

At a regular meeting of the Town Board held in and for the Town of Oswego on August 11, 2020 at the Town Office, 2320 County Route 7, Oswego, NY, at 6:00 P.M.

RESOLUTION NO.: 2020-74 _____

RESOLUTION AUTHORIZING THE DRAFTING OF LOCA LAW NO. 1 OF THE YEAR 2020, A LOCAL LAW TO OVERRIDE THE 2021 TAX CAP

WHEREAS, the year 2020 has been an extraordinarily challenging year for local municipalities in Upstate New York, which has not seen a significant outbreak of COVID-19 but, like all other local governments throughout New York State, the region was forced to shut down for an extended period of time, while maintaining day-to-day operations necessary to keep a town functioning and serving the people most closely impacted by the sudden shuttering of businesses, job loss, and the added stress living in a period of uncertainty creates; and

WHEREAS, amongst the backdrop of COVID-19, and the multitude of challenges this pandemic continues to cause society, the New York State Comptroller recently released the “2 Percent Tax Cap” figures for the budget year 2021, and advised the Town of Oswego that the tax cap, in actuality, will be 1.56%; and

WHEREAS, the State of New York’s declaration that the tax increase for the 2021 budget for the Town of Oswego must remain under 1.56% of the tax rate adopted in 2020 is unrealistic, and threatens to force town boards across the State to choose between maintaining services or curtailing services and thereby increasing the potential for public safety to be sacrificed; and

WHEREAS, the Town Board for the Town of Oswego believes it to be in the best interest of the citizens and taxpayers of the town to craft a financially prudent, but reasonable and realistic town budget for 2021, without being restricted by an artificial and unworkable 1.56% tax cap limitation; and

WHEREAS, Local Law No. 1 of the Year 2020 is a Local Law to Override the Tax Levy Limit for Fiscal Year 2021 Established by General Municipal Law §3-c, and to allow the Town of Oswego to adopt a Town Budget for town purposes, fire protection districts, and other special or improvement districts governed by the Town Board for the Fiscal Year 2021 that requires a real property tax levy in excess of the tax levy limit as defined by GML §3-c; and

WHEREAS, the Local Law expressly authorizes the Town Board to override the tax levy limit by the adoption of a Local Law by a vote of 60% of the Town Board; and

WHEREAS, the Town Board desires to hold a public hearing on September 8, 2020 at 6:00 p.m. at the Town Offices, for the purpose of hearing public comments on the adoption of Local Law No. 1 of 2020; and

WHEREAS, the Town Board has considered the application of the State Environmental Quality Review Act and hereby determines that the proposed Local Law constitutes a Type II action for which an environmental assessment form shall not be required;

NOW, THEREFORE, upon motion made by Councilor _____ and seconded Councilor _____, be it resolved as follows:

RESOLVED, that Local Law No. 1 of the Year 2020 of the Town of Oswego, A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c is hereby introduced; and be it is further

RESOLVED, that the Town Clerk shall advertise the holding of a public hearing by the Town Board on Tuesday, September 8, 2020 at 6:00 p.m. at the Town Hall, located at 2320 County Route 7, Town of Oswego to hear any comments related to the proposed Local Law No. 1 of 2020.

This Resolution is unanimously adopted by those Board members present pursuant to the following roll call vote:

Richard Kaulfuss, Supervisor	[Aye]
Greg Herrmann, Councilman	[Aye]
Richard Tesoriero, Councilman	[Aye]
Victoria Mullen, Councilwoman,	[Aye]
Jonathan Fowler, Councilor	[Aye]

Dated: August 11, 2020

NIKKI FOWLER, Town Clerk

CERTIFICATION

STATE OF NEW YORK)
COUNTY OF OSWEGO) SS
TOWN OF OSWEGO)

I, Nikki Fowler, Town Clerk of the Town of Oswego, Oswego County, New York, DO HEREBY CERTIFY that I have compared the proceeding resolution with the original thereof located in the Town Office, Oswego, New York, adopted on the 11th day of August, 2020, and that the same is a true and correct copy of the original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this _____ of August, 2020.

Nikki Fowler, Town Clerk