

RESOLUTION CALLING A PUBLIC HEARING CONCERNING  
ADOPTION OF LOCAL LAW #3 OF 2024 – TAX CAP OVERRIDE

WHEREAS the Albion Town Board has before it a proposed Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c, and

WHEREAS in order to adopt said Local Law the Albion Town Board is required to hold a Public Hearing.

NOW THEREFORE BE IT RESOLVED:

Section 1. The Albion Town Board shall hold a Public Hearing at the Albion Town Hall, 3554 Clarendon Road, Albion, New York, 14411 on November 12, 2024 at 5:00 p.m. to hear all persons for or against the adoption of Local Law #3 of 2024 – Tax Cap Override.

Section 2. The Albion Town Clerk is authorized and directed to cause an appropriate Notice of this hearing to be published in the official newspaper of the Town and in accordance with the Town Law §265.

Section 3. The text of this proposed Local Law is available in the office of the Town Clerk during regular business hours and/or on the Town website.

Section 4. This Resolution shall take effect immediately.

MOTION for adoption of this Resolution by  
Seconded by

VOTED BY ROLL CALL AND RECORD;

Board Member Allen  
Board Member Wilbert  
Board Member Bensley  
Board Member Benton  
Supervisor Remley

Submitted: October 21, 2024

# 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.

County  City  Town  Village  
(Select one.)

of Albion, Orleans County, New York

Local Law No. 3 of the year 2024

A local law Tax Cap Override  
(Insert Title)

Be it enacted by the Albion Town Board of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of Albion as follows:

See attached Local Law #3 of 2024, Tax Cap Override

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

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

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2024 of the ~~(County)(City)~~(Town)(Village) of Albion, Orleans County, New York was duly passed by the Albion Town Board on November 12 2024, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no 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 (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

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 (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ 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.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**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 at 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.

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body

(Seal)

Date: \_\_\_\_\_

LOCAL LAW #3                      OF 2024 AUTHORIZING  
A PROPERTY TAX LEVY IN EXCESS OF  
THE LIMIT ESTABLISHED IN GENERAL  
MUNICIPAL LAW §3-c

Be it enacted by the Albion Town Board, County of Orleans, State of New York  
(hereinafter referred to as the Board) as follows:

SECTION 1. – TITLE

This Local Law shall be referred to as “Local Law #3            “ of 2024 Authorizing a  
Property Tax Levy in Excess of the Limit Established in General Municipal Law §3-c”.

SECTION 2. – AUTHORIZATION

This Local Law is adopted pursuant to the legislative authority in General Municipal Law  
§3-c(5).

SECTION 3. – PURPOSE AND INTENT

It is the intent of the Local Law to allow the town of Albion to adopt a budget for the  
fiscal year commencing January 1, 2025 that requires a real property tax levy in excess of the  
“tax levy limit” as defined by General Municipal Law §3-c.

SECTION 4. – TAX LEVY LIMIT OVERRIDE

The Town Board of the Town of Albion, County of Orleans, is hereby authorized to adopt for the fiscal year commencing January 1, 2025 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

SECTION 5. – SEVERABILITY AND/OR VALIDITY

If a Court determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application hereof to an person, firm or corporation or circumstances is invalid or unconstitutional, the Court’s order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this “Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment order shall be rendered.

SECTION 6. – EFFECTIVE DATE

This Local Law shall take effect upon the date it is filed in the Office of the New York State Secretary of State in accordance with Municipal Home Rule Law §27.

Dated: Albion, New York  
November , 2024