

**RESOLUTION INTRODUCING LOCAL LAW
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING
(R-23-64)**

INTRODUCED BY COUNCILMEMBERS _____

WHEREAS, the City of Poughkeepsie has remained under the New York State Tax Cap for the six consecutive fiscal years, 2018-2023; and

WHEREAS, during these years the City has succeeded in nearly entirely resolving what was once a \$13.2 million general fund deficit and has recently regained its investment grade quality bond rating from Standard and Poor's; and

WHEREAS the New York State Tax Cap is a complex calculation which each municipality makes independently, but in the City of Poughkeepsie the calculation results in a maximum tax increase of approximately two percent in any given year; and

WHEREAS, because of rising property values, the City has had to reduce the tax rate in each of the last four years, in order to stay under the New York State Tax Cap; and

WHEREAS, according to the U.S. Bureau of Labor Statistics inflation, as indicated by Consumer Price Indices rose to 9.1% in 2022, before falling to 5.2 % in 2023, and expectations are that it will continue to exceed the Federal Reserve's target rate of 2% through 2024 and into 2025; and

WHEREAS, the Administration projects that it will be necessary to increase property taxes by more than 2% as it prepares next years general fund budget, due primarily to the cost of goods and services, existing contractual commitments, and the phase-out of reliance on Federal aid received under the American Rescue Plan Act ("ARPA");

NOW, THEREFORE, BE IT

RESOLVED, that an introductory Local Law, entitled “Local Law to override the tax levy limit established in General Municipal Law §3-c” be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law are laid upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o’clock P.M., on September 18, 2023; and

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

SECONDED BY COUNCILMEMBER _____ .

LOCAL LAW NO. ____ OF 2023

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN
GENERAL MUNICIPAL LAW § 3-c**

INTRODUCED BY COUNCILMEMBER _____

BE IT ENACTED, by the Common Council of the City of Poughkeepsie of the County of Dutchess 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 City of Poughkeepsie, County of Dutchess pursuant to General Municipal Law § 3-c, and to allow the City of Poughkeepsie, County of Dutchess to adopt a budget for the 2024 fiscal year 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 City Council to override the tax levy limit by the adoption of a local law approved by the Common Council.

Section 3. TAX LEVY LIMIT OVERRIDE

The City of Poughkeepsie Common Council is hereby authorized to override the Tax Levy Limit established pursuant to N.Y. General Municipal Law §3-c, for Fiscal Year 2024, and to adopt a budget for Fiscal Year 2024 that requires a real property tax levy in excess of the amount otherwise prescribed in N.Y. General Municipal Law §3-c.

Section 4. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

SECONDED BY COUNCILMEMBER _____.