

# 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 Deerfield

FILED  
STATE RECORDS

MAY 03 2024

Local Law No. 2 of the year 2024

DEPARTMENT OF STATE

A local law Town of Deerfield Brush, Grass, Rubbish, Weed Regulations  
*(Insert Title)*

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

County  City  Town  Village  
*(Select one:)*

of Deerfield as follows:

See Attached:

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

# Local Law Filing Instructions

New York State Department of State  
Division of Corporations, State Records and Uniform Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, NY 12231-0001  
www.dos.ny.gov

## PLEASE OBSERVE THESE INSTRUCTIONS FOR FILING LOCAL LAWS WITH THE SECRETARY OF STATE

1. Each local law shall be filed with the Secretary of State within 20 days after its final adoption or approval as required by section 27 of the Municipal Home Rule Law. The cited statute provides that a local law shall not become effective before it is filed in the office of the Secretary of State.
2. Each local law to be filed with the Secretary of State shall be an original certified copy.
3. Each local law shall be filed on a form provided by the Department of State. If additional pages are required, they must be the same size as the form. Typewritten copies of the text may be attached to the form. Only legible copies will be accepted.
4. File only the number, title and text of the local law.
5. In the case of a local law amending a previously enacted local law, the text must be that of the law as amended. Do not include any matter in brackets, with a line through it, italicized or underscored to indicate the changes made. The printed number of the bill and explanatory matter must be omitted.
6. For the purpose of filing a local law with the Department of State, number each local law consecutively, beginning with the number one for the first local law filed in each calendar year. The next number in sequence should be applied to each local law when it is submitted for filing, regardless of its date of introduction or adoption. The date of filing of a local law is the date on which the local law is placed on file by the Department.

It is suggested that municipalities use introductory identifying bill numbers for proposed local laws. After the local law is enacted (and approved by the voters, if required), the local law should then be numbered with the next consecutive local law number, as described above, and then submitted to the Department for filing.

7. Each copy of a local law filed with the Secretary of State shall have affixed to it a certification by the Clerk of the County legislative body or the City, Town or Village Clerk or other officer designated by the local legislative body. Certification forms are provided herewith.
8. A copy of each local law may be mailed or delivered to:  
NYS Department of State  
Division of Corporations, State Records and Uniform Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, NY 12231.

**(DO NOT FILE THIS INSTRUCTION SHEET WITH THE LOCAL LAW.)**

interests of the Town of Deerfield in connection with any solar installations that may be sited within the Town of Deerfield; and be it further

**RESOLVED**, that the Town Supervisor be, and is hereby authorized, to execute a Retainer Agreement with Attorney Wisniewski in the form attached hereto, with the following requirements: the payment of \$\_\_\_\_\_ per hour, with the payment of an initial retainer of \$\_\_\_\_\_, for all services rendered.

Dated: February 12, 2024

Adopted: \_\_\_\_\_, 2024

RESOLUTION: ADOPTION OF LOCAL LAW NO. 2 ENTITLED "TOWN OF DEERFIELD BRUSH, GRASS, RUBBISH, WEED CONTROL REGULATIONS"

**WHEREAS**, the Town Board has received a number of complaints regarding properties within the Town that have excessive growth of weeds, brush and grass and have rubbish located thereon; and

**WHEREAS**, to address the unhealthy and hazardous conditions, the Town Board desires to adopt a local law establishing regulations and penalties for property owners who do not maintain their properties, as more fully articulated in the proposed local law attached hereto; and

**WHEREAS**, by Resolution on the 8th day of January, 2024, the Town Board called for a public hearing with respect to the proposed local law attached hereto entitled "Town of Deerfield Brush, Grass, Rubbish Weed Control Regulations"; and

**WHEREAS**, on February 12, 2024 at 6:00 p.m., the Town Board conducted a public hearing on the proposed local law; and

**WHEREAS**, the Town Board is of the opinion that the adoption of the local law entitled "Town of Deerfield Brush, Grass, Rubbish Weed Control Regulations" would be in the best interests of the residents of the Town of Deerfield;

**NOW, THEREFORE**, be it

**RESOLVED**, that the proposed Local Law No. 2 of 2024 entitled "Town of Deerfield Brush, Grass, Rubbish Weed Control Regulations" be and the same is hereby adopted: and be it further

**RESOLVED**, that the Town Clerk be, and she is hereby directed to attend to the filing of the Local Law with the Office of Secretary of State as soon as possible.

