

TOWN OF BERNE

RESOLUTION NO. 77 OF 2026

“RESOLUTION ADOPTING LOCAL LAW 2 OF 2026 TO OVERIRDE THE TAX CAP LEVY LIMIT FOR FISCAL YEAR 2027”

At a special meeting of the Town Board of the Town of Berne, Albany County, New York, held at the Town Hall, 1656 Helderberg Trail Road, Berne NY on the 14th day of October, 2026:

Councilperson _____ offered the following resolution and moved for its adoption:

WHEREAS, N.Y. General Municipal Law §3-c (the “Property Tax Cap Law”), authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board;

WHEREAS, on August 12th, 2026, this Board introduced Proposed Local Law No. 2 of 2026 entitled “A Local Law to Override the Tax Levy Limit for Fiscal Year 2027”;

WHEREAS, a duly noticed public hearing was held on September 9, 2026 at 6:30 PM and any public comments were carefully considered by the Town Board members;

WHEREAS, the Town Board is the only involved agency for this Type II action under NYS Environmental Quality Review Act (SEQRA) and NYCRR 617.5(26) and (33) requiring no further environmental review; and

WHEREAS, this Board, after due deliberation, has determined that such override is necessary and in the best interests of the Town.

NOW, THEREFORE, BE IT RESOLVED that, the Town Board hereby adopts Local Law No. 2 of 2026 entitled “A Local Law to Override the Tax Levy Limit for Fiscal Year 2027” a copy of which is attached hereto, which shall take effect upon filing with the New York State Secretary of State; and

BE IT FURTHER RESOLVED that, the Town Clerk is hereby directed to enter said Local Law in the minutes of this meeting and in the Town of Berne files, and give timely notice of the adoption of said Local Law to the Secretary of State, as required by law.

On a motion by Councilperson _____, seconded by _____, the resolution was adopted on a roll call vote, the results which follow:

BE IT FURTHER RESOLVED, that this authorization shall take effect immediately.

Vote (Roll Call):

Supervisor Giebelhaus	☐ Aye ☐ Nay ☐ Abstain
Councilmember Bunzey	☐ Aye ☐ Nay ☐ Abstain
Councilmember Duncan	☐ Aye ☐ Nay ☐ Abstain
Councilmember la Cour	☐ Aye ☐ Nay ☐ Abstain
Councilmember Miller	☐ Aye ☐ Nay ☐ Abstain

Action: ☐ Adopt ☐ Table ☐ Refer

Affirmative Vote Tally: _____ **Negative Vote Tally:** _____ **Abstain:** _____

Adopted this _____ **day of** _____, **2026**

I, Kristin De Oliveira, Town Clerk of the Town of Berne,
do hereby certify that Resolution 68 of 2026 was passed
at a meeting of the Town of Board on _____ of 2026.

In affirmation thereof, I hereto set my hand and affix
The Seal of the Town of Berne this _____ day of _____, 2026.

Kristin De Oliveira, Town Clerk