

TOWN OF BETHANY

SPECIAL TOWN BOARD MEETING

07 November 2011

Supervisor Gayton opened the November 7, 2011 Special Town Board Meeting at 7:01 p.m. with a Moment of Silence followed by Councilman Gick leading in the Pledge of Allegiance.

Town Officials in Attendance were:

Louis Gayton, Supervisor	Bill Gick, Councilman
Walter Wenhold, Councilman	Susan Neer, Councilwoman
Edward Pietrzykowski, Councilman	Debbie Douglas, Town Clerk
Lee Hendershott, Town Historian	

Others in Attendance were:

No others were in attendance.

Public Hearing - Local Law #2-2011 - Override the Tax Levy Limit Established in General Municipal Law § 3-c

- Supervisor Gayton opened the public hearing for Local Law #2-2011 at 7:02 p.m.
- No one was present to speak.

A motion was made by Councilman Pietrzykowski and seconded by Councilman Gick to close the public hearing at 7:34 p.m. The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes	Councilwoman Gick - Yes
Councilman Wenhold - Yes	Councilwoman Neer - Yes
Councilman Pietrzykowski - Yes	

Resolution #17-2011 - Adoption of Local Law #2-2011 Override the Tax Levy Limit Established in General Municipal Law § 3-c

The Town Board of the Town of Bethany met at a regular board meeting at the Town Offices of the Town of Bethany located at 10510 Bethany Center Road, in the Town of Bethany, New York on the 7th day of November 2011 commencing at 7:00 p.m., and thereafter a public hearing was held at 7:00 p.m. at which time and place the following members were:

Present:

Supervisor	<u>Louis Gayton</u>
Councilman	<u>William Gick</u>
Councilman	<u>Walter Wenhold</u>
Councilman	<u>Susan Neer</u>
Councilman	<u>Edward Pietrzykowski</u>

Absent: _____

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, Chapter 97 of the Laws of 2011 – “The Property Tax Cap” add a new section 3-c. to the General Municipal Law that provides that the amount of real property taxes that may be levied by or on behalf of any local government shall not exceed two percent (2%); and

WHEREAS, in order to adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, only if the Town Board first enacts, by a vote of sixty percent (60%) of the total voting power, a local law to override such limit for such coming fiscal year only; and

WHEREAS, a Notice of Public Hearing was duly published in the Town’s official newspaper and said public hearing was held on November 7, 2011 at which time all parties in attendance were provided an opportunity to speak or provided written comment in favor of or in opposition to the proposed local law; and

WHEREAS, that the Town Board of the Town of Bethany feels it is in the best interests of the Town of Bethany to adopt said law.

NOW ON MOTION OF Councilman Wenhold, which has been duly seconded by Councilwoman Neer, therefore, be it

RESOLVED, that the Town Board of the Town of Bethany feels it is in the best interests of the Town of Bethany to adopt Local Law No. 2 of 2011 entitled, Override the Tax Levy Limit Established in General Municipal Law §3-c.” and be it

FURTHER RESOLVED, that the Town Clerk be and she hereby is directed to enter the adoption of said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York.

The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes
Councilman Wenhold - Yes
Councilman Pietrzykowski - Yes

Councilwoman Gick - Yes
Councilwoman Neer - Yes

Adjournment

A motion was made by Councilman Pietrzykowski and seconded by Councilwoman Neer to adjourn the meeting at 7:35 p.m. The motion passed with All In Favor.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: November 9, 2011

Respectfully Submitted,

Debbie L. Douglas
Bethany Town Clerk