

Emergency Meeting  
Inlet Town Board  
November 9, 2017

Officials present were Councilman Levi, Councilman Brownsell, Councilman Schmid, Supervisor Frey, Town Clerk, Patty Wittmeyer  
Others present included John Townsend

The Board met to rescind the approval of the 2018 Budget. The Budget was approved with Resolution No. 68.17 on November 7, 2017, mistakenly since the passage of Local Law #1 of 2017 for the Tax Cap Override hadn't been approved. After some discussion, the reading of the tax cap resolution, the following actions took place.

**RESOLUTION NO: 70.17 RESCINDING BUDGET APPROVAL FOR 2018**

On a motion offered by Councilman Brownsell, seconded by Councilman Levi, the following resolution was ADOPTED by VOTE to rescind the previous Resolution No. 68.17, adoption of the Budget, since the Board hadn't passed the Tax Cap Levy Override as required by the State.

4 AYES

0 NAYS

Motion carried

**RESOLUTION NO: 71.17 TAX CAP LEVY LIMIT OVERRIDE**

On a motion offered by Councilman Levi, seconded by Councilman Schmid, the following resolution was ADOPTED by VOTE:

WHEREAS: a Public Hearing was scheduled for the 2018 Budget of the Town of Inlet, and said hearing was heard on November 7, 2017 by the Inlet Town Board, for the following:

**Section 1: Legislative Intent**

It is the intent of this Local law to override the limit on the amount of the Real Property taxes that may be levied by the Town of Inlet, County of Hamilton, pursuant to General Municipal Law **§ 3-C**, and to allow the Town of Inlet, County of Hamilton to adopt a Town budget for the (a) town purposes (b) any other specific or improvement district governed by the Town Board for the fiscal year of 2018 that requires a Real Property tax levy in excess of the "tax levy limit" as defined by General Municipal Law **§ 3-C**.

The Town of Inlet is concerned about uncertainties in the existing tax cap law, including how uncertain expenditures and revenues controlled by the county and state interact with the tax cap. The Town Board is obligated to prepare a responsible budget, which meets the Town's mandate obligation and provide beneficial service, while minimizing the tax burden on the Town citizens.

**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 adoption of a Local Law approving by a vote of sixty (60%) percent of the Town Board.

**Section 3: Tax Levy Limit Override**

The Town Board of the Town of Inlet, County of Hamilton is hereby authorized to adopt a budget for the fiscal year of 2018 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 confirmed in 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.

The Local Law will be filed with the Secretary of State and will take place immediately.

ROLL CALL VOTE: COUNCILMAN LEVI                    AYE  
                          COUNCILMAN BROWSELL            AYE  
                          COUNCILMAN SCHMID            AYE  
                          SUPERVISOR FREY              AYE

4 AYES

0 NAYS

Motion carried

The Budget will be on the agenda to be passed at the Board meeting next week. The local law for the override will now be sent to the State for their filing.

With all business presented to the Board, the meeting adjourned at 8:15am.

Respectfully submitted,

Patty Wittmeyer  
Town Clerk