

REGULAR ARCADIA TOWN BOARD MEETING
January 13, 2026 – 7:00 PM
Town Hall
201 Frey St.
Newark, NY 14513

Supervisor Piscioti welcomed those in attendance followed by the gathering in the pledge of allegiance.

PRESENT: Supervisor Piscioti
Councilmembers: Diamond, Greco, Gerbig, VanLaeken
Highway Supt. Kuhlman
CEO DeWolf
Deputy Town Clerk Vacchetto
David Hou, Town Attorney

ABSENT:

MINUTES: Motion made by Councilman Gerbig, seconded by Councilman Greco to approve the minutes of December 30, 2025 End of Year Clean Up Meeting and January 5, 2026 Organizational meeting. All voted Aye.

HIGHWAY REPORT: Highway Supt. Kuhlman read his report.

See Attached Report

CODE ENFORCEMENT REPORT: CEO DeWolf read his December Report and End of Year Report for 2025. Reports attached. CEO DeWolf also said they have been getting prepared for the new Code Office Software. Cloud Permit has the GSI set up and they'll be meeting soon to train.

COMMUNICATIONS: Supervisor Piscioti said she had no communications at this time.

NEW BUSINESS:

Agreement to Spend Highway Funds: Motion made by Councilman Diamond, seconded by Councilman Greco to approve the Section 284 of the Highway Law - Agreement to Spend Highway funds in the amount of \$690,500.00 for the year 2026 for the repair and improvement of town highways.
Agreement attached.

Debbie Lochner inquired what money? Highway Superintendent Kuhlman said this money includes the budget and chips estimated moneys.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Transfer of Highway Funds: Moved by Councilperson VanLaeken, seconded by Councilperson Greco for the transfer of Highway funds noted below to reserves from 2025 Budget Accounts for the upcoming (2) Mack Tandem Trucks in 2026.

DA-5130.2 (New Equipment)-	\$1,242.97
DA-2665 (Sales of Equipment)-	<u>\$82,335.00</u>
Total	\$83,577.97

See Attached.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

NYSAC 2026 Legislative Conference – Supervisor: Moved by Councilman Diamond, seconded by Councilman Greco to approve Supervisor Piscioti to attend the New York State Association of Counties Conference from March 16 - 18, 2026 in Albany, NY. Cost of \$290.00 for conference plus lodging, food, gas, mileage, and tolls.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Unfinished Business:

Sleight Rd. Solar - Revised Drawing Subject to MRB Comments: Supervisor Piscioti noted that there has been communications between MRB, Attorney Hou, and Sleight Rd. Solar and that documents have been submitted and the Planning Board Meeting is scheduled. There needs to be a single site plan submitted. Attorney Hou said conditions have been met and they should be able to get the building permit after Planning Boards approval. Councilman VanLaeken said we just need to extend the SUP. Attorney Hou agreed. CEO DeWolf noted they changed the orientation of the panels but has stayed in the same footprint.

Motion made by Councilman VanLaeken, seconded by Councilman Greco to extend the SUP for Sleight Rd. Solar until the end of the month, January 31, 2026. All voted Aye.

Arcadia PV, LLC Solar – Revised Conditions for SUP: Supervisor Piscioti noted that Arcadia PV submitted revised conditions and the Town had reviewed them.

Motion for a resolution was offered by Councilman Greco, seconded by Councilman Gerbig approving the revised conditions of Special Use Permit for Arcadia PV, LLC. Resolution attached.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

PUBLIC HEARING:

7:10 PM Local Law No. 1 for 2026 Tax Levy Limit: Moved by Councilman VanLaeken, seconded by Councilman Diamond to close the Regular Town Board meeting and open to a Public Hearing for Local Law No. 1 for 2026 -2% Tax Levy.

All voted Aye.

Moved by Councilman VanLaeken, seconded by Councilman Greco to waive the reading of the legal notice as published.

All voted Aye.

Supervisor Piscioti asked if there were any questions or comments.

Debbie Lochner asked why we have this. Attorney Hou gave an explanation the tax levy has a cap of 2%. NYS Law for this. If a town doesn't have this, it limits the next budget. Councilman Diamond said; him being on the board the longest, he doesn't remember the last time this law had to be used.