Dated: February 12, 2024

Adopted: \_\_\_\_\_, 2024

**RESOLUTION: RETENTION OF SPECIAL COUNSEL BEN WISNIEWSKI  
REGARDING BORALEX PROJECT**

**WHEREAS**, Boralex of Quebec, Canada is actively involved in the development of solar facilities in the United States, including 12 solar facilities in the State of New York; and

**WHEREAS**, one of the proposed projects known as the "Newport Solar Facility" involves the development over 900 acres of land within the Towns of Deerfield and Newport, which is expected to generate over 130 megawatts of electricity; and

**WHEREAS**, by virtue of its size, the Newport Solar Facility is not subject to local regulation by the Towns of Deerfield or Newport, pursuant to the Accelerated Energy, Growth and Community Benefit Act adopted by the State of New York on April 3, 2020, rather, the law provides the Office of Renewal Energy citing ("ORES") is empowered to review applications and permit solar facilities pursuant to its regulations adopted on March 3, 2021; and

**WHEREAS**, the Town Board of the Town of Deerfield adopted a Resolution on August 8, 2022 requesting that ORES notify and otherwise ensure that the Town of Deerfield is timely provided with all appropriate notices and information so as to ensure the Town and its residents have a meaningful role in the application approval process for the Newport Solar Facility; and

**WHEREAS**, the Town Board is of the opinion that special counsel should be retained with the knowledge and experience in dealing with solar installations, ORES and Section 94-c of the Executive Law of the State of New York which addresses solar installations; and

**WHEREAS**, Ben Wisniewski is an attorney admitted to practice in the State of New York and has the requisite knowledge and experience to protect the Town's interests with respect to the Newport Solar Facility, or any other Solar Facility considered to be sited within the Town of Deerfield;

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town Board hereby retains the services of Ben Wisniewski to represent the

**5. (City local law concerning Charter revision proposed by petition.)**

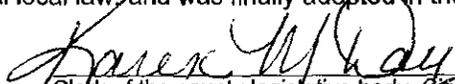
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 \_\_\_\_\_ above.



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

Date: 2/14/2024

(Seal)

(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. two (2) of 2024 of the (County)(City)(Town)(Village) of Deerfield was duly passed by the Town Board members (Name of Legislative Body) on February 12 2024, 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. \_\_\_\_\_ 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.

\* 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.

(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.)**

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*(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) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 2024, 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) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(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.

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\* 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.)**

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**(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 \_\_\_\_\_ above.

*Karen M. [Signature]*

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

Date: 2/14/2024

(Seal)

Adoption of Local Law 2

Town of Deerfield Brush, Grass, Rubbish, Weed Regulations

BE IT RESOLVED, that the Town Board of the Town of Deerfield agrees to adopt Local Law entitled "Town of Deerfield Brush, Grass, Rubbish, Weed Regulations".

This resolution was offered by Councilperson Mahardy at the regular meeting of the Town Board of Deerfield, 6329 Walker Road, Deerfield NY 13502 held at 6:30 pm Eastern Standard Time of February 12th, 2024.

SECONDED BY: Councilperson Kolek

OFFICE/NAME		VOTE RECORDED (circle one)			
Supervisor	Gregory Sacco	<input checked="" type="radio"/> yes	<input type="radio"/> no	<input type="radio"/> abstain	<input type="radio"/> absent
Councilperson	Phil Sacco	<input checked="" type="radio"/> yes	<input type="radio"/> no	<input type="radio"/> abstain	<input type="radio"/> absent
Councilperson	Scott Mahardy	<input checked="" type="radio"/> yes	<input type="radio"/> no	<input type="radio"/> abstain	<input type="radio"/> absent
Councilperson	Daphne Jones	<input checked="" type="radio"/> yes	<input type="radio"/> no	<input type="radio"/> abstain	<input type="radio"/> absent
Councilperson	David Kolek	<input checked="" type="radio"/> yes	<input type="radio"/> no	<input type="radio"/> abstain	<input type="radio"/> absent

Approved:

IN TESTIMONY HEROF, I have hereunto set my hand and affixed the seal of the Town of Deerfield this 12<sup>th</sup> Day of February 2024.

(SEAL)

Karen M Day  
Karen M Day  
Deerfield Town Clerk