

## **RESOLUTION**

**WHEREAS**, the Board of Trustees of the Village of Tuckahoe requested that the Village Attorney draft a local law authorizing the Board to adopt a budget for the fiscal year commencing June 1, 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-C; and

**WHEREAS**, the Board of Trustees wishes to conduct a public hearing relating to a local law authorizing the Board to adopt a budget for the fiscal year commencing June 1, 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-C; and

**WHEREAS**, having received proposed Local Law of 2016, the Board is prepared to hold a public hearing on such proposed local law,

### **NOW, THEREFORE, BE IT RESOLVED**

Section 1. That in accordance with the provisions of the Municipal Home Rule Law, a public hearing shall be held on the 8th day of February 2016 at 8:00 o'clock p.m., at Village Hall, 65 Main Street, Tuckahoe, New York, at which hearing parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the said Board of Trustees whether a local law authorizing the Board to adopt a budget for the fiscal year commencing June 1, 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-C shall be enacted.

Section 2. That the notice of the time and place of such public hearing shall be published by the Village Clerk in the manner provided by applicable law and the Board directs that all requisite notices be published in accordance with applicable law.

Section 3. That this resolution shall take effect immediately.

## PROPOSED LOCAL LAW

### A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C

At a regular meeting of the Village Board of Trustees of the Village of Tuckahoe, New York (the "Board") held at Village Hall, 65 Main Street, Tuckahoe, New York on February 8, 2016.

WHEREAS, legislation has been requested authorizing the Board to adopt a budget for the fiscal year commencing June 1, 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c,

Be it enacted by the Village Board of Trustees of the Village of Tuckahoe as follows:

#### **Section 1. Legislative Intent**

It is the intent of this Local Law to allow the Village of Tuckahoe to adopt a budget for the fiscal year commencing June 1, 2016 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Section 3-c.

#### **Section 2. Authority**

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

#### **Section 3. Tax Levy Limit Override**

The Board of Trustees of the Village of Tuckahoe, County of Westchester, is hereby authorized to adopt a budget for the fiscal year commencing 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c.

#### **Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, 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 5. Effective Date**

This Local Law shall take effect immediately upon filing with the Secretary of State.