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**IN THE MATTER**  
**Of**  
**OVERRIDING THE PROPERTY TAX CAP**  
**IN THE TOWN OF POMPEY FOR FISCAL**  
**YEAR 2024**

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**LOCAL LAW 2023 - \_\_**  
**CALLING FOR PUBLIC**  
**HEARING**

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 \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2023, at 6:30 p.m. The Meeting was also livestreamed on the video platform commonly referred to as Zoom and on the Town’s Facebook page. The meeting was called to order by Renee Rotondo, Supervisor, and the following were present, namely:

|                 |            |
|-----------------|------------|
| Renee Rotondo   | Supervisor |
| Diana Carpenter | Councilor  |
| Ann Christmas   | Councilor  |
| Bill Lipe       | Councilor  |
| James Loomis    | Councilor  |

Absent:

**WHEREAS**, a Local Law has been introduced before the Board, to wit: Local Law No. 2023 - \_\_ , amending Chapter 149 (“Taxation”) to amend Article VII, the purpose of which is to override the tax levy limit established by General Municipal Law Section 3-c (the “Property Tax Cap”);

**LOCAL LAW 2023 - \_\_\_, AMMENDING CHAPTER 149 BY  
AMENDING ARTICLE VII, TAX LEVY LIMIT OVERRIDE  
OF THE CODE OF THE TOWN OF POMPEY:**

**Be it enacted by the Town Board of the Town of Pompey, Onondaga County,  
New York as follows:**

**ARTICLE VII; PROPERTY TAX CAP OVERRIDE**

**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 2023 *and 2024\** 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 2023 *and 2024\** 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**, the Town is in the process of reviewing its 2024 budget and upon review of the projected expenses facing the Town, especially State pension costs, health insurance 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**, 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 the Town Board of the Town of Pompey, County of Onondaga, State of New York, shall hold a Public Hearing on said proposed Local Law 2023 - \_\_\_\_, and that such Hearing shall be held at the Town Hall of the Town of Pompey, located at 8354 U.S. Route 20, Manlius, NY, on \_\_\_\_\_, 2023 at approximately 6:35 p.m. and be it further

**RESOLVED**, that the Town Clerk give notice of such Public Hearing by the publication of a notice in at least one newspaper circulated in the Town, specifying the time when and the place where such Public Hearing will be held, and in general terms, describing the proposed Local Law. Such notice shall be published once at least five (5) days prior to the Public Hearing.

**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 \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2023; 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 FURTHER 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 \_\_\_\_\_ th day of \_\_\_\_\_, 2023.

**DATED:** \_\_\_\_\_, 2023  
**Pompey, New York**

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**Nicole Reid**  
**Town Clerk of the Town of Pompey**  
**Onondaga County, New York**