

# OFFICE OF THE CLERK OF THE LEGISLATURE

Christopher A. Jones  
Clerk of the Legislature  
315-349-8230



46 East Bridge Street  
Oswego, New York 13126  
315-349-8237 fax

## NOTICE OF ADOPTION

Per Section 214 of the County Law, you are hereby notified that on December 13, 2018, the Oswego County Legislature adopted the following:

**COUNTY OF OSWEGO LOCAL LAW NUMBER 5 OF 2018**  
**“A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR FISCAL YEAR 2019”**

Copies of Local Law #5 of 2018 are posted in the Oswego County Courthouse on East Oneida Street in Oswego, at the County Clerk’s Office at 46 E. Bridge Street in Oswego and available online at [oswegocounty.com](http://oswegocounty.com). Requests can also be e-mailed to [chris.jones@oswegocounty.com](mailto:chris.jones@oswegocounty.com)

By Order of the Oswego County Legislature  
December 13, 2018  
Christopher A. Jones, Clerk

Resolution No. 265

December 13, 2018

**A RESOLUTION ADOPTING COUNTY OF OSWEGO  
LOCAL LAW NUMBER 5 OF 2018, ENTITLED  
"A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR FISCAL  
YEAR 2019"**

By Legislator James Weatherup:

WHEREAS, a public hearing was held on December 13<sup>th</sup>, 2018 and all interested parties having had an opportunity to be heard,

NOW, upon the recommendation of the Finance and Personnel Committee of this body, be it

RESOLVED, that Local Law Number 5 of the year 2018 entitled "A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR FISCAL YEAR 2019" be and is hereby adopted and enacted in its entirety.

ROLL CALL

YES: 23 NO: 0 ABSENT: 2

OSWEGO COUNTY LEGISLATURE

**COUNTY OF OSWEGO  
LOCAL LAW NUMBER 5 OF 2018**

**“A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR  
FISCAL YEAR 2019”**

**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 2019.”**

**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, 2019 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 2019. This enactment overrides the tax levy limit and will provide the county stability and predictability regarding the 2019 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, 2019 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

**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.

By Order of the Oswego County Legislature  
December 13, 2018  
Christopher A. Jones, Clerk