

**PELHAM UNION FREE SCHOOL DISTRICT  
BOARD OF EDUCATION  
18 FRANKLIN PLACE  
PELHAM, NEW YORK 10803**

**MOTION TO APPROVE MANDATE RELIEF RESOLUTION - WICKS LAW**

**BE IT RESOLVED** by the Pelham School District that mandate relief must be addressed by the New York State Legislature as school districts implement the property tax levy limit.

**WHEREAS**, New York State leads the nation in local property taxes, in large part because New York leads the nation in imposing unfunded state mandates upon our local municipalities and school districts; and

**WHEREAS**, in response to New York's property tax crisis, the Governor and members of the New York State Legislature enacted legislation imposing a limit on the annual growth of the local school tax levy; and

**WHEREAS**, New York State school districts are under unprecedented funding shortfalls due to three years of frozen Foundation Aid, last year's \$1.2 billion aid cut, expiration of federal stimulus aid and revenue restrictions under the tax levy limit, which goes into effect for the 2012-13 school year, and

**WHEREAS**, unfunded and underfunded state mandates continually increase the obligations and expenditures of local public school districts, and a property tax levy limit without significant mandate reform will inescapably lead to drastic cuts in essential local school district programs and services, as well as significant layoffs of school district employees, and in some cases outright insolvency, in New York State school districts; and

**WHEREAS**, the cumulative impact of satisfying unfunded and underfunded mandates diverts local money from our school district's top priority of student learning,

**THEREFORE, BE IT RESOLVED,**

that we the members of the Board of Education of the Pelham School District join fellow school board members in Westchester and Putnam Counties in affirming the obligation of the Governor of the State of New York and the members of the New York State Senate and New York State Assembly, to reform mandates that are unsound, unduly burdensome or costly, and thereby lead to high property taxes in New York.

**BE IT FURTHER RESOLVED** that, in accordance with Article 24, Executive Law §666, which establishes a Mandate Relief Council, the Pelham School District asks, by resolution of its governing body, that the Mandate Relief Council review the following mandate to determine whether the specific statute, regulation, rule or order of state government is an unfunded mandate or is otherwise unsound, unduly burdensome or costly so as to require that it be eliminated or reformed:

**Wicks Law Reform** – to exempt school districts from the General Municipal Law 101 because it requires that there be four major prime contracts with separate and independent bidding and award: construction, heating ventilation and air conditioning (HVAC); plumbing; and electrical with aggregate cost exceeding \$3 million in New York City, \$1.5 million in Nassau, Suffolk and Westchester Counties, and \$500,000 in the rest of New York State. Every state except New York has a much more efficient, effective way of providing protections for subcontractors without over-burdening taxpayers. The Pelham School District just completed a \$24 million bond where this law’s impact became very apparent.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Governor, Senate Majority and Minority Leaders, Assembly Speaker and Minority Leader, and the members of the State Senate and Assembly representing Westchester and Putnam Counties.

Adopted: March 12, 2012 Regular Board Meeting