

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Oswego County Legislature shall hold a Public Hearing on the proposed County of Oswego Local Law Number 6 of 2017, entitled “**A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR FISCAL YEAR 2018**” on the 14th day of December, 2017, at 2:00 o’clock, in the afternoon of said day at the Oswego County Legislative Chambers, County Office Building, 46 E. Bridge Street, Oswego, NY 13126

This hearing is regarding the County of Oswego being allowed to adopt a budget for the fiscal year commencing January 1, 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c. Copies of the proposed local law are available in the Clerk of the Legislature Office at 46 East Bridge Street, Oswego, NY 13126 and available online at oswegocounty.com. Requests can also be e-mailed to chris.jones@oswegocounty.com.

By Order of the Oswego County Legislature
November 9, 2017
Christopher A. Jones, Clerk of the Legislature

PROPOSED

COUNTY OF OSWEGO LOCAL LAW NUMBER 6 OF 2017

“A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR FISCAL YEAR 2018”

**BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF OSWEGO AS
FOLLOWS:**

Section 1. Title:

This local law shall be known as “**A LOCAL LAW OVERRIDING THE TAX
LEVY LIMIT FOR FISCAL YEAR 2018.**”

Section 2. Legislative Intent and Purpose

It is the intent and purpose of this Local Law to allow the County of Oswego to adopt a budget for the fiscal year commencing January 1, 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c. Given the wide uncertainty regarding the application of the newly enacted tax levy limit, fluctuations in state mandated programs and obligations, the unresolved question of the treatment of prior contracted bonded indebtedness of the county under the NYS Constitution and the fact the tax levy limit may impair the county’s rights regarding same, and the possibility of a tax agreement with a nuclear electric generating facility which alone could have a significant impact on the levy, many factors will affect the actual county tax levy limit for 2018. This enactment overrides the tax levy limit and will provide the county stability and predictability regarding the 2018 annual county budget process. The county legislature has determined that, as a result, such an override is both necessary and in the best interests of the County of Oswego whether or not the tax levy limit is actually exceeded.

Section 3. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Oswego County Legislature to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said body.

Section 4. Tax Levy Limit Override

The Oswego County Legislature be and is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2018 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

PROPOSED

Section 5. Severability

If a court determines that any clause, sentence, paragraph, section, subdivision, or part of this local law or the application thereof to any person, firm or 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 6. Effective Date

This local law shall take effect immediately upon the date on which a certified copy of this local law is filed in the office of the Secretary of State pursuant to section 27 of the Municipal Home Rule Law.