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May 18, 2010

COUNTY LAWMAKERS URGE ASSEMBLY TO PASS SCHOOL TAX CAP
UPDEGROVE CALLS ON DELMONTE TO PROVIDE RELIEF TO TAXPAYERS

LOCKPORT—Niagara County lawmakers once again urged Albany to pass a tax cap that would prevent massive tax hikes by school districts on the same day residents of every school district in the county were asked to weigh a number of school budgets that either increased taxes or raided cash reserves.

The Legislature backed by an 18-0 margin a resolution by Majority Leader Rick Updegrave, R-Lockport, and newly-appointed Legislator David E. Godfrey, R-Wilson, that asked the New York State Assembly to take up and pass a cap on school district property taxes, which constitute, on average, 62 percent of the typical Upstate New Yorker's property tax bill. The State Senate has, in previous years, passed such a cap, only to see it die in the Assembly.

"School taxes are such a large part of our tax burden, and we're simply asking the Assembly—we're asking Assemblywoman [Francine] DelMonte [D-Niagara Falls]—to support or sponsor some type of school property tax relief," Updegrave told fellow lawmakers. "They just need to follow the lead of the Senate. We had the opportunity in the fall of 2008 when the Senate passed property tax relief. We're going to ask for it again. It's important."

Updegrave said the most frustrating aspect of the Assembly's inaction on a school property tax cap, coupled with the state's recent wholesale slashing of school district financial aid, was that tax increases being passed by local school boards threatened to completely erase the benefits to taxpayers of several years' worth of tax cuts by the county government.

"Over the last five years, this Legislature has reduced the county tax rate every single year," Updegrave said. "We've reduced that rate by about \$1.55 per \$1,000 [of assessed value]. It's my understanding that the Lockport School District is about to increase school taxes by about \$1.56 per \$1,000. So everything that we've worked at over the last several years to try to reduce the county tax burden has been essentially—in the town of Lockport—eliminated."

Voters in the Lockport City School District—where Updegrave resides—were rejecting this year's proposed school budget, which raises taxes by approximately 7 percent, even as Updegrave spoke. However, due to loopholes that allow a "contingency" budget to be enacted that is not significantly different from the budget rejected by voters, district taxpayers will still face the entire tax increase and see the reductions to their tax bill enacted by the County Legislature essentially negated.

Updegrave also warned county residents living in districts that had avoided tax increases this year by raiding fund balances that tax rates are likely to jump during next year's budget process.

"Those school districts that didn't see a significant increase this year, I can assure you that it is coming," Updegrave said. "Those districts that didn't see an increase were forced to use fund balances and reserves because the reduction in state aid was unprecedented."

Updegrave noted that former Gov. Eliot Spitzer had asked Democratic Nassau County Executive Tom Suozzi to chair a commission to examine options for curtailing the growth of school property taxes. Suozzi's panel, the New York State Commission on Property Tax Relief, proposed a school tax levy cap that would limit tax levy growth to 4 percent. Those findings formed the core of the Senate proposal that was ultimately killed in the Assembly.

Updegrave is quite familiar with Suozzi's proposal; he and former Legislator Andrea McNulty, D-North Tonawanda, testified before Suozzi's commission. Tuesday night's resolution mirrored one he and his colleagues passed last year asking essentially the same thing from the Assembly.

"In August of 2008, the New York State Senate actually passed a school tax levy cap," Updegrave said. "Our local senator, Sen. [George D.] Maziarz [R-Newfane] voted to support the property tax cap. However, as we all now know, the Democrat-controlled Assembly did not follow through, did not offer, or sponsor, or pass a property tax cap—or any type of school property tax relief. Why's that important? Because school taxes comprise the majority of the Niagara County school tax burden."

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