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JAN 19 2018

Washington County
Real Prop. Tax Serv.

TOWN OF FORT ANN
COUNTY OF WASHINGTON, STATE OF NEW YORK

LOCAL LAW NO. 1 OF 2018

A LOCAL LAW TO OPT-OUT OF SECTION 487 OF THE NYS REAL PROPERTY
TAX LAW CONCERNING TAX EXEMPTIONS FOR CERTAIN ENERGY SYSTEMS
IN THE TOWN OF FORT ANN

Be it enacted by the Town Board of the Town of Fort Ann, as follows:

Section 1. **Purpose.**

It is the intent of this Local Law to update Local Law 5 of 2016, further opting-out of all of the real property tax exemptions from taxation for the increase in assessment due a taxpayer for those certain energy systems as authorized in NYS Real Property Tax Law Section 487.

Section 2. **Amendment.**

Local Law 5 of 2016 shall be repealed and replaced as follows:

Repeal of NYS Exemptions for Certain Energy Systems

Section 1. **Purpose.**

It is the intent of this Local Law to remove all of the real property tax exemptions from taxation for the increase in assessment due a taxpayer for those certain energy systems as authorized in NYS Real Property Tax Law Section 487.

Section 2. **Exemption from taxation.**

No exemption from taxation shall be available within the Town of Fort Ann for the increase in assessment which may result from the installation or construction of any solar or wind energy system constructed after October 11, 2016 in accordance with Local Law 5 of 2016, farm waste energy system constructed after October 11, 2016 in accordance with Local Law 5 of 2016, micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, or electric energy storage equipment and electric energy storage system by any taxpayer to or on their property within the Town of Fort Ann, constructed after the effective date of this Local Law or as indicated herein.

Section 3. **Effective Date.**

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

**TOWN BOARD OF THE TOWN OF FORT ANN
COUNTY OF WASHINGTON, STATE OF NEW YORK**

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Washington County
Real Prop. Tax Serv.

RESOLUTION NUMBER 39 OF 2018

Adopted January 8, 2018

Introduced by COUNCILMAN FLETCHER who moved its adoption
Seconded by COUNCILWOMAN STARK

**RESOLUTION AUTHORIZING THE ADOPTION OF PROPOSED LOCAL LAW TO OPT-OUT OF
SECTION 487 OF THE NYS REAL PROPERTY TAX LAW CONCERNING TAX EXEMPTIONS FOR
CERTAIN ENERGY SYSTEMS IN THE TOWN OF FORT ANN**

BE IT RESOLVED by the Town Board (the "Board") of the Town of Fort Ann (the "Town"), in the County of Washington, on the 8th day of January 2018, as follows:

WHEREAS, the State of New York has amended section 487 of the Real Property Tax Law providing for additional exemptions from real property tax assessments, and it is the intention of the Town to further remove the real property tax exemptions for those additional energy systems located within the Town; and

WHEREAS, it is the intention of the Town to amend Local Law 5 of 2016 in accordance with the amended Real Property Tax Law to include micro-hydroelectric energy systems, fuel cell electric generating systems, micro-combined heat and power generating equipment systems, or electric energy storage equipment and electric energy storage systems located within the Town; and

WHEREAS, notice of said public hearing was duly posted and then published in the official newspaper of the Town, pursuant to and in conformance with the Municipal Home Rule Law; and

WHEREAS, said public hearing was duly held before the Town Board this 8th day of January, 2018 at 6:05 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the local law.

WHEREAS, the proposed adoption of this Local Law is an action under the New York State Environmental Quality Review Act (SEQRA). The Town Board hereby declares that this action is a Type II action pursuant to 6 NYCRR 617.5(20) and (27) and declares that the action does not have a significant impact on the environment and the action is hereby precluded from further environmental review.

NOW, THEREFORE BE IT RESOLVED by the Town Board as follows:

RESOLVED, the Town Board, upon due deliberation of the Local Law finds that the adoption of the same is in the best interests of the Town.

RESOLVED, the Local Law opting out of section 487 of the NYS Real Property Tax Law concerning tax exemption for qualified any solar or wind energy system constructed after October 11, 2016 in accordance with Local Law 5 of 2016, farm waste energy system constructed after October 11, 2016 in accordance with Local Law 5 of 2016, micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, or electric energy storage equipment and electric energy storage system by any taxpayer to or on their property within the Town of Fort Ann, a copy of which is attached hereto and made a part hereof.

RESOLVED, pursuant to and in accordance with the Municipal Home Rule Law, the Town Clerk is hereby directed to enter this Local Law into the minutes of the meeting and file the same with the office of the Secretary of State of the State of New York.

RESOLVED, this resolution shall take effect immediately.

