

# 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 Seneca

FILED  
STATE RECORDS  
AUG 11 2023

DEPARTMENT OF STATE

Local Law No. 5 of the year 2023

A local law A LOCAL LAW AUTHORIZING THE BOARD OF SUPERVISORS TO ENTER INTO  
(Insert Title)  
LEASE AGREEMENTS FOR REAL PROPERTY FOR COUNTY PURPOSES FOR A  
TERM IN EXCESS OF FIVE (5) YEARS

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

County  City  Town  Village  
(Select one.)

of Seneca

as follows:

A LOCAL LAW AUTHORIZING THE BOARD OF SUPERVISORS TO ENTER INTO LEASE AGREEMENTS FOR REAL PROPERTY FOR COUNTY PURPOSES FOR A TERM IN EXCESS OF FIVE (5) YEARS  
BE IT ENACTED by the Board of Supervisors of the County of Seneca as follows:

## SECTION 1. Legislative intent and purpose.

- The Seneca County Board of Supervisors finds and determines from time to time the need arises to lease office or other real estate properties to provide for the needs of the County not otherwise met by existing space or potential purchase of such space.
- Similarly, there may be a determination that certain real property is not currently required for the immediate needs of the County, but such need could arise in the future, making sale of such property not in the best interest of the County.
- Provisions of County Law § 215 would otherwise limit the lease of such properties to no more than five (5) years.
- That by adoption of this local law, the Board would be able to make a determination that such real property leases, in excess of five (5) years, could be determined to be in the best interest of the County and its residents.

## SECTION 2. Process.

- The guidelines of Seneca County Policy 401.100, "Land and Building Development" shall apply to the identification of any property proposed for lease or to be leased.
- Upon a report and recommendation made to the Board pursuant to the above policy, that a proposed real property lease in excess of five (5) years, and with a specific proposed term, the Board shall make such final determination of the need and circumstances of the lease and proposed terms.
- Any such lease must be made for fair and adequate consideration.

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

- a) Due to the nature and circumstances of such a determination, the decision to proceed to a lease with a term in excess of five (5) years shall be made only with the approval of a two-thirds majority vote by the Board.
- b) Under no circumstances may a lease of real property be entered into for a term in excess of twenty (20) years.

**SECTION 3. Effective Date.**

Further, the said Local Law will not take effect unless and until it is approved by an affirmative vote of a majority of the qualified electors of the County of Seneca voting upon it at referendum if, within forty-five (45) days after the adoption of the Local Law, there is filed with the Seneca County Clerk a petition signed and acknowledged, proven or otherwise authenticated by electors of the County qualified to vote in number equal to at least ten (10) percent of the total vote cast for Governor in the County in the last general election held for the election of State officers, protesting against the said Local Law and requesting that it be submitted to the qualified electors of the County for a vote of approval or disapproval upon referendum. A copy of the said Local Law is available for public inspection during normal business hours at the County Clerk's Office located at 1 DiPronio Drive, Waterloo, NY 13165 or on the County website.

(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. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**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.

**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\_\_\_\_.

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. 5 \_\_\_\_\_ of 20<sup>23</sup> of the (County)(City)(Town)(Village) of Seneca \_\_\_\_\_ was duly passed by the Board of Supervisors \_\_\_\_\_ on 06/13 20<sup>23</sup>, and was (approved)(not approved) (repassed after disapproval) by the Chairman of the Board \_\_\_\_\_ on 06/13 20<sup>23</sup>. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of 08/08 20<sup>23</sup>, in accordance with the applicable provisions of law.

\* 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 4 above.

(Seal)

*Amanda C. Van*

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

Date: 8/8/2023