

TOWN OF MIDDLETOWN

LOCAL LAW NO. 5 FOR THE YEAR 2012

A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c

Be it enacted by the Town Board of the Town of Middletown as follows:

Section 1 - Legislative Intent: 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 Middletown pursuant to General Municipal Law §3-c, and to allow the Town of Middletown to adopt a budget for the fiscal year beginning January 1, 2013 and ending December 31, 2013 that requires a real property tax levy in excess of the 'tax levy limit' as defined by General Municipal Law §3-c.

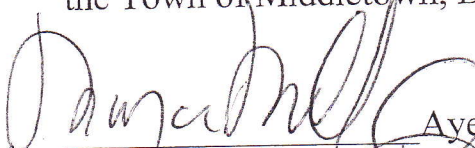
Section 2 - Authority: This Local Law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the Town Board.

Section 3 - Tax Levy Limit Override: The Town Board of the Town of Middletown, County of Delaware, is hereby authorized to adopt a budget for the fiscal year 2013 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

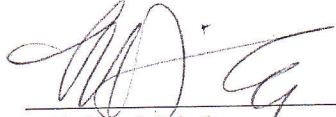
Section 4 - Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the 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 or order shall be rendered.

Section 5 - Effective date: This Local Law shall take effect immediately upon filing with the Secretary of State.

BE IT ENACTED this 11th day of September, 2012 by the Town Board of the Town of Middletown, Delaware County, New York.




Aye/Nay
Marjorie Miller, Supervisor




Aye/Nay
Michael Finberg

Aye/Nay
John Roucek
Councilman John Roucek was absent.



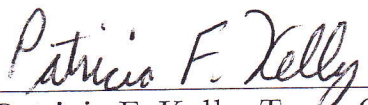
Aye/Nay
Brian Sweeney



Aye/Nay
Jacob Rosa

(Seal)

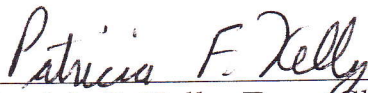
ATTEST:



Patricia F. Kelly, Town Clerk

I hereby certify that the local law annexed hereto, designed as Local Law No. 5 of 2012 of the Town of Middletown was duly passed by the Town Board on September 11, 2012, in accordance with the applicable provisions of law.

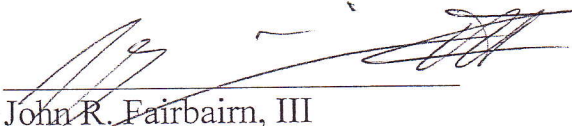
I further certify that I have compared the preceding law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law as duly adopted.


Patricia F. Kelly, Town Clerk

Dated: September 11, 2012


(Seal)
STATE OF NEW YORK
COUNTY OF DELAWARE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.


John R. Fairbairn, III
Attorney for the Town
Town of Middletown
September 11, 2012