2022 Local Law Index

	April 12, 2022
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	September 13, 2022
LL (INTRO)	A LOCAL LAW ENACTING THE RENSSELAER COUNTY SOLAR PANEL RECYCLING LAW
	TUESDAY, OCTOBER 11, 2022
LOCAL LAWS:	
LL	A LOCAL LAW ENACTING THE RENSSELAER COUNTY SOLAR PANEL RECYCLING LAW *(TABLED IN SPECIAL RULES)*

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 Rensselaer

Local Law No. 1 **of the year 20** 22

A local law PROVIDING FOR IMPLEMENTATION OF NEW YORK REAL PROPERTY TAX LAW
(Insert Title)
SECTION 485-v AS TO COUNTY TAXES

Be it enacted by the Legislature *(Name of Legislative Body)* **of the**

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

of Rensselaer **as follows:**

(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 20_____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, 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. 1 of 20 22 of the (County)(~~City)(Town)(Village)~~ of Rensselaer was duly passed by the Legislature on May 10 20 22, and was (approved)(~~not approved~~)
(Name of Legislative Body)
~~(repassed after disapproval)~~ by the County Executive and was deemed duly adopted
(Elective Chief Executive Officer)*
on June 22 20 2 2, in accordance w ith 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
(Elective Chief Executive Officer)*
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.

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* 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 2 above.

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

(Seal)

Date: 6/22/20

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231-0001

(Use this form to file a local law with the Secretary of State.)

County of Rensselaer

Local Law No. 1 **of the year** 2022

A Local Law Providing for Implementation of New York State Real Property Tax Law Section 485-v as to County Taxes

By: Grimm, Doran, Fleming, Nichols, Weaver, Zalewski

Be it enacted by the County Legislature *(Name of Legislative Body)* **of the**

County of Rensselaer **as follows:**

Section 1. Legislative Intent. Pursuant to recent amendments to Section 485-v of the Real Property Tax Law of the State of New York, as set forth below, the County Taxes for effected and qualifying real property parcels, shall be adjusted accordingly for County Fiscal Year 2023 and thereafter:

Real Property Tax

*§ 485-v. Residential and mixed-use investment exemption; certain cities and school districts.

1. As used in this section:

(a) "residential and mixed-use real property" means any structure containing one to four units of which one unit may be for commercial or retail use, and the remaining units shall be for residential use; and

(b) "construction" means the creation, modernization, rehabilitation, expansion or other improvement of any structure but shall not include ordinary maintenance or repairs.

2. Residential and mixed-use real property constructed on or after the first day of July, two thousand twenty-one located in a city with a population of not less than fifty thousand and not more than fifty-one thousand, based upon the two thousand ten federal census, shall be exempt from city, county and school taxation as provided in this section.

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

3.

(a) (i) Such real property shall be exempt for a period of four years to the extent of one hundred per centum of the increase in assessed value thereof attributable to such construction and for an additional period of eleven years provided, however, that the extent of such exemption shall be decreased by twenty-five per centum in year five, ten per centum in each year six through year nine, and five per centum each year during such additional period of six years and such exemption shall be computed with respect to the exemption base. The exemption base shall be the increase in assessed value as determined in the initial year of such fifteen-year period following the filing of an original application, except as provided in subparagraph (ii) of this paragraph.

(ii) In any year in which a change in level of assessment of fifteen percent or more is certified for a final assessment roll pursuant to the rules of the commissioner, the exemption base shall be multiplied by a fraction, the numerator of which shall be the total assessed value of the parcel on such final assessment roll, excluding any additional value derived from any physical or quantity changes to the parcel since the immediately preceding assessment roll, and the denominator of which shall be the total assessed value of the parcel on the immediately preceding final assessment roll. The result shall be the new exemption base. The exemption shall thereupon be recomputed to take into account the new exemption base, notwithstanding the fact that the assessor receives the certification of the change in level of assessment after the completion, verification and filing of the final assessment roll. In the event the assessor does not have custody of the roll when such certification is received, the assessor shall certify the recomputed exemption to the local officers having custody and control of the roll, and such local officers are hereby directed and authorized to enter the recomputed exemption certified by the assessor on the roll. The assessor shall give written notice of such recomputed exemption to the property owner, who may, if he or she believes that the exemption was recomputed incorrectly, apply for a correction in the manner provided by title three of article five of this chapter for the correction of clerical errors.

(iii) The following table shall illustrate the computation of the city, county and school district tax exemption:

Year of exemption	**Percentage of exemption**
1	100%
2	100%
3	100%
4	100%
5	75%
6	65%
7	55%
8	45%
9	35%
10	30%
11	25%

Year of exemption	Percentage of exemption
12	20%
13	15%
14	10%
15	5%

(b) No such exemption shall be granted unless:

(i) such construction was commenced on or after the first day of July, two thousand twenty-one or such later date as may be specified by resolution;

(ii) the residential and mixed-use real property is situated in a city with a population of not less than fifty thousand and not more than fifty-one thousand, based upon the two thousand ten federal census;

(iii) the cost of such construction exceeds the sum of seventy thousand dollars;

(iv) the property is located within the eligibility area, as designated by being located within the following U.S. census tracts:

(A) Tract 401;
(B) Tract 402;
(C) Tract 403;
(D) Tract 404;
(E) Tract 405;
(F) Tract 406;
(G) Tract 409;
(H) Tract 410; and

(v) such construction is completed as evidenced by a certificate of occupancy or other appropriate documentation as provided by the owner.

