

**TOWN OF KINGSBURY
COUNTY OF WASHINGTON, STATE OF NEW YORK**

LOCAL LAW NO. 1 OF 2014

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Washington County
Real Prop. Tax Serv.

**A LOCAL LAW REPEALING ARTICLE IV OF CHAPTER 248 OF THE CODE OF
THE TOWN OF KINGSBURY CONCERNING TAX EXEMPTIONS FOR QUALIFIED
SOLAR AND WIND ENERGY STRUCTURES IN THE TOWN OF KINGSBURY**

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

Section 1. Purpose.

The Town Board desires the ability to grant real property tax exemptions for qualified solar and wind structures located in the Town.

Section 2. Repeal of Article IV of Chapter 248 of the Code of the Town of Kingsbury.

Article IV of Chapter 248 of the Code of the Town of Kingsbury is hereby repealed in its entirety.

Section 3. Effective Date.

This Local Law shall take effect immediately after filing with the New York State Secretary of State.

(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. 1 of 2014 of the (County)(City)(Town)(Village) of KINGSBURY was duly passed by the TOWN BOARD on March 10, 2014, 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.

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

(Seal)

Date: Cynthia A. Barden

The first regular meeting of the Kingsbury Town Board was conducted on Monday March 10, 2014 at the Kingsbury Town Hall, 210 Main Street, Hudson Falls, NY.

MEMBERS PRESENT:

James T. Lindsay, Supervisor
William Collins, Councilman
Richard Doyle, Councilman
Henry Freebern, Councilman

ABSENT:

Paul Bromley, Councilman

ALSO PRESENT:

Michael Graham, Superintendent of Highways
Ross Cortese, Code Enforcement Officer

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The meeting was called to order by Supervisor Lindsay at 7 p.m. and opened for order of business with the Flag Salute led by Councilman Doyle.

Motion by Councilman Freebern, seconded by Councilman Collins and carried by a vote of 4 ayes to accept the minutes of the meeting held February 24, 2014.

The Town Clerk was instructed to read the Notice of Public Hearing for the adoption of a local law to repeal Article IV of Chapter 248 of the Code of the Town of Kingsbury thereby enabling real property exemptions for qualified solar and wind energy structures in the Town. The public hearing was opened at 7:05. There being no comment or discussion the hearing was closed at 7:06. A **motion** by Councilman Freebern, seconded by Councilman Collins carried by a vote of 4 ayes to adopt the new local law.

**TOWN BOARD OF THE TOWN OF KINGSBURY
COUNTY OF WASHINGTON, STATE OF NEW YORK**

Resolution Number 3 of 2014
Adopted March 10, 2014

Introduced by Councilman Freebern
who moved its adoption.

Seconded by Councilman Collins

**RESOLUTION AUTHORIZING THE ADOPTION OF
LOCAL LAW NUMBER 1 OF 2014, A LOCAL LAW REPEALING ARTICLE IV
OF CHAPTER 248 OF THE CODE OF THE TOWN OF KINGSBURY
CONCERNING TAX EXEMPTIONS FOR QUALIFIED SOLAR AND WIND
ENERGY STRUCTURES IN THE TOWN OF KINGSBURY**

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BE IT RESOLVED by the Town Board (the "Board") of the Town of Kingsbury (the "Town"), in the County of Washington, on this 10 day of March 10, 2014, as follows:

WHEREAS, it is the intention of the Town to repeal Article IV of Chapter 248 of the Code of the Town of Kingsbury and thereby enable real property tax exemptions for qualified solar and wind energy structures; 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 10th day of March, 2014 at ____ p.m. at the Offices of the Town of Kingsbury 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 repealing Article IV of Chapter 248 of the Code of the Town of Kingsbury, thereby permitting the grant of real property tax exemptions for qualified solar and wind structures located in the Town is hereby adopted as Local Law Number 1 of 2014, 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.

Those members present were:
James Lindsay, Supervisor
Henry Freebern, Councilman
William Collins, Councilman
Richard Doyle, Councilman
Paul Bromley, Councilman

Voting
Aye
Aye
Aye
Aye
Absent