



Saratoga County

TOWN OF MALTA
TOWN CLERK'S OFFICE
2540 Route 9
Malta, NY 12020

Jennifer Holmes
(518) 899-2552
Fax: (518) 899-4719
Email: jholmes@malta-town.org

Memo:

Date: November 18, 2021

RE: Local Law # 6 of the year 2021

Please find the enclosed Local Law which was passed by the Town Board of the Town of Malta at the Town Board Meeting on November 4, 2021.

Please date stamp and return to Malta Town Clerks Office, 2540 Route 9, Malta, NY 12020.

Thank You.

Sincerely,

Jennifer Holmes

Malta Town Clerk

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET ALBANY, NY 12231

(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 of

Village Malta

Local Law No. 6 of the year 2021:

A local law Opting Out of New York State Real Property Law Section 487

Be it enacted by the Town Board of the

County

City

Town of

Village Malta as follows:

ARTICLE XI

OPTING OUT OF NEW YORK STATE REAL PROPERTY LAW SECTION 487

Section 148-50. Name: This Local Law is titled "Local Law Number 6 of 2021 Opting Out of New York State Real Property Law Section 487"

Section 148-51. Definitions: This article uses the definitions set forth in New York State Real Property Tax Law § 487 and as amended by Chapter 336 of the New York State Laws.

Section 148-52. Elimination of Exemption: As provided by New York State Real Property Tax Law § 487(8)(a), there shall be no exemption in the Town of Malta with respect to any solar or wind energy systems, farm waste energy systems, micro-hydroelectric energy systems, fuel cell electric generating systems, micro-combined heat and power generating equipment systems, electric energy storage equipment and electric energy storage systems, or fuel-flexible linear generator electronic generating systems or any other energy system eligible for real property tax exemption under Section 487 of the Real Property Tax Law.

Section 148-53. Supersession: This local law is hereby adopted pursuant to the provision of §10 of the New York State Municipal Home Rule Law and §10 of the

New York State Statue of Local Governments, it being the intent of the Town Board to supersede any and all contrary or inconsistent State Laws.

Section 148-54. Inconsistency: All other local laws and ordinances of the Town of Malta, if any, that are inconsistent with the provisions of this local law are hereby repealed: provided, however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such other local laws or ordinances, if any, regulating and governing the subject matter covered by this local law.

Section 148-55 Savings Clause: If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment, order and/or decision shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation of the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 148-56. Effective Date: This local law shall take upon its filing with the New York State Secretary of State. The Town shall also file this local law with the Commissioner of the New York State Department of Tax and Finance and with the President of the New York State Energy Research and Development Authority (NYSERDA).

(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. 6 of 2021 of the (County)(City)(Village)(Town) of Malta was duly passed by the Town Board on November 4, 2021 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) (repassed after (Name of Legislative Body) disapproval) by the _____ and was deemed duly adopted on _____ 20____.~~
~~(Elective Chief Executive Officer*)~~
~~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 No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the

on _____ 20____ and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the _____ on _____ 20____. Such local law was submitted
(Elective Chief Executive Officer*)
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 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)(repassed after
(Name of Legislative Body)
disapproval) by the _____ on _____ 20____. Such local law was subject to
(Elective Chief Executive Officer*)
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 _____ 20____,
became operative.

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

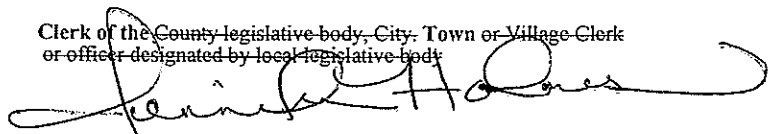
I hereby certify that the local law, designated as local law No. _____ of 20
of the County of _____ State of New York, having submitted to the electors
at the General Election of November _____ 20____, pursuant to subdivision 5 of section 33 of the
Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the
cities 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.

(Seal)

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

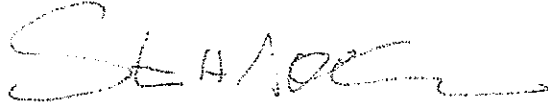

Jennifer Holmes, Malta Town Clerk

Date: November 4, 2021

(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 SARATOGA

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.

A handwritten signature in dark ink, appearing to read 'S. H. Gottmann', with a long horizontal flourish extending to the right.

Steven H. Gottmann, Malta Town Attorney

County
City
Village
Town of Malta

Date: November 4, 2021