

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 Forestport

FILED
STATE RECORDS

DEC 16 2016

DEPARTMENT OF STATE

Local Law No. 3 of the year 2016

A local law to Opt-Out of Section 487 of the New York State Real Property Tax Law
(Insert Title)

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

County City Town Village
(Select one:)

of Forestport

as follows:

See Attached Sheet

(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. 3 of 2016 of the (County)(City)(Town)(Village) of Forestport was duly passed by the Town Board on November 16 2016, 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 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 (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 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.

* 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.

Tracy M. Northrop
Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

Date: *November 23, 2016*

(Seal)

TOWN OF FORESTPORT
LOCAL LAW NO. 3 OF 2016

A LOCAL 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 Forestport as follows:

Section 1. Title

This Local Law shall be referred to as "Local Law No. ____ of 2016" or "A Local Law to Opt-Out of Section 487 of the New York State Real Property Tax Law".

Section 2. Purpose and Intent

It is the intent of this Local Law to disallow the exemption from taxation authorized in Section 487(8) of the Real Property Tax Law.

Section 3. No Exemption from Taxation

No exemption from taxation shall be applicable in the Town of Forestport with respect to any solar or wind energy system or farm waste energy system.

Section 4. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the Local Law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 5. Repealer

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 6. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.



New York State Department of Taxation and Finance
Office of Real Property Tax Services

RP-487
(12/14)

Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems

1. Name and telephone numbers of owner(s):

2. Mailing address of owner(s):

 Day No. () _____
 Evening No. () _____
 E-mail address: _____

3. Location of property (see instructions):

Street address: _____ Village (if any): _____

 City/town: _____ School district: _____

Property identification (see tax bill or assessment roll):

Tax map number or section/block/lot _____

4. Description of solar or wind energy or farm waste energy system:

<input type="checkbox"/> Wind energy system	<input type="checkbox"/> Solar energy system
<input type="checkbox"/> Electrical generation <input type="checkbox"/> Mechanical power	<input type="checkbox"/> Active <input type="checkbox"/> Hot water <input type="checkbox"/> Heating <input type="checkbox"/> Cooling <input type="checkbox"/> Electrical generation <input type="checkbox"/> Combination
<input type="checkbox"/> Farm waste energy system	<input type="checkbox"/> Passive <input type="checkbox"/> Greenhouse <input type="checkbox"/> Sunspace <input type="checkbox"/> Mass wall system <input type="checkbox"/> Thermosiphon air panels <input type="checkbox"/> Direct gain <input type="checkbox"/> Other

Written description (attach additional sheet if necessary): _____

5. Date of completion of solar or wind energy or farm waste energy system: _____ (month) _____ (year)

6. a. Cost of solar or wind energy system or farm waste energy system: \$ _____ (attach proof)

b. Incremental cost (see instruction 2): \$ _____ (attach proof)

Certification

I/We, _____, hereby certify that the information on this application and accompanying pages constitutes a true statement of fact.

Signature of owner or authorized representative

Date

Signature of owner or authorized representative

Date

For assessor's use

Date application filed _____

Applicable taxable status date _____

Application approved

Application disapproved

Assessed valuation of exemption granted. (see next column if applicable). \$ _____

First assessment roll on which exemption is to be granted.

Last assessment roll on which exemption is to be granted.

(a) Total cost of solar or wind energy system or farm waste energy system..... \$ _____

(b) Incremental cost of system (cost of components which make possible the production of the solar or wind energy or farm waste energy) \$ _____

(c) Ratio of incremental cost to total cost (b ÷ a) \$ _____

(d) Increase in assessed value of property attributable to addition of solar or wind energy system or farm waste energy system \$ _____

(e) Assessed value exempt due to addition of system (d × c) \$ _____

Assessor's signature _____

Date _____

Instructions

Authorization for exemption

Real Property Tax Law section 487 exempts from taxation, but not special ad valorem levies or special assessments, real property which includes a solar or wind energy system or farm waste energy system satisfying guidelines established by the New York State Energy Research and Development Authority. The solar or wind energy system or farm waste energy system must be existing or constructed before July 1, 1988, or constructed after January 1, 1991, and before January 1, 2025. A county, city, town or village may adopt a local law or a school district (except the city school district of New York City, Buffalo, Rochester, Syracuse or Yonkers) may by resolution provide that no solar or wind exemption or farm waste energy system shall apply within its jurisdiction for systems constructed after January 1, 1991, or the date of such local law or resolution, whichever is later.