4. Such exemption shall be granted only upon application by the owner of such real property on a form prescribed by the commissioner. Such application shall be filed with the assessor of a city with a population of not less than fifty thousand and not more than fifty-one thousand, based upon the two thousand ten federal census, on or before the appropriate taxable status date of such city and within one year from the date of completion of such construction.

5. If the assessor is satisfied that the applicant is entitled to an exemption pursuant to this section, he or she shall approve the application and such real property shall thereafter be exempt from taxation by the city, and taxation by the county in which such city is located if such county passes a local law to provide for such exemption,

and taxation by any school district which serves such city if such school district passes a resolution to provide for such exemption. The assessed value of any exemption granted pursuant to this section shall be entered by the assessor on the assessment roll with the taxable property, with the amount of the exemption shown in a separate column.

6. In the event that real property granted an exemption pursuant to this section ceases to be used primarily for eligible purposes, the exemption granted pursuant to this section shall cease to be applied to the property commencing with the immediately following assessment roll.

7. In the event that the real property is sold or the deed is transferred to a new owner or ownership entity differing in ownership or members, the exemption granted pursuant to this section shall cease to be applied to the property commencing on the immediately following assessment roll.

8. The exemption established pursuant to this section shall not apply to special assessments or special ad valorem levies on the property.

* NB There are § 485-v's

Section 2. Effective date. This local law shall take effect upon filing with the office of the Secretary of State of the State of New York, and with the Office of the State Comptroller of the State of New York.

Local Law ADOPTED by the following vote:
Ayes: 18
Nays: 1 (Fiacco)
Abstain: 0
May 10, 2022

Approved by the County Executive:

Dated: 6/22, 2022

Steven F. McLaughlin
County Executive

OFFICE OF THE RENSSELAER COUNTY ATTORNEY
Carl J. Kempf III
Rensselaer County Attorney

Steven F. McLaughlin
County Executive

Carl J. Kempf III
Rensselaer County Attorney
1-518-265-7268
cjkempf@rensco.com

MEMORANDUM

TO: Jessica Charette

Clerk of the Rensselaer County Legislature

FROM: Carl J. Kempf III

County Attorney

DATE: June 24, 2022

RE: Local Law #1

Attached for filing with the New York State Department of State, please find Local Law #1. Also, enclosed for your files are the corresponding signed Public Hearing Report and Affidavit of Publication.

Thank you.

PUBLIC HEARING REPORT

Date: June 21, 2022

Location: Rensselaer County Government Center
1600 Seventh Avenue
Troy, NY
Conference Room A

Re: Local Law #1

Start: 5:00 PM

Closed: 5:15 PM

Beginning at 5:00 PM, the Hearing Officer noted the following:

1. Notice of Public Hearing

   The Notice was published by the Troy Record in print and online

2. Public Attendees

   As stated in the Notice, the Public Hearing was open to the Public

   None

3. The Hearing Officer opened the hearing. No one, other than the Hearing Officer, was in attendance.

4. Speakers from the Public

   None

5. Comments received from the Public

   The Public was invited to submit comments in writing through the contact form located on the County website at https://www.rensco.com/157/Executives-Office. No comments were received from the Public.

The Hearing Officer closed the Hearing at 5:15 PM

Steven F. McLaughlin

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK,
Rensselaer County, ss:
City of Troy.

Michele Sisco-Martin residing in Kingston, New York, being duly sworn, deposes and says that she is the Regional Legal Clerk of **Media News Group,** a Corporation duly organized under the laws of the State of New York; that said Corportation is the publisher of **The Record**, a daily newspaper published in the City of Troy, County of Rensselaer and State of New York, and that the notice of which the annexed is a printed copy, has been regularly published in **The Record.**

Once Daily for **One Day**

To wit: **06/18/22**

LEGAL NOTICE
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, in accordance with subdivision 5 of Section 20 of the Municipal Home Rule Law and subdivision 1 of section 104 of the Public Officers Law, a Public Hearing will be held in conference room A located on the fifth floor of the Rensselaer County Government Center, 1600 Seventh Avenue, Troy, New York at 5:00 o'clock in the evening of Tuesday, June 21, 2022.

The purpose of this Public Hearing is to accept input and testimony on a local law enacted by the Rensselaer County Legislature at its monthly meeting on May 10, 2022 and entitled "Providing for Implementation of New York State Real Property Tax Law Section 485-v as to County Taxes " Comments from the public may be submitted in writing electronically on or before June 20, 2022 through the contact form located at https://www.rensco.com/157/Executives-Office.

Copies of this local law are on file in the office of the Rensselaer County Executive and are available to the public for review by requesting a copy through the county contact form located at https://www.rensco.com/157/Executives-Office.

Dated: June 17, 2022.
Steven F. McLaughlin
Rensselaer County Executive
1X: 6/18/22
#NY0052067

Michele Sisco Martin

Sworn to before me this
06/ 21 /22

Kathi L Davis
Notary Public

KATHI L DAVIS
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01DA6410130
Qualified in Ulster County
My Commission Expires October 19, 2024

RECEIVED
JUN 24 2022
OFFICE OF THE RENSSELAER COUNTY ATTORNEY

Affidavit Mailing Address
2341005 - M - RC ATTY - REV - (ENV)

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
HTTPS://DOS.NY.GOV

KATHY HOCHUL
GOVERNOR

ROBERT J. RODRIGUEZ
SECRETARY OF STATE

July 20, 2022

Rensselaer County Legislature
Majority Office
1600 Seventh Ave
Troy NY 12180

RE: County of Rensselaer, Local Law 1 2022, filed on July 12 2022

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