



Town of Minden

Municipal Building 134 State Highway 80, Fort Plain, NY 13339

Cheryl A. Reese
Supervisor
518-993-3966

Janet Trumbull
Town Clerk
518-993-3443

October 11, 2018

NYSERDA
Attn: President
17 Columbia Circle
Albany, NY 12203-6399

Re: Opting out of Exemption Provided by Real Property Tax Law Section 487

Please find enclosed the Local Law adopted in 2016 opting out of the Exemption Provided by Real Property Tax Law Section 487

Respectfully submitted,

Janet I. Trumbull, Town Clerk

cc : NYS Department of Taxation & Finance

Robert Harris
Sole Assessor
518-993-4844

Joseph J. Hanifin
Hwy. Superintendent
518-993-3351

Barry A. Vickers
Code Enforcement & Zoning Officer
518-993-3443

Town Court
518-993-3616

COPY

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

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 MINDEN

Local Law No. 1 of the year 2016

A local law Opting out of the Exemption Provided by Real Property Tax Law Section 487
(Insert Title)

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

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

of Minden as follows:

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

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 this 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 Minden 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 Minden.

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 Minden 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 Minden.

(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. 1 of 2016 of the (County)(City)(Town)(Village) of Minden was duly passed by the Town Board on March 24, 2016, 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) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

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) (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(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) (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.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* 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.


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

Date: March 24, 2016

(Seal)

ANDREW M. CUOMO
GOVERNOR

ROSSANA ROSADO
ACTING SECRETARY OF STATE

April 4, 2016

John L Kirkpatrick
Kirkpatrick & Kirkpatrick PC
83 Canal Street, PO Box 350
Fort Plain NY 13339

RE: Town of Minden, Local Law 1 2016, filed on April 4, 2016

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492



Department
of State