
IN THE MATTER

Of

**A Local Law Amending Chapter 149 Entitled
“Taxation” of the Code of the Town of Pompey
to override the State Real Property Tax Cap for
2025**

**RESOLUTION ENACTING
LOCAL LAW**

The **TOWN BOARD OF THE TOWN OF POMPEY**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Pompey, located at 8354 U.S. Route 20, Manlius, NY, County of Onondaga, State of New York, on the 6th day of November 2024, at 3:30 p.m. The Meeting was also livestreamed on the video platform commonly referred to as Zoom. The meeting was called to order by Mark Nardella, Supervisor, and the following were present, namely:

Mark Nardella	Supervisor
David Angello	Councilor
Diana Carpenter	Councilor
Bill Lipe	Councilor
James Loomis	Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law 2024 - ____, entitled “A Local Law Amending Chapter 149 Entitled ‘Taxation’ of the Code of the Town of Pompey to override the State Real Property Tax Cap for 2025” the text of which is as follows:

**LOCAL LAW 2024 - ____, A Local Law Amending Chapter 149
Entitled "Taxation" of the Code of the Town of Pompey to
override the State Real Property Tax Cap for 2025:**

Be it enacted by the Town Board of the Town of Pompey, Onondaga County, New York 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 Pompey, County of Onondaga pursuant to General Municipal Law § 3-c, and to allow the Town of Pompey, County of Onondaga to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2021 and 2022 and 2023 and 2024 *and 2025** 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 sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Pompey County of Onondaga is hereby authorized to adopt a budget for the fiscal year 2021 and 2022 and 2023 and 2024 *and 2025** that requires a real property tax levy in excess of the limit specified 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.

**Italics indicates new language*

WHEREAS, upon review of the projected expenses facing the Town, especially State pension costs, special district costs, and other state mandated costs for which the Town has no control, the Town Board hereby finds that this override is a necessary prudent step;

WHEREAS, the Town Board is in the midst of the Town Budget review process for 2025 and cannot determine, with certainty, that it will be within the property tax cap, especially because the special district calculations have not been completed; and

WHEREAS, if the Town is above the property tax cap when all the final calculations have been completed, it would be subject to penalties by the State of New York.

NOW, THEREFORE, BE IT

RESOLVED, that Local Law 2024-___ is hereby approved and enacted; and be it further

RESOLVED, that the Town Clerk is directed to file Local Law 2024-_____ with the Secretary of State within 20 days of the date set forth herein.

I, NICOLE REID, Town Clerk of the Town of Pompey, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Pompey at a regular meeting of the Board duly called and held on the 6th day of October, 2024; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I HEREBY CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pompey, this 6th day of October, 2024.

DATED: October 6, 2024
 Pompey, New York

NICOLE REID
Town Clerk of the Town of Pompey
Onondaga County, New York