Duration and computation of exemption

The exemption is equal to the increase in assessed value of the property attributable to the inclusion of the solar or wind energy system or farm waste energy system and is to be granted for a period of fifteen (15) years. Where the system or its components are also part of the building structure, the increase in value to be exempted from taxation equals the assessed value attributable to the system or components multiplied by the ratio of the incremental costs of the system or farm waste energy system or components to the total cost of such system or components. "Incremental cost" is the increased cost of a solar or wind energy system or farm waste energy system or component which also serves as part of a building structure, above that for similar conventional construction, which enables its use as a solar or wind energy system or farm waste energy system or component. For further information, see the Energy Research and Development Authority guidelines. Note that municipalities that offer the solar or wind energy system exemption may require payments in lieu of taxes not to exceed the amount of the exemption.

Place of filing application

Application for exemption from county, city, town and school district taxes must be filed with the city or town assessor who prepares the assessment roll used in levying county, city or town and school district taxes. If the property is also located within a village assessing unit, a separate application for exemption from village taxes must be submitted to the village assessor. In Nassau County, application for exemption from county, town and school district taxes must be filed with the Nassau County Board of Assessors. In Tompkins County, application for exemption from county, city, and town, village, and school district taxes must be filed with the Tompkins County Division of Assessment. Two copies of this application are to be filed with the assessor. Do not file the application with the Office of Real Property Tax Services. Upon approval or disapproval, the assessor shall transmit one copy of the application to the State Energy Research and Development Authority, 17 Columbia Circle, Albany, NY 12203.

Time of filing application

The application must be filed in the assessor's office on or before the appropriate taxable status date. In towns preparing their assessment rolls in accordance with the schedule provided in the Real Property Tax Law, the taxable status date is March 1. In towns in Nassau County, the taxable status date is January 2. Westchester County towns have either a May 1 or June 1 taxable status date; contact the assessor. In cities, the taxable status date is determined by the city charter provisions and the city assessor's office should be consulted for the specified date. Taxable status date in most assessing unit villages is January 1, but the village clerk should be consulted for variations.

Exemption guidelines

Guidelines for determining eligibility for this exemption are available from the New York State Energy Research and Development Authority.

**TOWN OF FORESTPORT
REGULAR TOWN BOARD MEETING MINUTES
FORESTPORT TOWN HALL
November 16, 2016 @ 6:30 PM**

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REGULAR TOWN BOARD MEETING MINUTES
FORESTPORT TOWN HALL
November 16, 2016 @ 6:30 PM**

MEMBERS PRESENT

Councilwoman Kardash
Councilman Scouten
Councilman Scott
Councilman Rockhill
Supervisor Entwistle
Town Clerk Tracy Northrop

MEMBERS ABSENT

CALL TO ORDER:

The meeting was called to order at 6:30 pm by Supervisor Entwistle.

ABSTRACTS:

GENERAL:

A motion was made by Councilman Rockhill and seconded by Councilman Scouten to pay Abstract #11, Vouchers #710-#766 in the amount of \$20,701.10. Roll call vote:

Councilwoman Kardash - yes
Councilwoman Scouten - yes
Councilman Scott - yes
Councilman Rockhill-yes
Supervisor Entwistle -yes

HIGHWAY:

A motion was made by Councilwoman Kardash and seconded by Councilman Scouten to pay Abstract #11, vouchers #332-#372 in the amount of \$32,647.20
Roll call vote:

Councilwoman Kardash - yes
Councilman Scouten - yes
Councilman Scott - yes
Councilman Rockhill-yes
Supervisor Entwistle- yes

PLANNING BOARD ESCROW:

Nothing this month.

TOWN CLERK MINUTES:

A motion was made by Councilwoman Kardash and seconded by Councilman Scott to accept the minutes from the
Public Hearing regarding ATV Law- October 19, 2016
Regular Town Board Meeting- October 19, 2016
Public Hearing regarding the 2017 Preliminary Budget- November 7, 2016

Roll call Vote:

Councilwoman Kardash – yes
Councilman Scouten– yes
Councilman Scott –yes
Councilman Rockhill-yes
Supervisor Entwistle –yes

TOWN CLERK'S REPORT:

JUSTICE REPORT:

HIGHWAY:

PLANNING REPORT:

CODES:

ASSESSOR:

ANIMAL CONTROL OFFICER'S REPORT:

A motion was made by Councilwoman Kardash and seconded by Councilman Rockhill to approve all Reports as a whole. Roll call vote:

Councilwoman Kardash - yes
Councilman Scouten – yes
Councilman Scott- yes
Councilman Rockhill- yes
Supervisor Entwistle –yes

NOCCOG:

- Inter-Municipal Agreement
 - A motion was made by Councilman Scott and seconded by Councilman Rockhill to approve the Resolution for the Noccog Inter-municipal agreement. Roll Call Vote:
 - Councilwoman Kardash - yes
 - Councilman Scouten – yes
 - Councilman Scott- yes
 - Councilman Rockhill-yes
 - Supervisor Entwistle –yes

SUPERVISOR'S REPORT:

OLD BUSINESS BOARD:

- Craig Jenks agreed to fill the interim position as Animal Control Officer.
- Supervisor Entwistle and Councilwoman Kardash have been working together to revamp the Senior Recreation Program. So far, they have come up with some ideas for trips and mini sessions. An ad has been placed for the Senior Recreation Director position, which pays \$2,000 a year.
- Supervisor Entwistle has spoken with all the Fire chiefs and they have decided they would like to wait a couple years before making any decisions.
- The Supervisor would like the representative from GovPay.net speak to the Board. There is a possibility this is something the Town could use in the future for water and Sewer payments.
- ATV Local Law: There was a Public Hearing on the ATV Law last month. This is being tabled until the December meeting.
- Solar Exemption Law: Supervisor Entwistle thanked the Assessor, Tonya Brown for helping with the opt out portion of the Public Hearing.

A motion was made by Councilman Scouten and seconded by Councilman Scott to approve the Opt out of Section 487 of NYS Real Property Tax Law.
Roll Call Vote:

Councilwoman Kardash - yes
Councilman Scouten – yes
Councilman Scott- yes
Councilman Rockhill-yes
Supervisor Entwistle –yes

- **Daktor Lease:**

A motion was made by Councilman Rockhill and seconded by Councilwoman Kardash to enter into a finalized lease agreement with the Daktor's. Roll Call Vote:

Councilwoman Kardash - yes
Councilman Scouten – yes
Councilman Scott- yes
Councilman Rockhill-yes
Supervisor Entwistle –yes

- Ambulance Districts were discussed. This will be tabled until the December board meeting.

NEW BUSINESS BOARD:

- **Budget:**

A motion was made by Councilman Rockhill and seconded by Councilman Scouten to adopt the 2017 Town Budget. Roll Call Vote

Councilwoman Kardash - yes
Councilman Scouten – yes
Councilman Scott- yes
Councilman Rockhill-yes
Supervisor Entwistle –yes

- Supervisor Entwistle attended the Town of Webb meeting and they are interested in knowing what is important to the surrounding communities.

OLD BUSINESS PUBLIC:

NEW BUSINESS PUBLIC:

Don Frank, from the gallery handed packets to the board and the Town Clerk pertaining to Camp Russell. Discussion took place.

ADJOURNMENT:

A motion was made by Councilwoman Kardash and seconded by Councilman Scouten to adjourn the meeting. Roll call vote:

Councilwoman Kardash - yes
Councilman Scouten – yes
Councilman Scott- yes
Councilman Rockhill-yes
Supervisor Entwistle –yes

There being no further business, the meeting was adjourned at 7:53 pm by
Supervisor Entwistle.

Respectfully submitted,

Tracy M. Northrop
Forestport Town Clerk