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TOWN OF WEST SENECA

TOWN SUPERVISOR
SHEILA M. MEEGAN
TOWN COUNCIL
EUGENE P. HART
WILLIAM P. HANLEY, JR.

To: The Honorable Town Board

From: John J. Fenz, Esq.
Town Attorney

Date: October 4, 2018

Re: Proposed Local Law No. 3 for the Year 2018
Tax Levy Limit Override

Kindly schedule a Public Hearing at the Town Board's regularly scheduled meeting to be held at the Town Hall, 1250 Union Road, West Seneca New York 14224, on the 22nd day of October, 2018, at 7:00 o'clock P.M., to hear all persons interested in the Proposed Local Law No. 3 of 2018, a local law to override the tax levy limit established in General Municipal Law Section 3-c.

Please be advised that copies of Proposed Local Law No. 3 shall be available at the Town Clerk's Office and may be accessed via the Town's website.

TOWN OF WEST SENECA
PROPOSED LOCAL LAW NO. 5 OF THE YEAR 2018

A Local Law of the Town of West Seneca to override the tax levy limit established in General Municipal Law Section 3-c, as follows:

Be it enacted by the Town Board of the Town of West Seneca:

A local law to override the tax levy limit established in General Municipal Law §3-c.

Section 1. Legislative Intent

It is the intent of this local law to allow the Town of West Seneca to adopt a budget for the fiscal year commencing January 1, 2019 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Section 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of the General Municipal Law Section 3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of no less than sixty (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Town Board of the Town of West Seneca, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2019 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c.

Section 4. Severability

If a court determines that any, clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm, corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, 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.