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(1926-2013)

August 10, 2016

NYS Department of Taxation and Finance
WA Harriman Campus
Office of Counsel
Building 9
Room 100
Albany, NY 12227

**RE: Town of Chemung, New York
Local Law No. 2 for 2016**

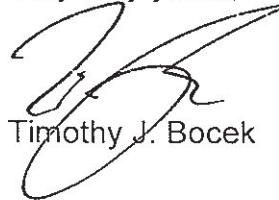
Dear Madam/Sir:

I represent the Town of Chemung.

Enclosed please find a copy of Local Law No. 2 for 2016 for the Town of Chemung which was filed with the New York State Department of State.

If you have any questions, please feel free to contact our office.

Very truly yours,



Timothy J. Bocek

TJB/fm
Enclosure

cc: NYSERDA (via mail w/enclosure) ✓
Mary Ellen Stermer, Town of Chemung Clerk (via email w/enclosure)

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of Chemung

Local Law No. 2 of the year 20 16

A local law

(Insert Title)
to disallow the existing tax
exempt status for solar and wind
energy systems

Be it enacted by the Chemung Town Board of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of Chemung as follows:

see attached resolution

(If additional space is needed, attach pages the same size as this sheet, and number each.)

RESOLUTION 2016-063
LL#2 WIND/SOLAR ENERGY SYSTEM

RESOLUTION BY: NAGLE

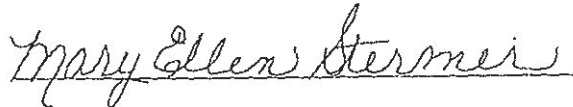
SECONDED BY: LOPER

RESOLVED, THE CHEMUNG TOWN BOARD AGREES TO DISALLOW THE EXISTING TAX EXEMPT STATUS FOR SOLAR AND WIND ENERGY PRODUCING FACILITIES;
FURTHER, UNDER THE NYSRP'L SECTION 487; THE REAL PROPERTY THAT CONTAINS A SOLAR, WIND OR FARM WASTE ENERGY SYSTEM APPROVED BY THE STATE IS EXEMPT FROM TAXATION TO THE EXTENT THAT ANY INCREASE IN ASSESSED VALUE IS DUE TO THE SYSTEM. HOWEVER, NEW YORK STATE LAW ALLOWS FOR THE TOWN TO DISALLOW THAT EXEMPTION. THE TOWN OF CHEMUNG THEREFORE, IN THE FORM OF THIS LOCAL LAW, HEREBY HAS DETERMINED TO DISALLOW THE EXEMPTION SET FORTH ABOVE.

CARRIED:

AYES: LOPER; NAGLE; BIRNEY; BERNATAVITZ; RICHTER
NAYES: NONE

I, Mary Ellen Stermer, certify that the following is a true and correct copy of
Resolution # 2016-063 of the Town of Chemung as unanimously
adopted by the Chemung Town Board on June 8, 2016.



Mary Ellen Stermer

Chemung Town Clerk

Dated: 6/15/2016

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 20 16 of the (County)(City)(Town)(Village) of CHEMUNG was duly passed by the CHEMUNG TOWN BOARD on JUNE 8, 2016, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) _____ (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted _____ (Elective Chief Executive Officer*) on _____ 20 _____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) _____ (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____ (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on _____ 20 _____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) _____ (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 _____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.

Mary Ellen Stermen
Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

(Seal)

Date: 6/15/16

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Chemung

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Title

County

City of

Town

Village

Date: 6/21/16