

TOWN OF BETHANY
SPECIAL TOWN BOARD MEETING
07 November 2013

Supervisor Gayton opened the November 7, 2013 Special Town Board Meeting at 6:01 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
Debbie Douglas, Town Clerk	

Attendees to the Meeting were:

Daniel Adams

Public Hearing – Local Law #1-2013 Override the Tax Levy Limit Established in General Municipal Law §3-c

Supervisor Gayton opened the public hearing for Local Law #1-2013 at 6:02 p.m.

- Supervisor Gayton explained that the need for the law was precautionary.
- The budget does not go over the cap limit, however, the State Comptroller's Office may interpret some of the exemptions differently which could make the budget go over the limit. The law will prevent any repercussions.
- No one spoke concerning the proposed local law.

Supervisor Gayton closed the public hearing for Local Law #1-2013 at 6:34 p.m.

Public Hearing – Town of Bethany 2014 Budget

Supervisor Gayton opened the public hearing for the Town of Bethany 2014 Budget at 6:03 p.m.

- No one spoke concerning the proposed budget.

Supervisor Gayton closed the public hearing for the Town of Bethany 2014 Budget at 6:35 p.m.

RESOLUTION #21-2013 - ADOPTION OF LOCAL LAW #1-2013 2% TAX CAP OVERRIDE

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, 2013 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 that 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 Council Member Neer, which has been duly seconded by Council Member Wenhold, 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 #1 of 2013 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 Gick – Yes
Councilman Wenhold – Yes	Councilwoman Neer – Yes
Councilman Pietrzykowski – Absent	

RESOLUTION #22-2013 - ADOPTION OF 2014 ANNUAL TOWN BUDGET

WHEREAS, the Town of Bethany Chief Fiscal Officer prepared a Tentative Budget for review by the Bethany Town Board, and

WHEREAS, the Town Board has reviewed the Tentative Budget in formulation of the Preliminary Budget; and

WHEREAS, the 2014 Preliminary Budget was adopted on October 16, 2013 and after which a Public Hearing was held on November 7, 2013 for all interested parties to be heard.

NOW ON MOTION OF Council Member Gick, which has been duly seconded by Council Member Wenhold, therefore be it

RESOLVED, the Bethany Town Board hereby adopts the Preliminary Town Budget as the 2014 Annual Budget of the Town of Bethany. And be it

FURTHER RESOLVED, that the Town Clerk be and she hereby is directed to enter the adoption of said 2014 Town Budget in the minutes of this meeting and file the said budget with the Genesee County Legislature and the Genesee County Real Property Tax Services.

The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes	Councilman Gick – Yes
Councilman Wenhold – Yes	Councilwoman Neer – Yes
Councilman Pietrzykowski – Absent	

Adjournment

A motion was made by Councilwoman Neer and seconded by Councilman Wenhold to adjourn the meeting at 6:36 p.m. The motion passed with All In Favor.

BY ORDER OF THE
Bethany Town Board
Dated: November 9, 2013

Respectfully Submitted,
Debbie L. Douglas
Bethany Town Clerk