

# RESOLUTIONS

August 9, 2017

## RESOLUTION # 2017- \_\_\_\_\_ LOCAL LAW TO OVERRIDE THE TAX CAP LIMIT

**WHEREAS**, New York State has instituted a law that local municipalities should not adopt a budget increasing property taxes more than 2% and

**WHEREAS**, the cost of employees' benefits is increasing, and we have concerns about replacement of Highway equipment, culvert and bridge replacement, cold storage and storage facilities and

**WHEREAS**, it is unknown at this time what our 2018 budget will look like, and

**WHEREAS**, it is anticipated that an increase of more than 2% may be needed, and

**WHEREAS**, a public hearing was held on this matter on July 12, 2017 and the public's comments were heard, now therefore be it

**RESOLVED** that Local Law #1 entitled "A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C"(following) be passed allowing there to be more than a 2% increase in local property taxes for the year 2018. The Town Clerk is requested to notify the necessary bodies of this enactment.

### A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C

Be it enacted by the Town Board of the Town of Enfield as follows:

**Section 1. Legislative Intent:** 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 Enfield pursuant to General Municipal Law §3-c, and to allow the Town of Enfield to adopt a budget for the fiscal year beginning January 1, 2018 and ending December 31, 2018 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

**Section 2. 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 at least sixty percent (60%) of the town board.

**Section 3. Tax Levy Limit Override:** The Town Board of the Town of Enfield, County of Tompkins is hereby authorized to adopt a budget for the fiscal year 2018 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

**Section 4. 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 5. Effective date:** This local law shall take effect immediately upon filing with the Secretary of State.

**Resolution #2017-\_\_\_\_\_ 198 ENFIELD MAIN ROAD PROPERTY**

**WHEREAS**, Heather Benedict and her husband own the property at 198 Enfield Main Rd. and wish to donate it to the Town, and

**WHEREAS**, the Town can find no public benefit to owning this property, now therefor be it

**RESOLVED**, that the Town will not accept the Benedicts offer.

**Resolution #2017-\_\_\_\_\_ SPCA CONTRACT**

**WHEREAS**, the Town is required to provide animal control services to the residents of the Town, and

**WHEREAS**, the Tompkins County SPCA has presented the Board with a three (3) year contract to provide animal control services, and

**WHEREAS**, they are offering this service at no increase in cost, now therefore be it

**RESOLVED**, that the Supervisor be authorized to sign said contract.