

Resolution of the Board of Trustee of Village of East Nassau  
Introductory Local Law No. 1 of 2014

At the regular monthly meeting of the Board of Trustees of the Village of East Nassau (the "Village Board") held on January 8, 2014, the following Resolution was presented:

Whereas, the New York State Legislature and the Governor recently enacted legislation that establishes a "property tax cap" on the amount that a local government's or school district's property tax levy can increase each year. Chapter 97 of the Laws of 2011 (Part A-Property Tax Cap) establishes a tax levy limit (hereafter referred to as the "property tax cap") that affects all local governments; and

Whereas, the above-referenced law is effective for local fiscal years beginning in 2012; and

Whereas, under this law, the growth in the property tax levy, the total amount to be raised through property taxes charged on the municipality's taxable assessed value of property, will be capped at 2 percent or the rate of inflation, whichever is less, with some exceptions; and

Whereas, local communities have the ability to override the property tax cap; and

Whereas, the Village Board has always been fiscally responsible in adopting a budget that balances the revenue needed to provide sufficient and adequate services to Village residents and to keep Village taxes as low as feasible; and

Whereas, since the property tax cap law has such a low threshold and the Village tax levy is already at a low amount, the application of the tax cap law would mean that a budget increase of an amount as low as \$2,000 could potentially be contrary to the new tax cap law; and

Whereas, given such low threshold, the Village Board may not have the flexibility during the budget process due to the tax cap law to increase revenues when and where needed and this may prevent the provision of appropriate services to Village residents and/or prevent the Village from having the resources to respond to emergencies such as harsh winter storms, or major road repairs, or to respond to unforeseen circumstances that limit the Village's revenues such as a decrease in sales tax or mortgage tax revenues; and

Whereas, although at this time the Village Board does not intend to raise taxes on Village property owners nor does it foresee the necessity of exceeding the property tax cap imposed by the State, the Village Board desires to have the flexibility and ability to do so if a need arises during the budget process for the Villages 2014-2015 fiscal year; and

Whereas, in order for the Village Board to at least have the option to increase revenues beyond the tax cap limit imposed by the State, it has to act now because to wait until the budget review process is underway may be too late to enact local legislation to give the Village Board that option;

Whereas, the Village Board has authorized the Village attorney to prepare a proposed local law that would provide the Village Board with the option to exceed the property tax cap if necessary and the Village Board has reviewed the proposed local law that was prepared and is subject to this resolution;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Village Board hereby introduces and proposes for adoption introductory Local Law No. 1 of 2014 of the Village of East Nassau which would allow the Village of East Nassau to adopt a budget for the fiscal year commencing June 1, 2014, that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.
2. The Village Board determines that the adoption of the proposed Local Law is an action that is not subject to the State Environmental Quality Review Act (SEQRA) since it is a Type II action.
3. The Village Board hereby schedules a public hearing for the proposed Introductory Local Law No. 1 of 2014, to be held at the Hoag's Corners Ambulance Building, located on Town Garage Road, on February 12, 2014, at 6:45 p.m.
4. The Village Board hereby orders that notice of the public hearing be posted at the Village Office, on the Village website, and published at least once in the Village's official newspaper.

Upon motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, \_\_\_\_\_  
the foregoing Resolution was duly adopted by the Board of Trustees of the Village of East Nassau on January 8, 2014 by vote of a majority of its members as follows:

	Aye	Nay
Mayor Levinn	_____	_____
Trustee Lever	_____	_____
Trustee Davis	_____	_____
Trustee Kernan	_____	_____
Trustee Acquario	_____	_____