

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 1

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO
COUNCILMAN MICHAEL MCELWEE, JR.

FROM: MICHAEL P. WALSH, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Town Clerk to advertise for a Public Hearing to enact a Local Law to override the tax levy limit established in general municipal Section 3-C enacting a Local Law entitled: A Local Law to override the tax levy limit established in municipal section 3-C.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA ON THURSDAY, OCTOBER 3, 2024 AT 10:00AM.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Joseph Ludwig

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: LINDA D. VAVRICKA, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Resolution will authorize the Town Clerk to advertise for a public hearing so the Town Board can consider a levy in excess of the limit prescribed by General Municipal Law 3-C.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Townwide
 2. Site or location effected by resolution: N/A
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- Type I action under 6 NYCRR, Section 617.4(b), number _____ . Full EAF required.
- Type 2 action under 6 NYCRR, Section 617.5(c), number 26 . SEQR review complete.
- Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor

9/16/24
Date

October 3, 2024

Resolution # 1

WHEREAS, the Town Comptroller, duly appointed Town of Islip Budget Officer by the Supervisor pursuant to §10B(E) of the Islip Town Code and §103(B) of the Town Law of the State of New York, has been authorized to prepare a tentative budget for the 2025 fiscal year and submit it to the Town Board; and

WHEREAS, pursuant to §§ 106 and 107 of the Town Law and the State of New York and § 2 of Article VII of the New York State Constitution, the tentative budget submitted to the Town Board must be balanced; and

WHEREAS, the Town Board has determined that it may be necessary for the Town of Islip to exceed the limit on the amount of real property taxes that may be levied by the Town of Islip pursuant to General Municipal Law § 3-c for fiscal year 2025; and

WHEREAS, the Town Board is required by New York State General Municipal Law § 3-c(5) to pass a Local Law that would allow the Town of Islip Budget Officer to prepare and submit a balanced tentative budget with a levy in excess of the limit set forth in New York General Municipal Law § 3-c.

NOW, THEREFORE, on motion of Councilperson _____; seconded by Councilperson _____, be it

RESOLVED, that the Town Clerk is authorized to advertise for a public hearing to consider adopting a Local Law that would authorize the Town of Islip Budget Officer to prepare and submit to the Town Board a balanced tentative budget that would exceed the limit of the amount of real property taxes that may be levied by the Town of Islip pursuant to General Municipal Law § 3-c.

Upon a vote being taken, the result was:

, 2024
Resolution #

WHEREAS, a public hearing was held on _____, 2024, pursuant to public notice to enact Local Law No. __ 2024, entitled: A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-c FOR FISCAL YEAR 2025; and

WHEREAS, it is required by General Municipal Law § 3-c of New York State, that the Town Board shall adopt this local law by 60% vote of the Board members.

NOW, THEREFORE, on motion of Councilperson _____; seconded by _____ be it

RESOLVED, that the Town Board of the Town of Islip, does hereby adopt Local Law No. __ of 2024, which is hereby enacted as follows:

SEE ATTACHED

Upon a vote being taken, the result was:

THE TOWN OF ISLIP, COUNTY OF SUFFOLK, STATE OF NEW YORK

Local Law to Override the Tax Levy Limit Established in General Municipal Law Section 3-c
for Fiscal Year 2025

Section 1. Purpose and Intent.

It is the purpose and intent of this Local law to override the limit on the amount of real property tax that may be levied by the Town of Islip, County of Suffolk, State of New York, pursuant to General Municipal Law § 3-c, and to allow the Town of Islip to adopt a Town budget for Fiscal Year 2025 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 Town Board to override the tax levy limit by adoption of a local law approved by a vote of sixty (60%) percent of the Town Board.

Section 3. Tax Levy Limit Override.

The Town Board of the Town of Islip, County of Suffolk, is hereby authorized to adopt a budget for Town purposes, including special improvements districts governed by Islip Town Board or members of the Town Board, for the fiscal year 2025 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law § 3-c.

Section 4. Severability.

If any clause, paragraph, subdivision, or part of this Local law or the application thereof to any person, firm or corporation, or circumstances, shall be adjudged 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 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 circumstances, 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.

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 2

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO
COUNCILMAN MICHAEL MCELWEE, JR.

FROM: MICHAEL P. WALSH, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Special Events

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA ON THURSDAY,
OCTOBER 3, 2024 AT 10:00AM.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Linda Vavricka

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: LINDA D. VAVRICKA, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

October 3, 2024
Resolution No. 2

On a motion of Councilperson
seconded by Councilperson

BE IT RESOLVED, that permission is hereby granted to hold the following events in the Town:

- A. Fall Festival and Costume Parade– Sayville - Sayville Chamber of Commerce – Sunday October 20, 2024. From 11AM to 6PM. (RD 10/29/2023) (set up- 8AM). Requesting permission to close the following streets: Main Street from Lincoln Avenue to Greene Avenue to the corner of Main Street and Railroad Avenue, then crossing the street going southeast to South Main Street. All of South Main Street will be closed from Gillette Avenue to Collins Avenue with an indentation on Gillette Avenue to just south of Thornhill’s Pharmacy. Candee Avenue is to be closed at Main Street. The event includes 4-6 Kiddie Rides and a Haunted House. Permission for this event will be granted pending approval from Town and County Offices and proof of liability insurance.

Upon a vote being taken the result was: