

May 26, 2020

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
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Alicia Barton, President
New York State Energy Research and
Development Authority and New York State
17 Columbia Circle
Albany, New York 12203

RE: Local Law No. 2-2017
Real Property Tax Section 487 Exemption Opt-Out Law

Dear Ms. Barton:

Enclosed herein please find Town of Malone Local Law No. 2-2017 passed at a Board Meeting on October 11, 2017 for filing with your Department.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Denice A. Hudson
Bookkeeper and Secretary to the Supervisor

Enclosure

Local Law Filing

Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

(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 Malone

Local Law No. 2 of the year 2017

A local law Real Property Tax Section 487 Exemption Opt-Out Law
(Insert Title)

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

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

of Malone as follows:

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

Resolution #265-2017

Resolved: to approve adopting Town of Malone Real Property Tax Section 487 Exemption Opt-Out Law:

Section 1. PURPOSE: Real Property Tax Law Section 487 provides for an exemption from taxation for certain solar energy systems, wind energy systems or farm waste energy systems, and further provides in sub-section 8 of such section that a town may by local law provide that no exemption under this section shall be applicable within its jurisdiction with respect to any solar energy systems, wind energy systems or farm waste energy system constructed subsequent to the effective date of the local law.

Section 2. OPT OUT OF EXEMPTION: Pursuant to the authority of Real Property Tax Law Section 487, sub-section 8, the Town of Malone hereby opts out of the exemption from real property taxes granted by Real Property Tax Law Section 487, sub-section 2, and related sub-sections, so that no exemptions under the provisions of said Real Property Tax Law shall be applicable to town taxes with respect to solar energy systems, wind energy systems or farm waste energy systems in the Town of Malone.

Section 3. SEPARABILITY: Each separate provision of this Local Law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 4. REPEALER: This local law shall supersede all prior local laws, ordinances, rules and regulations of the Town of Malone that may be inconsistent with this local law and any such prior local laws, ordinances, rules and regulations shall be, upon the effective date of this Local Law, null and void.

Section 5. EFFECTIVE DATE: This Local Law shall take effect immediately upon filing with the Secretary of State.

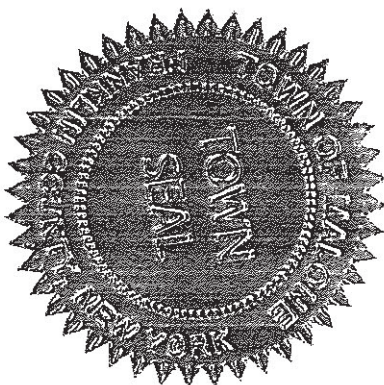
Section 6. NUMERICAL/LETTERING DESIGNATIONS: The chapter designations and numerical/lettering designations of the section and article(s) included in the Local Law shall be delegated to the discretion of General Code Publishers, which may renumber the chapter, sections and Article(s) included in this Local Law as necessary to accommodate incorporation of this Local Law in the Code of the Town of Malone.

CARRIED (4-0) – Supervisor Maneely – Aye Deputy Supervisor Sullivan – Aye

Councilor Lockwood - Aye Councilor Scharf – Aye

Motion offered by: Supervisor Howard Maneely

Second by: Councilor Mary Scharf



STATE OF NEW YORK
COUNTY OF FRANKLIN

SS:

I, Deborah A. Hutchins, Town Clerk of the Town of Malone, New York, do hereby certify that the foregoing resolution, #265-2017, was duly adopted at a regular meeting of the Malone Town Board, held on October 11, 2017; and the same is a true and complete copy of the record on file in the Office of the Town Clerk and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 12th day of October, 2017.

Deborah A. Hutchins

(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 2017 of the (County)(City)(Town)(Village) of Malone was duly passed by the Town Board on October 11 2017, in accordance with the applicable provisions of law.
(Name of Legislative Body)

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 1 above.

Deborah A. Hutchins

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

Date: October 12, 2017

(Seal)