

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 163/2015

RE: ADOPTING LOCAL LAW X OF 2015, ENTITLED “Local Law No. X of the Year 2015, to Override the Tax Levy Limit for Fiscal Year 2016 Established in General Municipal Law § 3-c”

WHEREAS, a Resolution was duly adopted by the Town Board of the Town of Pleasant Valley introducing proposed Local Law X of 2015, entitled “Local Law No. X of the Year 2015, to Override the Tax Levy Limit for Fiscal Year 2016 Established in General Municipal Law § 3-c.”; and

WHEREAS, the Public Hearing was duly advertised in the Poughkeepsie Journal, the official newspapers of the Town; and

WHEREAS, the Public Hearing was held on November 10, 2015, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law or any part thereof; and

WHEREAS, the Town Board determined that the proposed Local Law was not subject to Environmental Review; and

WHEREAS, the Town Board of the Town of Pleasant Valley after due deliberation finds that it is in the best interest of the Town to adopt said Local Law; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby adopts Local Law X of 2015 entitled “Local Law No. X of the Year 2015, to Override the Tax Levy Limit for Fiscal Year 2016 Established in General Municipal Law § 3-c.”, a copy of which is attached hereto and made a part hereof.

MOTIONED BY: _____

SECONDED BY: _____

DATED: November 10, 2015

ROLL CALL:

Councilman Albrecht

AYE

NAY

Councilman Figliozzi

Councilman Latino

Councilwoman Milicaj

Supervisor Campbell

TOWN OF PLEASANT VALLEY

LOCAL LAW NO. X OF THE YEAR 2015

A Local Law of the Town of Pleasant Valley, New York to Override the Tax Levy Limit for Fiscal Year 2016 Established in General Municipal Law § 3-c.

BE IT ENACTED by the Town Board of the Town of Pleasant Valley as follows:

Section I: Title.

This Local Law shall be known and cited as Town of Pleasant Valley “Local Law No. X of the Year 2015, to Override the Tax Levy Limit for Fiscal Year 2016 Established in General Municipal Law § 3-c.”

Section II: Legislative Intent.

The Town Board acknowledges that it is vitally important to use the taxes of the Town of Pleasant Valley in a fiscally responsible manner and to minimize the tax levy in accordance with reasonably projected revenues, especially in economically hard times. The Town Board is reviewing the proposed budget for the Fiscal Year 2016, taking into account the appropriation requests of the various Town Department Heads, the realistic costs of providing governmental services, while at the same time acknowledging reasonably projected revenues and the financial position of the Town. In view of the foregoing, the Town Board has determined that the expenses in the Fiscal Year 2016 Budget are projected to increase while the revenues are projected not to increase sufficiently enough to pay for the increased expenses, which, in turn, will require a tax levy increase that is greater than that allowed by General Municipal Law § 3-c. While the Town Board intends to cut expenses where possible, it also acknowledges that basic government services need to be provided and the infrastructure of the Town must be maintained.

The Town Board hereby determines that a tax levy increase in excess of the General Municipal Law § 3-c limit of 2% or, the rate of inflation as determined by the New York State Comptroller’s Office, may be required because projected expenditures are in excess of the permitted tax limit increase as determined by the New York State Comptroller’s Office pursuant to General Municipal Law § 3-c.

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Pleasant Valley, Dutchess County, New York, pursuant to

General Municipal Law § 3-c subdivision 5, and to allow the Town of Pleasant Valley, Dutchess County, New York, to adopt a budget for Town purposes and any improvement districts for fiscal year 2016 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section III: Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section IV: Tax Levy Limit Override

The Town Board of the Town of Pleasant Valley, County of Dutchess, is hereby authorized to adopt a budget for fiscal year 2016 that requires a real property tax levy in excess of the limit specified in General Municipal Law § 3-c.

Section V: Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section VI: Effective Date.

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.