Supervisor Piscioti asked if there were any other questions or comments.

7:14 PM Moved by Councilman VanLaeken, seconded by Councilman Greco to close the Public Hearing and reopen the regular scheduled Town Board Meeting. All voted Aye

RETURNED TO UNFINISHED BUSINESS:

Local Law No. 1 for 2026 Tax Levy Limit: Moved by Councilman VanLaeken, seconded by Councilman Greco to adopt the Local Law No. 1 for the year 2026 to allow the Town of Arcadia to adopt a budget for fiscal year 2027 that may result in a real property tax levy in excess of the "Tax Levy Limit" as defined by General Municipal Law § 3-C.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Tim Wood of NAVA gave a report. The volume of calls was over 3,300 for 2025. They had a very busy December because of the Flu & Hospital. They are all wearing body cameras now to protect the agency. Tim Wood said he wanted to thank the Highway Department. They can see the difference between towns with keeping the roads clean and they appreciate that.

PUBLIC COMMENTS: Sue DeJohn inquired about WD #18. Supervisor Piscioti said we should be hearing about funds soon from USDA.

REPORTS OF TOWN OFFICIALS:

All Town Reports

Moved by Councilperson Gerbig, seconded by Councilperson Diamond to accept the following reports: Town Clerk, Code Officer, Assessor, Supervisor and Highway reports.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

AUDIT/PAYMENT OF BILLS APPROVED BY THE TOWN BOARD:

General	#1-29	\$138,651.88
Highway	#1-14	<u>\$155,696.39</u>
	Total:	<u>\$249,348.27</u>

Moved by Councilman Gerbig, seconded by Councilman Diamond to authorize payment of the General and Highway bills.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

ADJOURNMENT:

7:19 PM Moved by Councilman VanLaeken, seconded by Councilman Greco to adjourn the Town Board meeting.
All Voted Aye

Respectfully Submitted,
Terresa Vastbinder
Town Clerk

January Town Board Meeting 1/13/ 2026

We had a pretty busy month of December for plowing & sanding , I turned in 35 trips to Wayne County for our snow and ice contract . We have also been busy dealing with dead trees that have fallen due to the several high wind events that we have been getting in our area lately,most of these trees are off our Right of Way but they are quite tall and end up in the road or in the wires when they drop.

When we are not plowing or picking up trees we are usually maintaining our equipment, when your running the trucks a lot the maintenance intervals come around pretty quick and need to be addressed, along with the many wear items that need to be changed with the plowing process.

THANK YOU ;

Thomas Kuhlman / Highway Superintendent

Town of Arcadia Code Enforcement Monthly Report For: December 2025

Total Permits Issued for the Month	10
Total Cost of Permits	\$ 1,066.00
Inspections Done for the Month	10
Total C of C's Issued for the Month	3
Total C of O's Issued for the Month	0
Total Variances Processed for the Month	0
Total Complaints Received	0
Total 911 Calls Received	1
Total of Violation Letters Sent	0
Total of Violations Resolved	0
Total of Appearance Tickets Issued	0

Town of Arcadia Code Enforcement End of Year Report For: 2025

Total Permits Issued for the Year 138

Total Cost of Permits \$ 9,389.02

Inspections Done for the Year 166

Total C of C's Issued for the Year 29

Total C of O's Issued for the Year 3

Total Complaints Received 5

Total of Violation Letters Sent 28

Total Mobile Home Violation Letters Sent 37

Total of Violations Resolved 8

Total of Appearance Tickets Issued 2

AGREEMENT TO SPEND HIGHWAY FUNDS

TOWN OF ARCADIA
COUNTY OF WAYNE

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, shall be expended as follows: (CHIPS Estimated money Included)

1. GENERAL REPAIRS. The sum of \$ 690,500.⁰⁰ may be expended for general repairs upon 7 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. IMPROVEMENTS. The following sums shall be set aside to be expended for the improvement of town highways:

(A) On the road, commencing at Lembke Rd (near Maclelland) heading north and leading to End .2 miles north of Winder, a distance of 1.5 miles. There shall be expended not over the sum of \$ 160,000.
Type _____ Width of Traveled Surface 27'
Subbase _____

(B) On the road, commencing at Desmith Rd - Minstead Rd and leading to Parker Rd., a distance of .75 miles. There shall be expended not over the sum of \$ 160,000.
Type Binder Width of Traveled Surface 24'
Subbase 4' Box out shoulder, T & L shoulders to remove crown, "NO TOP this year"

With this remaining \$ 370,500, we will need to purchase fuel, patching material, not mix paving, chip seal, pipes, stripping or any emergency changes that need to be done for the rest of the year.

