

**TOWN OF NORTH EAST
TOWN BOARD
SPECIAL MEETING
NOVEMBER 19, 2015**

Members Present:

Supervisor Merwin
Councilman Campbell
Councilman Fedele
Councilman Kaye

Member Absent:

Councilman Merwin

Call to Order:

Supervisor Merwin called the meeting to order at 5:00 P.M. The meeting was held at the North East Town Hall.

Acceptance of Agenda:

On a motion by Councilman Campbell, seconded by Councilman Fedele the following was

ADOPTED – AYES – 4 (Merwin, Campbell, Fedele, Kaye)
NAYS – 0

RESOLVED, to accept the agenda as presented

Presentation of Local Law # 2 of 2015 and Resolution to Commence the Local Adoption Process for Proposed Local Law

**TOWN OF NORTH EAST
LOCAL LAW NO. 2 OF THE YEAR 2015**

**A LOCAL LAW RESCINDING LOCAL LAW NO. 1 OF THE YEAR 2015
RELATING TO THE OVERRIDE OF THE TAX LEVY LIMIT FOR THE FISCAL
YEAR 2016 PURSUANT TO GENERAL MUNICIPAL LAW §3-c**

IT IS HEREBY ENACTED by the Town Board of the Town of North East as follows:

SECTION 1: TITLE.

This Local Law shall be known and cited as Town of North East “Local Law No. 2 of the Year 2015 Rescinding Local Law No 1 of the Year 2015 Overriding the Tax Levy Limit for Fiscal Year 2016 pursuant to General Municipal Law §3-c.

SECTION 2: LEGISLATIVE INTENT.

The Town Board, by Resolution dated August 13, 2015 adopted Local Law No. 1 of 2015 which Local Law overrode the tax levy limit for fiscal year 2016 pursuant to General Municipal

Law §3-c. This Local Law was enacted as a precautionary measure. The Town Board has determined that as a result of the 2015 budget process the budget for 2016 will be kept within the tax levy limit as provided in General Municipal Law §3-c. Accordingly, in order to insure that the qualifying taxpayers of the Town of North East receive their rebates from New York State granted to qualified taxpayers within municipalities that stay within the tax cap the Town Board needs to rescind Local Law No. 1 of 2015.

SECTION 3: AUTHORITY.

This local law is adopted pursuant to General Municipal Law §3-c and to the provisions of the Municipal Home Rule Law.

SECTION 4: RESCISSION OF LOCAL LAW NO. 1 OF 2015

Local Law No. 1 of 2015 adopted on August 13, 2015 by Resolution and filed in the Office of the Department of State on September 3, 2015 hereby is rescinded.

SECTION 5: EFFECTIVE DATE.

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

TOWN BOARD OF THE TOWN OF NORTH EAST

**RESOLUTION COMMENCING THE LOCAL ADOPTION PROCESS FOR
PROPOSED LOCAL LAW NO. 2 OF 2015 ENTITLED A LOCAL LAW RESCINDING
LOCAL LAW NO. 1 OF 2015**

WHEREAS, the Town Board of the Town of North East had determined that it may be necessary for the Town of North East to exceed the limit on the amount of real property taxes that may be levied for the Town of North East pursuant to General Municipal Law, §3-c for fiscal year 2015; and

WHEREAS, Local Law No. 1 of 2015 entitled: “A Local Law to Override the Tax Levy Limit for Fiscal Year 2015 pursuant to General Municipal Law §3-c was enacted on August 13, 2015 and filed on September 3, 2015 with the New York State Department of State as required by law; and

WHEREAS, the Town Board has now determined that the budget for the Town of North East for 2016 will be within the tax cap limits as provided for by General Municipal Law §3-c and in order for qualified taxpayers of the Town of North East to receive rebate checks from the State of New York for qualifying taxpayers within municipalities that adhere to the tax cap limitations of General Municipal Law §3-c, it is necessary to rescind Local Law No. 1 of 2015; and

WHEREAS, the Attorney to the Town has presented proposed Local Law No. 2 of 2015 rescinding Local Law No. 1 of 2015; and

WHEREAS, the Town Board has determined that the passage of this Local Law is required in the best interests of the taxpayers of the Town of North East.

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. 2 of 2015 entitled” “A Local Law Rescinding Local Law No. 1 of the Year 2015 relating to the Override of the Tax Levy Limit for Fiscal year 2015 pursuant to General Municipal Law §3-c” is hereby received by the Town Board for purposes of commencing the Local Law adoption process; and

BE IT FURTHER RESOLVED, that this is a Type II action under SEQRA which does not require an environmental review; and

BE IT FURTHER RESOLVED, that a public hearing on the adoption of said Local Law shall be held on December 10, 2015 at 7:05 p.m. at the Town of North East Town Hall, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to advertise and post due notice of said public hearing as required by law.

MOTION: Councilman George Kaye

SECOND: Councilman Ralph Fedele

SUPERVISOR MERWIN	Voted AYE
COUNCILMAN CAMPBELL	Voted AYE
COUNCILMAN FEDELE	Voted AYE
COUNCILMAN KAYE	Voted AYE
COUNCILMAN MERWIN	Voted ABSENT

This resolution was declared duly adopted on November 19, 2015.

Dated: November 19, 2015

Millerton, New York

LISA COPE
Town Clerk, Town of North East

Adjournment:

On a motion by Councilman Kaye, seconded by Councilman Fedele the following was

ADOPTED – AYES – 4 (Merwin, Campbell, Fedele, Kaye)
NAYS – 0

RESOLVED, to adjourn the meeting

The meeting adjourned at 5:03 P.M.

Respectfully Submitted,

Lisa Cope
Town Clerk

Approved: December 10, 2015