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Astorino, Westchester Dems can't agree on tax levy

The two sides won't budge on the budget.

In the latest squabble over authority, County Executive Rob Astorino's administration and Democrats on the Board of Legislators can't agree on a tax levy even though the \$1.78 billion budget has been approved.

Astorino, a **Republican**, is sticking with his 1 percent tax levy cut while board Chairman Ken Jenkins, a Yonkers Democrat, maintains that it's down by 2.25 percent. "The fact is, it's not their number. It's a mathematical number that the board sets," said Majority **Leader** Peter Harckham, D-Katonah. "It's time for the political posturing to stop. **Now** it's time for us to govern. It's time for the county executive to govern."

The county board approved a budget on Dec. 10, though Astorino vetoed hundreds of lines that were later overridden by Democrats. Astorino also vetoed an appropriations act with the tax levy, but legislators ignored that action because they maintain they are the ones to send out the tax warrants to cities, towns and villages, not the county executive. It's the latest tiff between branches over their respective authorities.

The county charter gives the power to the Board of Legislators to levy **taxes** as does Westchester County tax law, provisions often cited by legislators. The administration asserts that the board's plan is with phoney revenues, gimmicks and is structurally unsound. They also believe their \$555 million levy is correct, not the board's \$548 million. "We think they did it wrong. At this point, the only thing that stands is the minus one," said Ned McCormack, Astorino's senior adviser and communications director. "We think we're on firm legal ground. At this point, the ball is in their court."

The spat could complicate the local assessor's ability to send out accurate bills to property owners unless it's settled before the spring when they are due. New York State's Office of Real Tax Services, a division of Finance and Taxation, would only say it's a matter that should be resolved locally and that and they would not intercede.

The notion that the county executive could reject the levy after the board approved the budget is "legally absurd," said Legislator John Nonna, D-Pleasantville, a lawyer who also chairs the board's legislation committee. "The county executive can not veto something we're mandated to do," he said.

Minority Leader Jim Maisano, R-New Rochelle, said while this issue presents interesting legal questions, it would be best for both sides to sit down and hammer out a solution. "It would be better to resolve this by compromise rather than litigation," he said.