for the fiscal year 2025 that requires a real property tax levy in excess of “tax levy limit” 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-Budget Authorization.

The Town Board of the Town of Elizabethtown hereby overrides the tax levy limit for the Town of Elizabethtown for 2024 and authorizes the Town of Elizabethtown, after completing all required procedures for the adoption of a budget, to adopt a budget for 2024 that requires a tax levy that is greater than the tax levy limit calculated for 2024 pursuant to §3-c of the General Municipal Law.

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 of judgment shall not affect, impair, or invalidate the remainder thereof, 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, form or corporation, or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Be it further resolved that the Town Board of the Town of Elizabethtown shall hold and conduct a Public Hearing on the forgoing proposed Local Law on the 29th day of October 2024 at 5 PM in the forenoon of that day to hear any and all persons concerning the same and be it further resolved that the Clerk of the Town of Elizabethtown will publish a notice of such hearing in the designated Town newspaper at least 5 days prior to such hearing.

This resolution was duly seconded by Councilperson Morris and adopted up a roll call vote as follows:

Councilperson Bailey-yes

Councilperson Wright-yes

Councilperson Morris-yes

Councilperson Allott-yes

Supervisor Reusser-yes

With 5 yes votes this Resolution passed.

This meeting was adjourned at 5:22 PM.

Respectfully submitted,

Janet E. Cross,

Town Clerk