

STATE OF NEW YORK
DEPARTMENT OF STATE
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KATHY HOCHUL
GOVERNOR
WALTER T. MOSLEY
SECRETARY OF STATE

January 6, 2025

The Village of Dolgeville
41 North Main Street
Dolgeville, New York 13329

RE: Village of Dolgeville, Local Law 6 2024, filed on 12/27/2024

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) 473-2492



**Department
of State**

VILLAGE OF DOLGEVILLE

INCORPORATED 1891

Mary E. Puznowski, MAYOR

41 North Main Street

Dolgeville, NY 13329

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TAMMY L CHMIELEWSKI

Village Clerk

AMBER KRASZEWSKI

Village Treasurer

KARL MANNE

Attorney

Board of Trustees

ROBERT DYER

Deputy Mayor

ROBERT GRIDLEY

BRIAN RANDALL

MARILYN WILLIAMS

January 27, 2025

NYS Department of State
41 State Street
Albany, New York 12231

Re: Village of Dolgeville- Local Law No. 6, 2024

Dear Sirs/Madams:

Enclosed for filing pursuant to §27 of the Municipal Home Rule Law please find one (1) certified copy of the above styled local law adopted by the Village of Dolgeville.

Very truly yours,



Karl E. Manne
Village Attorney

KEM/ke
Encl.

(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.

LOCAL LAW NO. 6 OF THE YEAR 2024

A local law providing for the establishment and requiring permit applicants to fund an escrow account for the payment of professional services required to properly review submitted applications.

Be it enacted by the Village Board of Trustees of the Village of Dolgeville, Herkimer County, New York as follows:

Section 1. Findings; intent.

The Village Board of the Village of Dolgeville has found that applications for certain permits may require review and other services by professional consultants engaged by the Village in order to make a determination, and that these services may pose a substantial expense which is more appropriately borne by the applicant than by the taxpayers of the Village. The purpose and subject of this Local Law is to amend the Village Code of the Village of Dolgeville to authorize the establishment of an escrow account to be funded by an Applicant when the Village Board determines that professional services are necessary to properly review a submitted application.

Section 2. Authority.

The Village Board of the Village of Dolgeville as Legislative Body for the Village of Dolgeville hereby enacts this Local Law pursuant to authority conferred by New York State Village Law Article 16, New York State Municipal Home Rule Law, and the New York State Constitution.

Section 3. Costs for Professional Review of Applications

1. If the Planning Board and/or Zoning Board of Appeals determines that professional review services are appropriate at the time of application or at any time during the approval process, the Planning Board or Zoning Board of Appeals shall request from a professional consultant retained or to be retained by the Village an estimated fee for performing a review of the project submissions or other necessary services to properly review and consider an application. For the purpose of this section, professional review services shall be defined as, but not limited to, those services provided by engineers, lawyers, architects, designers, planners, surveyors, appraisers and related professionals.
2. The Planning Board or Zoning Board of Appeals shall require the applicant to deposit a cash amount equal to the estimated professional review costs into a Village established escrow account. This money will then be used to pay for professional review services performed during the review process.
3. Payment to the escrow account is a prerequisite to a complete application and no review will be initiated until full payment is received. In the event review costs exceed available escrowed funds, applicant will be required to submit additional funds to the escrow account. No final action will be taken upon an application until all incurred professional fees have been paid by the applicant. The Planning Board and Zoning Board of Appeals are authorized to suspend review of an application until such time that the professional review escrow fund is replenished to an amount equal to projected costs for professional review.

4. When review services are less than the amount in the escrow account, remaining funds shall be returned to the applicant within thirty (30) days of project approval.
5. The funds required by this section to enable proper professional review of applications do not include: any approvals or fees required from or by other agencies, professional review of any improvement district or district extension required by the proposed project, or any application fees otherwise required by the Village of Dolgeville.

Section 4. Supersession.

The Village of Dolgeville hereby exercises its authority pursuant to New York State Municipal Home Rule Law to supersede any conflicting state or local laws contrary to this Local Law.

Section 5. Severability.

If any portion of this Local Law or the application thereof shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remaining portions of this Local Law.


Section 6. Effective Date.

This Local Law shall become effective immediately upon filing with the NYS Secretary of State in conformity with NYS Municipal Home Rule Law.

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 6 of 2024 of the Village of Mohawk, New York was duly passed by the Board of Trustees on December 16, 2024, in accordance with the applicable provisions 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. Chimielewski, Village Clerk

Date: December 17, 2024

(Seal)

State of New York
County of Herkimer

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.


Karl E. Manne, Village Attorney

Date: December 17, 2024