No moneys set aside for such improvements shall be expended, nor shall any work be undertaken on such improvements, until the County Superintendent approves the plans, specifications and estimates for such construction.

This agreement shall take effect when it is approved by the County Superintendent of Highways.

Executed in duplicate this 13 day of January.

[Signature]
Supervisor

Thomas D. Kuhlman
Highway Superintendent

[Signature]
Councilperson

[Signature]
Councilperson

[Signature]
Councilperson

[Signature]
Councilperson

The foregoing Agreement is hereby approved this 13th day of January 2026

County Superintendent of Highways

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk's office and one in the Superintendent's office. COPIES DO NOT HAVE TO BE FILED IN ALBANY.



**Town of Arcadia
Highway Department**

Thomas Kuhlman, Superintendent
233 Blackmar Street, Newark, NY 14513
PH: 315-331-1108 - Fax: 315-331-1108
hwysuperintendent@townofarcadia.org

To Reserve from 2025 Budget Accounts:

I, Tom Kuhlman as your Town Highway Superintendent is asking to have the funds noted below moved into Reserves for the upcoming (2) Mack Tandem Trucks in 2026.

DA-5130.2 (New Equipment) -	\$ 1,242.97
DA-2665 (Sales of Equipment) -	<u>\$ 82,335.00</u>
Total	\$ 83,577.97

Thomas W. Kuhlman

Town Highway Superintendent

1/13/26

Date

Tom L. K...

Town Supervisor

1/13/2026

Date

● NYSAC 2026

Legislative Conference



COUNTIES LEAD

March 16 -18, 2026 . Albany Crowne Plaza Hotel/Desmond . Albany . NY

TOWN OF ARCADIA TOWN BOARD

Resolution 2026

Resolution Approving Revised Conditions of Special Use Permit: Arcadia PV, LLC

Dated: January 13, 2026

WHEREAS, on May 13, 2025, the Town of Arcadia Town Board adopted a resolution granting Arcadia PV, LLC (the “Applicant”) a Special Use Permit with conditions, to construct a 4.171 megawatt (MW) solar energy facility and associated electrical appurtenances (“Facility”) on a leased portion of land in the Town of Arcadia covering approximately 27.43 acres located on Tax Map Parcels: 68114-00-679160 and 8114-00-644278 (the “Property”); and

WHEREAS, the Town Board hereby seeks to amend the conditions set forth in the May 13, 2025 resolution (the “Approval Resolution”), to clarify the conditions of approval and the remaining provisions in the Approval Resolution shall remain unamended;

NOW, THEREFORE BE IT RESOLVED, that conditions 1-27 set forth in the Approval Resolution shall be deleted, amended and superseded with the following conditions 1-25:

1. The Special Use Permit and site plan approval shall be valid for a period of eighteen (18) months, provided that a building permit is issued for construction and construction is commenced within that timeframe. In the event construction is not completed in accordance with the final site plan, as may have been amended and approved, as required by the Town, within eighteen (18) months after approval, the Town Board, for good cause shown, may extend the time to complete construction for 180 days. If the Owner and/or Operator fails to perform substantial construction after twenty-four (24) months of the issuance of the Special Use Permit and site plan approval, the approvals shall expire.
2. The Town Engineer review letter dated March 4, 2025, is to be addressed prior to the site plans being signed by the Planning Board Chair. The signed site plan is required prior to issuance of a building permit.
3. Prior to issuance of a building permit, the Final Plat Map is to be filed with Wayne County and proof of the filing is to be submitted to the Town of Arcadia Town Clerk’s office.
4. Prior to the issuance of a building permit, the Applicant is to enter into a Road Use Agreement with the Town that includes terms of use of Town roads, inspection of Town roads before and after construction of the project and establishes a bond value to be secured prior to use of Town roads.
5. Prior to the issuance of a building permit, all easements and subdivisions will need to be submitted to the County Clerk’s Office and proof of filing is to be submitted to the Town Clerk.
6. No ground disturbance is to begin until the NYSDEC Acknowledgement letter regarding the Notice of Intent has been received by the Town Code Enforcement Office and added to the Final SWPPP document.
7. The Decommissioning Plan will be updated to reflect as-built conditions and approved financial security as required in Section 9(J) of the Town’s Solar Law.

