# **VILLAGE OF WAPPINGERS FALLS**

**VILLAGE BOARD**

###### RESOLUTION NO.: \_\_\_\_/2024

RE: RESOLUTION INTRODUCING “LOCAL LAW NO. \_\_\_ OF THE YEAR 2024, TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2024/2025 ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C.”

**WHEREAS**, General Municipal Law (GML) § 3-c establishes limits on the amount of real property taxes that may be levied by or on behalf of any local government thereby placing a “tax levy limit” on municipalities; and

**WHEREAS**, a tax levy increase in excess of the GML § 3-c may be required for the Village of Wappingers Falls because projected revenues for Fiscal Year 2024/2025 are insufficient to pay for projected expenditures for Fiscal Year 2024/2025; specifically, debt service costs for needed municipal improvements; and

**WHEREAS**, by adoption of this local law, the Village Board hereby intends to override the limit on the amount of real property taxes that may be levied by the Village of Wappingers Falls and authorize the Village Board to adopt a budget for fiscal year 2024/2025 in excess of the “tax levy limit” as defined and authorized by GML § 3-c; and

**WHEREAS**, the adoption of this local law is authorized pursuant to subdivision 5 of GML § 3-c, which expressly authorizes the Village Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Village Board; and

**WHEREAS**, the local law to exceed the tax levy limit must be introduced and adopted before the Fiscal Year 2024/2025 Budget is finalized and approved if the Village Board is required to exceed the tax levy limit; and

**WHEREAS**, this is a Type II action pursuant to 6 NYCRR § 617.5 (c) (20) and is otherwise exempt from environmental review pursuant to the New York State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS,** even if this local law is adopted, the Village Board is still authorized to adopt a budget that is within the limits otherwise provided by GML § 3-c.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.
2. The Village Board hereby introduces for adoption Local Law No.\_\_\_\_ of the Year 2024 in the form annexed hereto.
3. The Village Board hereby determines that the aforementioned Local Law is a Type II action as defined in 6 NYCRR § 617.5(c)(20) and, accordingly, the Village Board hereby expressly determines that this action is not an action that requires review pursuant to the provisions of the New York State Environmental Quality Review Act (“SEQRA”).
4. The Village Board hereby schedules a Public Hearing on the Proposed Adoption of Local Law No.\_\_\_\_ of the Year 2024 to be held at Village Hall, 2582 South Avenue, Wappingers Falls, New York on the 24th day of April, 2024, at 6:00 p.m., and the Village Clerk is directed to post the Notice of the Public Hearing in the form annexed hereto and to publish same in the Village’s official newspaper, and on the sign board maintained by the Village Clerk in Village Hall not less than ten (10) days prior to said public hearing date as required by law.

The foregoing was put to a vote which resulted as follows:

**\_Yay\_ \_\_Nay\_**

Mayor Kevin Huber \_\_\_\_\_\_\_ \_\_\_\_\_\_\_

Robert Marshall – Trustee \_\_\_\_\_\_\_ \_\_\_\_\_\_\_

Jeffrey Smith – Trustee \_\_\_\_\_\_\_ \_\_\_\_\_\_\_

Michael Ruffen – Trustee \_\_\_\_\_\_\_ \_\_\_\_\_\_\_

John Tyliszczak – Trustee \_\_\_\_\_\_\_ \_\_\_\_\_\_\_

James Williams – Trustee \_\_\_\_\_\_\_ \_\_\_\_\_\_\_

Joe Nicholas- Trustee \_\_\_\_\_\_\_ \_\_\_\_\_\_\_

Dated: April 17, 2024

Wappingers Falls, NY

STATE OF NEW YORK                   )

                                            ) SS:

COUNTY OF DUTCHESS                )

I, John Karge, Clerk of the Village of Wappingers Falls, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said Village Board of Trustees  at a meeting duly called and held at the Village Hall on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2024 by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the Village of Wappingers Falls, New York, this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ 2024.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

John M. Karge, Village Clerk