



TOWN OF PEMBROKE

1145 Main Road Corfu, New York 14036

(585) 599-4892 or (585) 762-8246

Fax (585) 762-8233

TDD/TYY 1-800-662-1220

John J. Worth, Town Supervisor

Edward G. Arnold, Jr., Deputy Supervisor

Thomas Dix, Councilman

Kathleen Manne, Councilwoman

K. Warren Clark, Councilman

May 3, 2018

NYS Energy Research and Development Authority (NYSERA)

17 Columbia Circle

Albany, New York 12203

RE: Town of Pembroke Local Law No.2 of 2018

To whom it may concern;

The Town of Pembroke Town Board adopted Local Law Number 2 of the Year 2018 entitled "Town of Pembroke Solar, Wind, and Farm Waste Energy Systems Real Property Tax Exemption Opting Out Law" as adopted by the Pembroke Town Board, Town of Pembroke, County of Genesee, on the 12th day of April 2018.

Enclosed is the copy filed with NYS Department of State, Division of Corporations. Please contact me with any questions.

Yours truly,

Nicole M. Begin

Town Clerk

Town of Pembroke

This institution is an equal opportunity provider and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866)632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W. Washington D.C. 20250-9410, by fax (202)690-7442 or email at program.intake@usda.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 PEMBROKE

Local Law No. 2 of the year 2018

A local law ENTITLED "TOWN OF PEMBROKE SOLAR, WIND, AND FARM WASTE ENERGY
(Insert Title)
SYSTEMS REAL PROPERTY TAX EXEMPTION OPTING OUT LAW"

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

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

of PEMBROKE as follows:

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

LOCAL LAW NO. 2 of 2018
TOWN OF PEMBROKE
A PROPOSED LOCAL LAW ENTITLED,
“TOWN OF PEMBROKE SOLAR, WIND, AND FARM WASTE ENERGY SYSTEMS
REAL PROPERTY TAX EXEMPTION OPTING OUT LAW”

BE IT ENACTED by the Town Board of the Town of Pembroke, Genesee County, New York as follows:

SECTION I. AUTHORITY

The Town Board of the Town of Pembroke enacts this local law under the authority granted by New York Municipal Home Rule Law, §10.

SECTION II. LEGISLATIVE PURPOSE AND INTENT

The intent of this Local Law is to allow the Town of Pembroke to opt out of solar, wind, and farm energy systems real property tax exemptions pursuant to Subdivision 8 of §487 of the Real Property Tax Law.

SECTION III. TITLE

This local law shall be known as "Town of Pembroke Solar, Wind, and Farm Waste Energy Systems Real Property Tax Exemption Opting Out Law."

SECTION IV. ENACTMENT

The Town Board of Pembroke shall not permit any exemption within its jurisdiction pursuant to §487 of the Real Property Tax Law of the State of New York with respect to any solar, wind, or farm waste energy systems constructed subsequent to the effective date of this Local Law.

SECTION V. SEPARABILITY

In the event that any word, phrase or part of this local law shall be declared unconstitutional, the same shall be severed and separated from the remainder of this local law and shall not affect the remainder of said local law which shall remain in full force and effect.

SECTION VI. INCONSISTENCY

All resolutions, ordinances or local laws or portions thereof of the Town of Pembroke not consistent with this ordinance, in whole or in part, shall be repealed.

SECTION VIII. EFFECTIVE DATE

This local law shall become effective upon the filing with the New York State Department of State.

(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 2018 of the ~~(County)(City)(Town)(Village)~~ of PEMBROKE was duly passed by the TOWN BOARD on APRIL 12 2018, 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 _____¹ above.

Nicole M. Begin, Town Clerk

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

Date: April 12, 2018

(Seal)