

TOWN OF WESTERLO LOCAL LAW NO. 4 of 2020

A LOCAL LAW TO OVERRIDE OF THE TAX LEVY LIMIT FOR FISCAL YEAR 2021 PURSUANT TO GENERAL MUNICIPAL LAW §3-c

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

SECTION 1. TITLE, PURPOSE, INTENT.

This Local Law shall be known and cited as Town of Westerlo “Local Law No. _ of the Year 2020 To Override the Tax Levy Limit for Fiscal Year 2021”.

The Town Board acknowledges that it is vitally important to use the taxes of the Town of Westerlo in a fiscally responsible manner and it is necessary to keep the tax levy on the property taxpayers to a minimum amount, especially in economically hard times.

However, the Town Board and Supervisor have reviewed the appropriation requests of the Town Department Heads and the financial position of the Town and have determined that the Fiscal Year 2021 Budget may require a tax levy increase that is greater than that allowed by 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 Westerlo, County of Albany, pursuant to General Municipal Law § 3-c, and to allow the Town of Westerlo, County of Albany, to adopt a Town budget for Town purposes and any other special or improvement district governed by the Town Board 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.

SECTION 2. STATUTORY AUTHORITY; SUPERSESSION.

This local law is promulgated and adopted pursuant to Municipal Home Rule Law and 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 Westerlo, County of Albany, 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 4. SEVERABILITY.

The invalidity of any word, section, clause, sentence, paragraph, part or provision of this local law shall not affect the validity of any other part of the law which can be given effect without such invalid part or parts.

SECTION 5. EFFECTIVE DATE.

The effective date of this local law shall be immediate upon its filing with the Secretary of State.

Supervisor William Bichteman Jr.
Councilwoman Amie L. Burnside
Councilman Richard Filkins
Councilman Joseph J. Boone
Councilman Matthew Kryzak

Aye – Nay – Abstain
 Aye – Nay – Abstain
 Aye – Nay – Abstain
 Aye – Nay – Abstain
 Aye – Nay – Abstain

Adopted this 4th day of November, 2020.

By Order of the Westerlo Town Board

Karla Weaver, Town Clerk

I, Karla Weaver, Town Clerk of the Town of Westerlo, Albany County, New York, **DO HEREBY CERTIFY** that the foregoing local law was approved by the Town Board of the Town of Westerlo on November 4th, 2020 and that the foregoing is a true and correct transcript of the original local law and of the whole thereof and that said original local law is on file in the Town Clerk’s office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the
Town of Westerlo this 23rd day of November, 2020.

Karla Weaver, Town Clerk

TOWN SEAL