

NOV 18 2014

DEPARTMENT OF STATE  
NEW YORK STATE DEPARTMENT OF STATE

41 STATE STREET, ALBANY, NY 12231

**LOCAL LAW FILING**

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

**Be it enacted by the TOWN BOARD of the TOWN of GALEN as follows:**

Town of Galen Local Law No. 4-2014

A local law to Repeal Local Law No. 3-2014 adopted August 11, 2014 by Resolution No. 20-2104  
Be it enacted by the Town Board of the Town of Galen as follows: (Attached)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4-2014 of the Town of Galen was duly passed by the Town Board on Nov. 10, 2014, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_, Of the Town of Galen was duly passed by the \_\_\_\_\_

(Name of Legislative Body)

on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved) (not approved) (repassed after disapproval)

by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20 \_\_\_\_\_,

(Elective Chief Executive Officer\*)

in accordance with the applicable provisions of law.

3. (Final adoption by referendum.) I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_

of the Town of Galen was duly passed by the Town Board on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved) (not approved) (repassed after disapproval) by the Supervisor on \_\_\_\_\_

20 \_\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting

thereon at the (general) (special) (annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 20\_\_\_\_, of the Town of Walworth was duly passed by the Town Board on \_\_\_\_\_ 20\_\_\_\_, and was (approved) (not approved) (repassed after disapproval) by the Supervisor on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 20\_\_\_\_, of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36) (37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special) (general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 20\_\_\_\_, of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_, 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

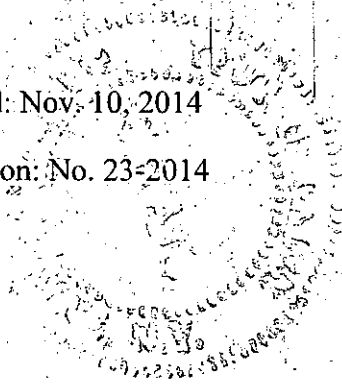
(SEAL)

*Norma Lancaster* / *Galen Town Clerk*  
Norma Lancaster, Galen Town Clerk

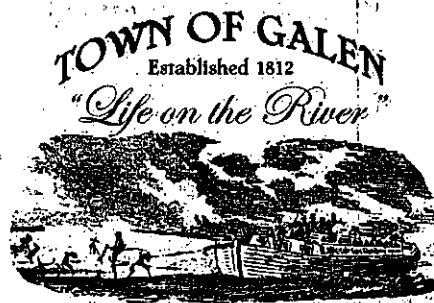
Adopted: Nov. 10, 2014

Resolution: No. 23-2014

Date: Nov. 11, 2014



Steven J. Groat - Supervisor  
Norma Lancaster - Town Clerk  
Paul Plucinik - Hwy. Supt.  
Telephone - 315 923 7259  
Fax - 315 923 3421



MARENGO - LOCK BERLIN - LOCKPIT - CLYDE

TOWN COUNCIL  
Noreen Kanaley - Deputy Supervisor  
Jeff Montemorano  
Michael Kise  
Frank Sebastiano

TOWN of GALEN  
COUNTY of WAYNE

#### Proposed Local Law No. 4-2014

A Local Law of the year 2014 entitled "A local law to REPEAL Local Law No. 3-2014 adopted August 11, 2014 Resolution No. 20-2014

#### Section 1. Legislative Intent

It is the intent of this local law to repeal Local Law No. 3-2014, adopted on August 11, 2014 which overrode the limit on the amount of real property taxes that may be levied by the Town of Galen, County of Wayne pursuant to General Municipal Law § 3-c, and allowed the Town of Galen, County of Wayne to adopt a town budget for the fiscal year 2015 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c. In repealing Local Law No. 3-2014, the Town of Galen may certify that the 2015 town budget will not exceed the tax cap and that no local law exists that overrides the tax cap, thereby ensuring the town is "tax freeze exempt"

#### Section 2. Authority

This local law is adopted pursuant to the authority granted under the General Municipal Law, Municipal Home Rule Law and the doctrine of legislative equivalency, which authorizes the Town Board to repeal Local Law No. 3-2014 by the adoption of a new local law approved by vote of sixty percent (60%) of the Town Board.

#### Section 3. 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 adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

#### Section 4. Effective Date

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

Resolution No. 23-2014 to adopt Local Law No. 4-2014 REPEAL Local Law No. 3-2014 Tax Cap Override for 2015 Budget

Motion by; Frank Sebastiano 2<sup>nd</sup> by; Noreen Kanaley  
Ayes; Steve Groat, Mike Kise, Noreen Kanaley, Frank Sebastiano  
Absent; Jeff Montemorano

Adopted November 10, 2014  
By the Galen Town Board

Norma Lancaster  
Galen Town Clerk

6 South Park Street Clyde, NY 14433-1345

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