

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 Pittstown

FILED
STATE RECORDS

MAY 17 2017

Local Law No. 3 of the year 2017

DEPARTMENT OF STATE

A local law know as Real Property Taxation for Certain Solar or Wind
(Insert Title)
Energy Systems or FarmWaste Energy Systems

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

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of Pittstown as follows:

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

Local Law No. 3-2017
Real Property Taxation for Certain Solar or Wind
Energy Systems or Farm Waste Energy Systems

Section 1. Purpose. The purpose of this Local Law is to provide the taxation for certain solar or wind energy systems or farm waste energy systems located within the Town of Pittstown pursuant to override the tax exemption set forth in Real Property Tax Law Section 487.

Section 2. Authority. This Local Law is enacted pursuant to the provisions of the Section 487(8)(a) of the Real Property Tax Law of the State of New York, and the Municipal Home Rule Law of the State of New York.

Section 3. This Local Law No. 3 of the Town of Pittstown shall be known as "Real Property Taxation for Certain Solar or Wind Energy Systems or Farm Waste Energy Systems."

System 4. As used herein the following terms apply:

a) "Solar or wind energy equipment" means collectors, controls, energy storage devices, heat pumps and pumps, heat exchangers, windmills, and other materials, hardware or equipment necessary to the process by which solar radiation or wind is (i) collected, (ii) converted into another form of energy such as thermal, electrical, mechanical or chemical, (iii) stored, (iv) protected from unnecessary dissipation and (v) distributed. It does not include pipes, controls, insulation or other equipment which are part of the normal heating, cooling, or insulation system of a building. It does include insulated glazing or insulation to the extent that such materials exceed the energy efficiency standards required by law.

b) "Solar or wind energy system" means an arrangement or combination of solar or wind energy equipment designed to provide heating, cooling, hot water, or mechanical, chemical, or electrical energy by the collection of solar or wind energy and its conversion, storage, protection and distribution.

c) "Authority" means the New York State Energy Research and Development Authority.

d) "Incremental cost" means the increased cost of a solar or wind energy system or farm waste energy system or component thereof which also serves as part of the building structure, above that for similar conventional construction, which enables its use as a solar or wind energy or farm waste energy system or component.

e) "Farm waste electric generating equipment" means equipment that generates electric energy from biogas produced by the anaerobic digestion of agricultural waste, such as livestock manure, farming waste and food processing wastes with a rated capacity of not more than one thousand kilowatts that is (i) manufactured, installed and operated in accordance with applicable government and industry standards, (ii) connected to the electric system and operated in conjunction with an electric corporation's transmission and distribution facilities, (iii) operated

in compliance with the provisions of section sixty-six-j of the Public Service Law, (iv) fueled at a minimum of ninety percent on an annual basis by biogas produced from the anaerobic digestion of agricultural waste such as livestock manure materials, crop residues and food processing wastes, and (v) fueled by biogas generated by anaerobic digestion with at least fifty percent by weight of its feedstock being livestock manure materials on an annual basis.

Section 5. Real property located within the jurisdictional boundaries of the Town of Pittstown which includes a solar or wind energy system or farm waste energy system approved in accordance with the provisions of Section 487 of the Real Property Tax Law which began construction subsequent to January 1, 1991 or the effective date of this local law, whichever is later, shall not be exempt from real property taxation and shall be subject to real property taxation.

Section 6. Construction of a solar or wind energy system or a farm waste energy system shall be deemed to have begun upon full execution of a contract or interconnection agreement with the utility; provided however, that if such contract or interconnection agreement requires a deposit to be made, then construction shall be deemed to have begun when the contract or interconnection agreement is fully executed and the deposit is made.

Section 7. Local Law No. 3 of the Town of Pittstown for 2017 shall not apply to residential homes, farms or certain commercial real property using solar or wind energy equipment, solar or wind energy systems or farm waste electric generating equipment for their own personal use or consumption.

Section 8. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 9. A copy of Local Law No. 3 of the Town of Pittstown for 2017 shall be filed with the president of the Authority and the Commissioner of Taxation and Finance.

Section 10. This Local Law shall take effect immediately upon 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. 3 of 20 17 of the ~~(County)(City)(Town)(Village)~~ of Pittstown was duly passed by the Town Board on May 18th 20 17, 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) (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.)

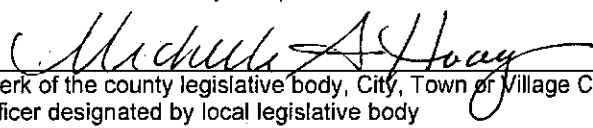
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 32 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.


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

Date: May 8, 2017

(Seal)



NYSERDA

Real Property Tax Law Section 487 NYSERDA

Submitted On:

Feb 9, 2023, 04:00PM EST

Jurisdiction Name	Town of Pittstown
Jurisdiction Type	Town
Jurisdiction Website	https://www.townofpittstown.org/
County	Rensselaer
Street Address	97 Tomhannock Road
Street Address 2	
City	Valley Falls
State	NY
Zip/Postal Code	12185
First and Last Name	Stacey Goldstein
Title	Town Attorney
Email	sgoldstein@farrellfritz.com
Phone Number	5183131359
Phone Extension	
Local law or resolution attachment	Local Law 3 of 2017 (RPT 487).pdf
Type of Filing	Opt-out
Tracking ID	RPTL487_0000270
User's Session Information	IP Address: 72.0.133.26 Referrer URL: