

Young / Sommer LLC

ATTORNEYS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205
Phone: 518-438-9907 • Fax: 518-438-9914

www.youngsommer.com

Writer's Telephone Extension: 244
mnaughton@youngsommer.com

June 8, 2022

New York State Energy Research
and Development Authority
17 Columbia Circle
Albany, New York 12203-6399

Attn: Doreen Harris, President

Re: Town of New Scotland - Local Law No. 3 of the Year 2017
Opt-Out Law – NY RPTL § 487

Dear Ms. Harris:

I am the Town Attorney for the Town of New Scotland, New York. Please find enclosed for filing Local Law No. 3 of the Year 2017 of the Town of New Scotland which was adopted by the Town Board on June 15, 2017 and filed with the Secretary of State on June 27, 2017 and entitled:

“Town of New Scotland Local Law 3 of the Year 2017 – A Local
Law to Opt-Out of Section 487 of the New York State Real
Property Tax Law”

Please date stamp the duplicate copy of this letter and the Local Law and return them in the enclosed envelope. Thank you for your courtesy and cooperation. If you have any questions, please feel free to contact the undersigned.

Very truly yours,

J. Michael Naughton
Town Attorney

JMN/las
Enclosure

cc: Hon. Douglas LaGrange
Lisa R. Williams, Clerk

COPY

Local Law Filing

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

FILED
STATE RECORDS

Town of New Scotland
Local Law
3 of the year 2017

JUN 27 2017
DEPARTMENT OF STATE

A Law to Opt-Out of Section 487 of the New York State Real Property Tax Law.

Be it enacted by the Town Board of the Town of New Scotland 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, INTENT, AND AUTHORITY.

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. This local law is enacted by the Town Board of the Town of New Scotland pursuant to its authority granted under the Real Property Tax Law, and the Municipal Home Rule Law.

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. VALIDITY.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law which can be given effect without such invalid part or parts.

ARTICLE 5. REPEAL OF OTHER LAWS.

All local laws in conflict with provisions of this local law are hereby superseded.

ARTICLE 6. EFFECTIVE DATE.

This local law shall take effect immediately, as provided by law, upon filing with the Secretary of State.

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2017 of the Town of New Scotland was duly passed by the New Scotland Town Board on June 14, 2017, 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 Town of New Scotland was duly passed by the New Scotland Town Board _____ 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.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the Town of New Scotland was duly passed by the New Scotland Town Board _____ on _____ 20____, and was (approved) (not approved) (repassed after disapproval) by the _____ on _____, 20____, 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 Town of New Scotland was duly passed by the _____ on _____ 20____, and was (approved) (not approved) (repassed after disapproval) by the _____ on _____ 20 _____

* 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.

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.

5. (City local law concerning Charter revision proposed by petition.)

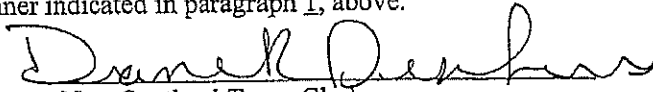
I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.


New Scotland Town Clerk

(Seal)

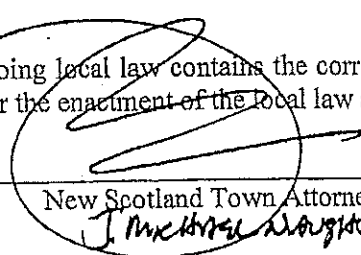
Date: 6/15/17

(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 ALBANY

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.

Signature


New Scotland Town Attorney

Date:

6/19/17