8. Prior to obtaining a building permit, the written Decommissioning Plan shall be finalized in an acceptable form and content per the Town Engineer and Town Attorney comments.
9. Prior to obtaining a building permit, the Applicant must provide adequate surety in the form of a letter of credit in a form approved by the Town Attorney and the Town Engineer for the removal of the Solar Energy System equal to 150% of the estimated cost to decommission the site projected five (5) years into the future (calculation based on current estimated cost of decommissioning escalated 3% annually). The surety shall list the Town of Arcadia as the designated assignee/beneficiary and must be approved by the Town Engineer based on their review of the decommissioning cost estimate submitted by the Applicant. The Applicant shall maintain this same surety sum for the initial 5 year period. The initial decommissioning estimate shall also include the sum of \$5,050.00 as the estimated cost for disposal, repurposing and/or recycling the decommissioned components. The Town Board and the Owner/Operator shall review the surety every five years throughout the life of the project, measured from the effective date of the Decommissioning Agreement. Upon every 5 year review, the Owner/Operator shall provide adequate surety equal to the estimate to decommission the site projected five (5) years into the future and shall maintain this same surety sum for the 5 year period measured from the review date. The periodic 5 year surety review shall also include review of estimated costs for disposal, repurposing and/or recycling the decommissioned components. The intent of the periodic 5 year review is to account for potential inflation or other adjustments to decommissioning costs and no additional escalators or adjustments more frequent than the 5 year periodic review shall be required.
10. The Decommissioning Agreement, in a form and content acceptable to the Town Attorney and the Town Engineer is required to be signed by all parties and filed with the Town Clerk's Office prior to issuance of a building permit.
11. Prior to signing the site plans, the Applicant is to provide a decommissioning estimate that identifies all requirements of the decommission, including transportation of waste and the associated values for each requirement. A separate approval by Resolution from the Arcadia Town Board of Decommissioning Plan and decommissioning surety shall be secured. The Solar Energy System is anticipated to be operational for 35 years and is estimated to take approximately 18 months to decommission and stabilize post operations. The decommissioning surety is to remain in place 18 months beyond the expected life of the project to ensure that the surety remains valid during the permitting, coordination, and decommissioning process.
12. Every 5 years after the Applicant's project is approved (or if the surety is renewable less than every five years, then annually) no later than thirty (30) days prior to the anniversary date of the issuance of the building permit for such system, the then Owner/permit holder for the system shall provide the Town of Arcadia Code Enforcement Officer & Town Clerk with written confirmation that the required surety is still operable and valid.
13. After completion of the project, the Applicant shall provide to the Town of Arcadia Code Enforcement Officer a post-construction certificate from a Professional Engineer registered in New York State that the project complies with all applicable codes and industry practices and has been constructed and is operating according to the design plans.
14. A Special Use Permit granted by the Town Board is required prior to signatures being affixed to the site plan.

