

**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

**County**

**City**

of Rockville Centre

**Town**

**Village**

**Local Law No. 2 of the year 2012**

**A local law authorizing a property tax levy in excess of the limit established in**

*(Insert Title)*

**General Municipal Law §3-c.**

**floor area ratio.**

**Be it enacted by the Board of Trustees of the**  
*(Name of Legislative Body)*

**County**

**City**

of Rockville Centre **as follows:**

**Town**

**Village**

**Section 1. Purpose and Legislative Intent**

Pursuant to Chapter 97 of the Laws of 2011, the New York State Legislature has enacted a "tax levy limit" applicable to the Village budget. However, since the enactment of that law, it has become apparent that the complexities of that legislation are not fully understood, even by the government agencies charged with its interpretation and enforcement. As a consequence of the severe limitations imposed by that legislation, and the inability of the Village to obtain clear information from the

**(If additional space is needed, attach pages the same size as this sheet, and number each.)**

government agencies charged with interpretation and enforcement of that legislation, and the continuing demands imposed upon the Village budget by outside agencies, the Village may be required to exceed the levy limit for the next ensuing Village fiscal year, or might inadvertently exceed that limit without intending to do so. Furthermore, because the Village historically has maintained a fiscally prudent tax levy in past years, the tax levy limit imposed by the State legislation would permit only a minimal increase in the Village levy, which is likely to be insufficient to accommodate future mandated and necessary expenses. The consequences of exceeding the tax levy limit are severe for future Village budgets. Accordingly, the Board of Trustees of the Village hereby determines that it is in the best interests of the Village, its residents and taxpayers that the Village Board of Trustees have the discretion if needed to adopt a budget for the fiscal year 2012-2013 which includes 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 General Municipal Law §3-c, and particularly subdivision (5) thereof, 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 sixty percent (60%) of said governing body.

## **Section 3. Tax Levy Limit Override**

The Board of Trustees of the Village of Rockville Centre is hereby authorized in its discretion, and should it determine the same to be necessary, to adopt a budget for the 2012-2013 fiscal year that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §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 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 5. Effective date**

This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law and shall be applicable only to the Village budget and real property tax levy for the Village fiscal year next commencing after such adoption.

**(Complete the certification in the paragraph that applies to the filing of this local law and**

**strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

~~Thereby certify~~ <sup>Name of Legislative Body</sup> that the local law annexed hereto, designated as local law No. 2 of 2012 of the ~~(County)(City)(Town)(Village)~~ of Rockville Centre was duly passed by the Board of Trustees on April 24, 2012, in accordance with the applicable provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_, in accordance with the applicable provisions of law.

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\***Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.**

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_20\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_20\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body.

(Seal)

Date: April 24, 2012

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

\_\_\_\_\_  
Signature

Village Attorney\_\_\_\_\_

Title

~~County~~

~~City~~

of Rockville Centre\_\_\_\_\_

~~Town~~

~~Village~~

Date: April 24, 2012