

**TROY CITY COUNCIL  
AGENDA FOR THE  
SPECIAL MEETING TO ADOPT THE BUDGET  
November 29, 2016  
6:00 P.M.**

Pledge of Allegiance  
Roll Call

Pursuant to § C-23 of the Troy City Charter Entitled "Public Forum", each Regular or Special meeting of the City Council shall include a period of time designated as a public forum, during which members of the public shall have the opportunity to address the Council on meeting agenda items and any other subject appropriate to the conduct of City government. (B) The structure of the public forum shall be set forth in the Council's rules of order, provided, however, that such rules do not abridge the following provisions: 1. The total time allotted for each speaker shall be at least five (5) minutes. 2. Public input on meeting agenda items must occur prior to the Council's consideration of such items. 3. No citizen of Troy, nor an attorney representing a citizen of Troy, shall be denied the right to speak. 4. The presiding officer of the meeting shall have sole discretion in limiting a speaker's remarks if they are deemed disruptive, obscene, or defamatory.

**LOCAL LAW**

**5. Local Law No. 5 (Intro # 5) A Local Law Overriding The Tax Levy Limit Established In General Municipal Law § 3-C Thereby Giving The City Of Troy Authority To Adopt A Budget And Property Tax Levy In Excess Of That Limit. (Council Member Kopka) (At The Request Of The Administration)**

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**A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C THEREBY GIVING THE CITY OF TROY AUTHORITY TO ADOPT A BUDGET AND PROPERTY TAX LEVY IN EXCESS OF THAT LIMIT**

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**BE IT ENACTED**, by the City Council of the City of Troy, as follows:

**Section 1. Legislative Intent**

The purpose of this local law is to override the “tax levy limit” as defined and established by General Municipal Law § 3-c so that the City of Troy may, for the Fiscal Year beginning January 1, 2017, adopt a budget that requires a real property tax levy in excess of the tax levy limit.

**Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c. Subdivision 5 expressly authorizes a local government’s governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of the governing body.

**Section 3. Tax Levy Limit Override**

For the fiscal year January 1, 2017 through December 31, 2017, the City Council of the City of Troy hereby overrides the tax levy limit 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 filing with the Secretary of State.

Approved as to Form, November 18, 2016

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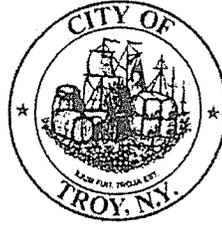
Kevin P. Glasheen Esq., Corporation Counsel

## MEMO IN SUPPORT

General Municipal Law § 3-c (“GML”) imposes a limit upon real property tax levy increases by local governments. The permitted tax levy limit growth of the City of Troy (“City”) for Fiscal Year 2017 is 1.0068 over the 2016 tax levy limit. In terms of dollars, that increase would equate to approximately \$184,000.

The Mayor’s recommended budget for Fiscal Year 2017 that originally called for a 28.2% tax rate increase has now been reduced to a proposed increase of 25.3% based on developments that occurred after the submission of the recommended budget. The Council Steering Committee reviewed the recommended budget and submitted a report that indicated that after their budget reductions, the proposed tax rate increase could be reduced to a 9.5 % tax rate increase. Another group of three Councilmen examined the recommended budget and determined that the proposed tax rate increase in the recommended budget could be reduced by 3.5%. The back-up material for this local law consists of the voluminous materials developed during the course of the budget process.

What is abundantly clear from the above discussion is that each respective proposed budget scenario requires an increase in the tax rate and related tax levy that is well above the tax levy limit for the City in 2017 as set forth in GML§ 3-c. Accordingly, it is necessary to pass a local law in order to pierce the tax levy limit so that a budget that meets the basic needs of the City for Fiscal Year 2017 can be passed and the tax levy necessary to support that budget can be set.



**Wm. Patrick Madden**  
*Mayor, City of Troy*

**Office of the Mayor**  
City Hall  
433 River Street  
Troy, New York 12180

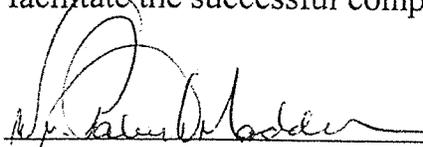
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### Mayor's Message of Necessity

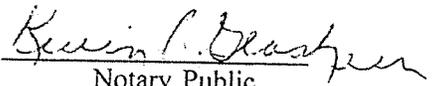
Based on a detailed financial analysis in connection with the preparation of the proposed City of Troy Budget for Fiscal Year 2017 as well as with additional input from the Troy City Council, the City of Troy cannot operate the government and meet all of its financial obligations in Fiscal Year 2017 without a property tax increase greater than the New York State imposed tax levy limit as required by General Municipal Law § 3-c. In order to pierce the property tax cap, the City Council must enact a local law overriding the tax levy limit set forth in the statute.

The time in which to accomplish this task is very limited. Accordingly, I have attached for your review and consideration a proposed local law to override the tax levy limit set forth in General Municipal Law § 3 -c and request its passage as soon as possible. I hereby request that a member of the City Council introduce this legislation to the City Council and that it be passed by the affirmative vote of two-thirds of the members of the City Council. This proposed law does not limit the City Council's ability to ultimately determine the amount of the 2017 City Budget or the amount of the City Tax Levy. As permitted by Municipal Home Rule Law § 20 (4), I hereby certify that it is necessary that this local law be enacted immediately without the usual notices and waiting period in order to facilitate the successful completion of the City of Troy's budget process.

  
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Wm. Patrick Madden,  
Mayor

STATE OF NEW YORK )  
COUNTY OF RENSSELAER ) SS:

On the 21<sup>st</sup> day of November, 2016, before me, the undersigned, a notary public in and for the State, Personally appeared Wm. Patrick Madden personally known to me or proved to me the basis of satisfactory evidence, to be the individual whose name is subscribed to the within instrument and acknowledge to me that he executed the same in his capacity as Mayor of Troy and on behalf of the City of Troy, and that by his signature on the instrument, the City of Troy upon behalf of which he acted, executed the instrument.

  
Notary Public

KEVIN P. GLASHEEN  
Notary Public, State of New York  
No. 4848052  
Qualified in Rensselaer County 2019  
Commission Expires March 20, 19\_\_