Councilwoman Witherell – AYE

Councilman Fletcher - AYE

Supervisor Moore – AYE

Councilman Hall – AYE

Councilwoman Stark – AYE

**TOWN BOARD OF THE TOWN OF FORT ANN
COUNTY OF WASHINGTON, STATE OF NEW YORK**

**RESOLUTION NUMBER 115 OF 2016
Adopted September 12, 2016**

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**NOV 22 2016
Washington County
Real Prop. Tax Serv.**

Introduced by COUNCILWOMAN STARK who moved its adoption
Seconded by COUNCILMAN VARNEY

**RESOLUTION INTRODUCING PROPOSED LOCAL LAW TO OPT-OUT OF SECTION 487 OF THE NYS
REAL PROPERTY TAX LAW CONCERNING TAX EXEMPTIONS FOR CERTAIN SOLAR OR WIND
ENERGY SYSTEMS OR FARM WASTE ENERGY SYSTEMS IN THE TOWN OF FORT ANN**

WHEREAS, pursuant to Section 487 of the Real Property Tax Law and Section 10 of Municipal Home Rule Law, the Town Board (the "Board") of the Town of Fort Ann (the "Town") has the authority to adopt a local law to opt-out of the exemptions from real property taxes for certain solar or wind energy systems or farm waste energy systems in the Town; and

WHEREAS, it is the intention of the Town to remove the real property tax exemptions for qualified solar or wind energy systems or farm waste energy systems located within the Town; and

WHEREAS, a proposed local law opting out of Section 487 of the NYS Real Property Tax Law granting certain exemptions for qualified solar or wind energy systems or farm waste energy systems in the Town of Fort Ann has been prepared.

NOW, THEREFORE BE IT RESOLVED THAT:

Section 1. The proposed local law to opt out of section 487 of the NYS Real Property Tax Law concerning tax exemption for qualified solar or wind energy systems or farm waste energy systems in the Town of Fort Ann is hereby introduced. A public hearing shall be noticed and held by the Town Board on October 11, 2016 at 7:00 p.m. to consider the proposed local law.

Section 2. This resolution shall take effect immediately.

Councilman Fletcher - AYE
Councilwoman Stark - AYE
Councilman Varney - AYE
Councilwoman Witherell - ABSENT
Supervisor Moore - AYE

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**TOWN BOARD OF THE TOWN OF FORT ANN
COUNTY OF WASHINGTON, STATE OF NEW YORK**

NOV 22 2016

Washington County
Real Prop. Tax Serv.

RESOLUTION NUMBER 129 OF 2016

Adopted October 11, 2016

Introduced by COUNCILWOMAN WITHERELL who moved its adoption
Seconded by COUNCILMAN VARNEY

**RESOLUTION AUTHORIZING THE ADOPTION OF PROPOSED LOCAL LAW TO OPT-OUT OF
SECTION 487 OF THE NYS REAL PROPERTY TAX LAW CONCERNING TAX EXEMPTIONS FOR
CERTAIN SOLAR OR WIND ENERGY SYSTEMS OR FARM WASTE ENERGY SYSTEMS IN THE
TOWN OF FORT ANN**

BE IT RESOLVED by the Town Board (the "Board") of the Town of Fort Ann (the "Town"), in the County of Washington, on this 11th day of October 2016, as follows:

WHEREAS, it is the intention of the Town to remove the real property tax exemptions for qualified solar or wind energy systems or farm waste energy systems located within the Town; and

WHEREAS, notice of said public hearing was duly posted and then published in the official newspaper of the Town, pursuant to and in conformance with the Municipal Home Rule Law; and

WHEREAS, said public hearing was duly held before the Town Board this 11th day of October, 2016 at 7:00 p.m. at the Offices of the Town of Fort Ann and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the local law.

WHEREAS, the proposed adoption of this Local Law is an action under the New York State Environmental Quality Review Act (SEQRA). The Town Board hereby declares that this action is a Type II action pursuant to 6 NYCRR 617.5(20) and (27) and declares that the action does not have a significant impact on the environment and the action is hereby precluded from further environmental review.

NOW, THEREFORE BE IT RESOLVED by the Town Board as follows:

RESOLVED, the Town Board upon due deliberation of the Local Law finds that the adoption of the same is in the best interest of the Town.

RESOLVED, the Local Law opting out of section 487 of the NYS Real Property Tax Law concerning tax exemption for qualified solar or wind energy systems or farm waste energy systems in the Town of Fort Ann, a copy of which is attached hereto and made a part hereof.

RESOLVED, pursuant to and in accordance with the Municipal Home Rule Law, the Town Clerk is hereby directed to enter this Local Law into the minutes of this meeting and file the same with the Office of the Secretary of State of the State of New York.

RESOLVED, this resolution shall take effect immediately.

Councilman Fletcher - AYE
Councilwoman Stark – AYE
Councilman Varney – AYE
Councilwoman Witherell - AYE
Supervisor Moore – AYE

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NOV 22 2016

Washington County
Real Prop. Tax Serv.

**TOWN OF FORT ANN
COUNTY OF WASHINGTON, STATE OF NEW YORK**

LOCAL LAW NO. 5 OF 2016

**A LOCAL LAW TO OPT-OUT OF SECTION 487 OF THE NYS REAL PROPERTY TAX LAW
CONCERNING TAX EXEMPTIONS FOR CERTAIN SOLAR OR WIND ENERGY SYSTEMS OR FARM
WASTE ENERGY SYSTEMS IN THE TOWN OF FORT ANN**

Be it enacted by the Town Board of the Town of Fort Ann, as follows:

Section 1. Purpose.

It is the intent of this Local Law to remove the exemptions from taxation for the increase in assessment due a taxpayer for the installation of certain solar or wind energy systems or farm waste energy systems as authorized in NYS Real Property Tax Law Section 487.

Section 2. Exemption from taxation.

No exemption from taxation shall be available within the Town of Fort Ann for the increase in assessment which may result from the installation or construction of any solar or wind energy systems or farm waste energy systems by any taxpayer to or on their property within the Town of Fort Ann.

Section 3. Effective Date.

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