

**PUBLIC HEARING**

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**Local Law to Override the Tax Levy Limit**

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Town of Ulysses

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September 28, 2021

Audio of the minutes are available on the website at [ulysses.ny.us](http://ulysses.ny.us).  
The meeting was held at the Town Hall at 10 Elm St., Trumansburg,  
via videoconference on the Zoom platform.

Notice of Town Board meetings are posted on the Town's website and Clerk's board.

**CALL TO ORDER:**

Ms. Zahler called the meeting to order at 7pm.

**ATTENDANCE:**

The Town Clerk called the roll:

TOWN OFFICIALS PRESENT:

Supervisor- Nancy Zahler

Board members- Michael Boggs, Katelin Olson, Rich Goldman, Mary Bouchard

Budget Officer- Michelle E. Wright

Town Clerk- Carissa Parlato

Planning Board Chair- Linda Liddle

Conservation & Sustainability Advisory Committee Chair- Roxanne Marino

OTHERS PRESENT:

PJK, Erick Whelpley

**PUBLIC HEARING- LL#2 OF 2021- OVERRIDE THE TAX LEVY LIMIT**

Ms. Zahler explained that the town doesn't expect to override the limit but has historically passed this law just in case of unforeseen circumstances that may arise later in the budgeting process. She added that unlike school districts, towns do not have a public vote on their budgets. It is the purview of the town board to make the decision after a public hearing.

Once the Tentative Budget is created by the Supervisor, the board will make changes and agree on the Preliminary Budget. Then they must have a public hearing before voting on it.

She added that the purpose of a public hearing is for the town board to hear comments but not to necessarily respond.

**COMMENTS:**

*Submitted in advance via e-mail:*

Gail Zussman:

I wanted to share that I am firmly against this.

I believe if the tax limit is to be gone over that it deserves a vote by community members for many reasons.

Greg VanNess:

I would like it to be known that I am opposed to passing an override of the tax levy limit preemptively. While it may be more expedient to do this, I think it is important that citizens know the reasons for and the size of the override before agreeing to it.

**ADJOURN**

Hearing no additional comments, Mr. Goldman moved to close the hearing at 7:08pm. This was seconded by Ms. Bouchard and passed unanimously.

*Respectfully submitted by Carissa Parlato, Town Clerk  
10/8/2021*

*APPENDIX:*

LOCAL LAW # \_\_\_ OF 2021: TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C

Be it enacted by the Town Board of the Town of Ulysses as follows:

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Ulysses, County of Tompkins pursuant to General Municipal Law §3-c, and to allow the Town of Ulysses, County of Tompkins to adopt a town budget for (a) town purposes, (b) fire protection districts, and (c) any other special or improvement district, and Town improvements provided pursuant to Town Law Article 12-C, governed by the Town Board for the fiscal year beginning January 1, 2022 and ending December 31, 2022 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override: The Town Board of the Town of Ulysses, County of Tompkins is hereby authorized to adopt a budget for the fiscal year 2022 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 adjusted 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.