

A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT established in General Municipal Law 3-c.

Be it enacted by the Village Board of the Village of Haverstraw as follows:

Section 1. Legislative Intent

It is the intent of this local law to override the tax levy limit on the amount of real property taxes that may be levied by the Village of Haverstraw, County of Rockland pursuant to General Municipal Law § 3-c, and to allow the Village of Haverstraw, County of Rockland to adopt a Village budget for (a) Village purposes (b) fire protection districts and (c) any other special or improvement district governed by the Village Board for the fiscal year 2012 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Due to a number of factors, the Village must override the tax levy limit. These factors include a large increase in the New York State mandated pension payments to be made on behalf of employees. Secondly, the Village has received a large increase in the health insurance premiums to be paid for all of its employees. Once again, this results in expenses to the Village that it cannot control and are forced upon it by the State of New York. Additionally, the Village is required to enter into bond to pay for certain tax certiorari cases. Lastly, the Village is suffering a loss of revenue in regard to the amount of mortgage tax it receives, sales tax and most of the fees generated throughout the various departments in the Village, including the Building Department as well as other departments. For all of these reasons, most of which are State mandated costs, the Village has no alternative but to seek to override the tax levy limit.

Section 2. Authority

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the Village Board to override the tax levy limit by the adoption of a Local Law approved by vote of sixty percent (60%) of the Village Board.

Section 3. Tax Levy Limit Override

The Village Board of the Village of Haverstraw, County of Rockland is hereby authorized to adopt a budget for the fiscal year 2012 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 adjudged 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.