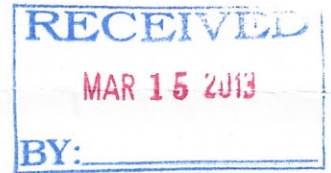




STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001



ANDREW M. CUOMO
GOVERNOR

CESAR A. PERALES
SECRETARY OF STATE

March 12, 2013

Village Clerk
41 North Main Street
Dolgeville NY 13329

RE: Village of Dolgeville, Local Law 1 2013, filed on February 26, 2013

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 474-2755

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 Dolgeville

Local Law No. 1 of the year 2013

A local law prohibiting the use of underground water sources
(Insert Title)

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

County City Town Village
(Select one:)

of Dolgeville as follows:

- I. FINDINGS. The Board of Trustees finds that the result of past and present manufacturing in, or near, any municipality, in addition to that from centuries of outside farming operations, is a potential detrimental effect on underground water sources that might be used for a variety of potable and non-potable purposes. It is the goal of the Village of Dolgeville, in the interest of public health, to protect its residents, and others, from such potential detrimental effects.
- II. PROHIBITION. The construction, maintenance and use of underground wells, or other use of underground water sources, for any purpose in the Village of Dolgeville in hereby, and hereafter, prohibited except for the use of previously existing and approved wells for drinking water purposes or such other wells that are subsequently approved for drinking water purposes by the New York State Department of Environmental Conservation.
- III. PENALTY. Violation of this law shall constitute a Violation as defined in the Penal Law and subject the violator to a maximum fine of \$250.00, a maximum fifteen (15) day term of incarceration, or both such fine and incarceration, in addition to any surcharge which may be applicable under law. Notwithstanding such penalties, a court of competent jurisdiction, in addition to any applicable surcharge, is hereby authorized to impose a sentence of conditional discharge or unconditional discharge as defined in the Criminal Procedure Law, or to grant an Adjournment in Contemplation of Dismissal as defined in such law.
- IV. EFFECT. This law shall take effect upon its filing with the Secretary of State.

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

(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. 1 of 2013 of the ~~(County)(City)(Town)~~(Village) of Dolgeville was duly passed by the Board of Trustees on February 18 2013, in accordance with the applicable provisions of law.
(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 _____ 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) *(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.

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) *(Name of Legislative Body)* (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.

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 _____¹ above.

Dammy L. Chmielewski
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 2/19/13

(Seal)

**Local Law # 1-2013
Prohibiting the Use
Of Underground
Water Sources
Resolution # 9-2013**

The following resolution was offered by Trustee Luther and sec. by Trustee Loucks. Ayes all.

LOCAL LAW # 1-2013

Prohibiting the Use of Underground Water Sources

- I. **FINDINGS.** The Board of Trustees finds that the result of past and present manufacturing in, or near, any municipality, in addition to that from centuries of outside farming operation, is a potential detrimental effect on underground water sources that might be used for a variety of potable and non-potable purposes. It is the goal of the Village of Dolgeville, in the interest of public health, to protect its residents, and others, from such potential detrimental effects.
- II. **PROHIBITION.** The construction, maintenance and use of underground wells, or other use of underground water sources, for any purpose in the Village of Dolgeville in hereby, and hereafter, prohibited except for the use of previously existing and approved wells for drinking water purposes or such other wells that are subsequently approved for drinking water purposes by the New York State Department of Environmental Conservation.
- III. **PENALTY.** Violation of this law shall constitute a Violation as defined in the Penal Law and subject the violator to a maximum fine of \$ 250.00, a maximum fifteen (15) day term of incarceration, or both such fine and incarceration, inclusive of any surcharge which may be applicable under law. Notwithstanding such penalties, a court of competent jurisdiction, in addition to any surcharge, is hereby authorized to impose a sentence of conditional discharge or unconditional discharge as defined in the Criminal Procedure Law, or to grant an Adjournment in Contemplation of Dismissal as defined in such law.
- IV. **EFFECT.** This law shall take effect upon its filing with the Secretary of State.

AYES: Trustees Brandow, Loucks, Luther, Puznowski

NAYS: None

ADOPTED – February 18, 2013

I hereby certify that the local law annexed hereto, designated as Local Law # 1-2013 of the Village of Dolgeville, was duly passed by the Village Board of Trustees on February 18, 2013 in accordance with the applicable provision of law.

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 1 above.



Tammy L. Chmielewski, Village Clerk

Date: February 19, 2013

(Seal)