15. All consultants' fees for review of the Application (including but not limited to the Town Engineer's and Town Attorney's fees) are to be reimbursed to the Town by the Applicant as a condition of the Special Use Permit for the life of the project. Prior to the issuance of a building permit all such consultant fees are to be reimbursed to the date of the building permit submission.
16. Any increase in stormwater drainage from the site to neighboring properties will trigger an automatic internal investigation by the Town Code Enforcement Officer to validate the reported concerns of adjacent landowner(s). A meeting between the Owner/Operator, Code Enforcement Officer, Town Engineer and any other relevant Town staff will be required to review the complaint. If there is evidence that the project is increasing the runoff of stormwater onto neighboring properties, then the Applicant will have 180 days to provide mitigation solutions that will be reviewed by the Planning Board and the Town Engineer.
17. As the Operation and Maintenance of the site is dependent on the final construction and layout of the project site and the equipment used, a final Operation and Maintenance Plan is required that outlines all site-specific information, schematics and emergency procedures that stay up to date with the site operations and maintenance needs, as well as maintenance contractor information, Emergency Action Plan, Emergency Shutdown Plan, Fire Response Plan and Guidance, emergency contacts, snow clearing, and other relevant information of maintenance that will be contracted out. This will need to be approved by the Town as complete prior to the Code Enforcement Officer closing the building permit and providing a certification of completion.
18. Maintenance of ground cover vegetation is to not exceed 12 inches of height. Whenever a violation of this condition of approval occurs, any person may initiate a complaint to the Town. The Code Enforcement Officer will accurately record the complaint, file it appropriately, and investigate it. If the complaint is found to be valid, the Code Enforcement Officer will inform the Owner of the premises that there is a violation of the condition of approval. The Owner will be notified by email from a Town official and by certified mail and by any other means agreed upon by the Town and the person(s) of contact. The violation will have to be remedied 30-days from the date of notice by email to correct the violation. Additional penalties may be assessed per violation. If the violation of this condition is not corrected within that 30-day window, this will be cause for revocation of the Special Use Permit after the applicant is notified in writing of the violations and the Town of Arcadia Town Board holds a hearing on same as provided for herein. This process is to be clearly identified, and a certification of understanding is to be signed by any potential Owner of the Arcadia PV, LLC project site as a condition of the Special Use Permit.
19. All trees and fencing are to be free from vines and other invasive vegetation. Whenever a violation of this condition of approval occurs, any person may initiate a complaint to the Town. The Code Enforcement Officer will accurately record the complaint, file it appropriately, and investigate it. If the complaint is found to be valid, the Code Enforcement Officer will inform the Owner of the premises that there is a violation of the condition of approval. The Owner will be notified by certified mail and by any other means agreed upon by the Town and the person(s) of contact. The violation will have to be remedied 30-days from the date of notice to correct the violation. Additional penalties may be assessed per violation. If the violation of this condition is not corrected with that 30-day window, this will be cause for revocation of the Special Use Permit after the applicant is

notified in writing of the violations and the Town of Arcadia Town Board holds a hearing on same as provided for herein.

20. All contact information for the applicants, developers, and landowners are to be provided to the Town of Arcadia Code Enforcement Officer prior to issuance of a building permit.
21. A preconstruction meeting with the Town of Arcadia, once all conditions of approval have been met, is required to be held prior to issuance of any permit.
22. No Battery Energy Storage Systems (BESSs) Units are part of this application and thus not approved as part of this project.
23. In accordance with the New York State Department of Agriculture and Markets *Guidelines for Solar Energy Projects-Construction Mitigation for Agricultural Lands, last revised 10/18/2019* (Agriculture and Markets Solar Guidelines), prior to construction, before a Certificate of Compliance is issued by the Code Enforcement Officer, prior to decommissioning, and after decommissioning of the site, the Owner or System Operator of the solar array project shall engage an independent and competent entity to take soil samples consistent with Cornell University's soil testing guidelines for measuring contaminant levels in a particular area regarding collection, labeling and packaging of representative soils along the lower drip edge of representative solar arrays across the lot, and along the main course of water flow leaving the lot. Such soil samples shall be collected, labeled, packaged and transferred with a chain of custody to an independent laboratory certified by the NY State Department of Health Environmental Laboratory Approval Program for soil analysis, which lab may or may not be the same entity collecting the soil samples.
24. Pre and post-construction penetrometer testing, according to NYSDEC guidance, shall occur under the observation of the Town and/or their representatives. Results shall be provided to the Town and Town engineer for review. Post-construction penetrometer test results will be compared to pre-construction results to determine the level of decompaction that will need to be performed prior to the pervious access road being installed.
25. The limited use pervious access road will require the GeoWeb System or a specified equivalent for the entire proposed limited use pervious access road. There is only to be details in the site plan for the limited use pervious access road with the GeoWeb System identified and it is to be noted in the detail sheet that the GeoWeb System or a specified equivalent for the entire proposed limited use pervious access road.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be filed in the office of the Town of Arcadia Town Clerk within five (5) days of the date of this Resolution, and shall be mailed to the Applicant within the same five (5) day period.

