

RESOLUTION NO. 3 OF 2026

A RESOLUTION TO CHARGE VILLAGE PROPERTY OWNERS THE COST OF 'REFUSE AND GARBAGE' COLLECTION AS A SPECIAL ASSESSMENT, RATHER THAN A TAX, FOR THE VILLAGE OF ST. JOHNSVILLE FISCAL YEAR JUNE 1, 2026 TO MAY 31, 2027

WHEREAS, this Board of Trustees has determined that it is in the best interests of Village finances and services, without any determinable negative impact on local taxpayers, to charge for refuse and garbage collection and disposal services as a 'special assessment' on residential, commercial, and mixed use properties for the fiscal year June 1, 2026 to May 31, 2027, rather than a tax pursuant to standard budget appropriation account A8160.4; and,

WHEREAS, Real Property Tax Law 102(15) defines 'special assessment' as a charge imposed upon benefitted real property to defray the cost of a municipal service in proportion to the benefit received by a property receiving such service; and,

WHEREAS, Real Property Tax Law 102(20) excludes 'special assessments' from the definition of taxation; and,

WHEREAS, Real Property Tax Law 490 does not exclude tax exempt properties from 'special assessment' charges; and,

WHEREAS, 'residential property' is determined to be a building and/or land used, intended to be used, or only eventually able to be used, for living purposes; and,

WHEREAS, 'commercial property' is determined to be a building and/or land used, intended to be used, or only eventually able to be used for the generation of profit through rental income or capital appreciation,

NOW, THEREFORE, this 15th day of June, 2026 be it

RESOLVED, that for the June 1, 2026 to May 31, 2027 Village fiscal year the following annual 'special assessment' charges for refuse and garbage collection and disposal, excepting for any existing contract that controls in that regard, shall be as follows for residential, commercial, and mixed use properties, to wit:

One Family Residence	-	\$	300.00
Two Family Residence	-	\$	600.00
Three or more Family Residence	-	\$	900.00
Commercial and Mixed Use Properties	-	\$	900.00

RESOLVED, for purposes of this Resolution contractual and now uncharged properties are not included for 'special assessment' consideration; and,

RESOLVED, notice of all 'refuse and garbage collection' 'special assessments' imposed for the June 1, 2026 – May 31, 2027 fiscal year shall be mailed to the public no later than August 1, 2026 for penalty free installments to be paid equally on, or before, September 1, October 1, and November 1; and,

RESOLVED, any balance not paid after November 1 will be charged a ten (10) percent penalty on the total unpaid amount; and,

RESOLVED, any balance left unpaid as of May 1 shall be rebilled on the next Village fiscal year tax bill; and,

RESOLVED, this Board of Trustees reserves the option for future fiscal years, and for so long as garbage and refuse collection and disposal shall be collected as a 'special assessment', to amend the provisions of this Resolution as deemed necessary and fair.

Vote of the Board of Trustees.....

(Aye) (Nay) Melissa Baker-Balabstis
Trustee Baker

(Aye) (Nay) Steele
Trustee Steele

(Aye) (Nay) Brenda Phillips
Trustee Phillips

(Aye) (Nay) Elaine Fitzpatrick
Trustee Fitzpatrick

(Aye) (Nay) Atwood
Mayor Elwood

State of New York
County of Montgomery
Village of St. Johnsville

I, Marissa Nellis, Clerk of the Village of St. Johnsville, in the County of Montgomery, New York, do hereby certify that I have compared the preceding copy of a resolution with the original thereof, duly adopted by the Village Board at a regular/special meeting of such Board held on the 15th day of June 2026, and that the same is a true and correct copy of such resolution and the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Village of St. Johnsville this 16th day of June 2026.

Marissa Nellis
Clerk of the
Village of St. Johnsville
Montgomery County, New York

(VILLAGE SEAL)