

**TOWN OF SCHAGHTICOKE
290 NORTHLINE DRIVE
MELROSE, NEW YORK 12121
Telephone: (518) 753-6915
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March 28, 2016

Commissioner Jerry Boone
NYS Department of Taxation and Finance
Building 9
W A Harriman Campus
Albany NY 12227

John Rhodes President and CEO
New York State Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

Re: Real Property Tax Law §487(8) – Opt-out of Exemption from Taxation on Solar
or Wind Energy Systems or Farm Waste Energy Systems

Dear Commissioner Boone and President Rhodes:

Enclosed for filing with your respective offices is a copy of a local law adopted by the Town Board of the Town of Schaghticoke, Rensselaer County, New York exercising its authority under Real Property Tax Law §487(8) providing that there shall be no exemption from taxation under RPTL §487 within this taxing jurisdiction.

Should you have any questions or need additional information, please do not hesitate to contact me.

Very truly yours,



David C. Brennan
Town Attorney
Ph.: (518) 438-9907 ext. 224
Fax: (518) 438-9914

Encl.

cc: Jean Carlson, Supervisor, Town of Schaghticoke (w/ encl.)
Janet Salisbury, Town Clerk, Town of Schaghticoke (w/ encl.)
David Jones, Assessor, Town of Schaghticoke (w/ encl.)
Rensselaer County Bureau of Tax Services (w/ encl.)

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 Schaghticoke

Local Law No. _____ of the year 2016

A local law TO OPT-OUT OF SECTION 487 OF THE NEW YORK STATE REAL PROPERTY TAX
(Insert Title)
LAW

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

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

of Schaghticoke as follows:

ARTICLE 1. TITLE.

This Local Law shall be referred to as a "Local Law Opting Out of the Exemptions Provided by Real Property Tax Law § 487."

ARTICLE 2. PURPOSE AND INTENT.

It is the intent of this Local Law to provide no exemption from taxation as authorized in Real Property Tax Law Section 487. Real Property Tax Law Section 487(8) allows a municipality to opt-out of the exemption from taxation.

ARTICLE 3. EXEMPTION FROM TAXATION.

Pursuant to Real Property Tax Law Section 487(8), no exemption from taxation shall be applicable with respect to any solar or wind energy system or farm waste energy system.

ARTICLE 4. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State.

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

(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. _____ of 20¹⁶ of the ~~(County)(City)~~(Town)(Village) of Schaghticoke was duly passed by the Town Board on 3/24 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) (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.

James E. Halvorsen
Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

Date: 3/24/16

(Seal)