The foregoing Resolution was offered by Councilman Greco and seconded by Gerbig at a regularly scheduled Arcadia Town Board meeting held on January 13, 2026. Following discussion, a voice vote was recorded:

Aye Nay Abstain/Absent

Michael Diamond

Aye

Joseph Gerbig Aye

David Greco Aye

Richard VanLaeken Aye

Dawn Piscioti, Supervisor Aye

I, Teresa Vastbinder, the Town Clerk, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Arcada Town Board for the January 13, 2026 meeting.

Teresa Vastbinder

Teresa Vastbinder, Town Clerk

At a Regular meeting of the Town Board of the Town of Arcadia, Wayne County, New York, held at the Town Hall at No. 201 Frey Street in the Village of Newark, Wayne County, New York, in said Town, on the 13th day of January, 2026 at 7:00 P.M., Prevailing Time.

PRESENT: Dawn L. Piscioti, Supervisor
Michael J. Diamond, Councilperson
Joseph W. Gerbig, Councilperson
David Greco, Councilperson
Richard D. VanLaeken, Councilperson

The following Resolution was offered by Councilman VanLaeken, who moved its adoption, seconded by Councilman Greco, to wit:

RESOLUTION DATED January 13, 2026

A RESOLUTION ADOPTING A PROPOSED LOCAL LAW OF THE YEAR 2026 TO ALLOW THE TOWN OF ARCADIA TO ADOPT A BUDGET FOR FISCAL YEAR 2027 THAT MAY RESULT IN A REAL PROPERTY TAX LEVY IN EXCESS OF THE "TAX LEVY LIMIT" AS DEFINED BY GENERAL MUNICIPAL LAW § 3-c.

WHEREAS, the Town Board on December 9, 2025 adopted a resolution to set a public hearing on the proposed Local Law to allow the Town to adopt a budget for the fiscal year 2027 that may result in a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c; and

WHEREAS, notice of such public hearing was published in accordance with the law and the Town held a public hearing on the proposed Local Law on January 13, 2026, at which all interested persons had an opportunity to be heard; and

WHEREAS, said Town Board has determined that the adoption of said Local Law would promote the general welfare of the residents of said Town,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Arcadia, Wayne County, New York, as follows:

Section 1. A proposed Local Law No. 1 of the year 2026 entitled "A Local Law to override the tax levy limit established in General Municipal Law § 3-c", as set forth in the attached local law is hereby adopted.

Section 2. The Town Clerk is hereby directed to enter said Local Law in the Minutes of this meeting, and to give due notice of the adoption of said Local Law to the New York Secretary of State,

The question of the adoption of the foregoing **Resolution** was duly put to a vote on roll call, which resulted as follows:

Dawn L. Piscioti	VOTING	<u>Aye</u>
Michael J. Diamond	VOTING	<u>Aye</u>
Joseph W. Gerbig	VOTING	<u>Aye</u>
David Greco	VOTING	<u>Aye</u>
Richard D. VanLaeken	VOTING	<u>Aye</u>

**Proposed Local Law
To Override the Real Property Tax Levy Limit
Established in General Municipal Law § 3-c**

TOWN OF ARCADIA
LOCAL LAW NO. 1 OF THE YEAR 2026

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 Arcadia 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 Arcadia pursuant to General Municipal Law § 3-c, and to allow the Town of Arcadia to adopt a budget for the fiscal year 2027 that results in 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 of the Town of Arcadia to override the tax levy limit for the next fiscal year by the adoption of a Local Law approved by a vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override. The Town Board of the Town of Arcadia, Wayne County, New York is hereby authorized to adopt a budget for the fiscal year 2027 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law § 3-c.

Section 4. Severability. If any clause, sentence, paragraph, section 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 clause, sentence, paragraph, section 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.