



TOWN OF AMENIA

TOWN BOARD

4988 Route 22, AMENIA, NY 12501
TEL: 845-373-8860 www.ameniany.gov

RESOLUTION No. 20 of 2017

**INTRODUCING PROPOSED LOCAL LAW NO. 1 OF 2017 ENTITLED,
"A LOCAL LAW PROVIDING FOR THE APPOINTMENT OF A SOLE
APPOINTIVE ASSESSOR PURSUANT TO ARTICLE 3 OF THE REAL
PROPERTY TAX LAW" AND TO SCHEDULE A PUBLIC HEARING
ON SAID LOCAL LAW AND TO AUTHORIZE PUBLICATION OF
NOTICE OF SAID PUBLIC HEARING**

At a meeting of the Town Board of the Town of Amenia, held at the Amenia Town Hall on the 6th day of July, 2017, at 7:00 p.m., Town Supervisor, Victoria Perotti called the meeting to order, and Councilwoman Doyle, seconded by Councilman Morris, introduced the following Local Law to be known as Proposed Local Law No. 1 of 2017, entitled, "A Local Law Providing for the Appointment of a Sole Appointive Assessor Pursuant to Article 3 of the Real Property Tax Law";

NOW, THEREFORE, BE IT ENACTED by the Town Board of the Town of Amenia as follows:

Section 1. Statement of Purpose and Intent.

The purpose of this Local Law is to provide for the appointment of a Sole Appointive Assessor in the Town of Amenia pursuant to §328 of Article 3 of the Real Property Tax Law of the State of New York ("Real Property Tax Law") and to abolish the elective office of Sole Assessor.

Section 2. Amendment of Town Code.

Chapter 4 of the Town Code of the Town of Amenia, entitled, "ASSESSORS", shall be amended as specifically set forth in the Local Law annexed hereto as Attachment A.

Section 3. Supersession.

Pursuant to New York State Municipal Home Rule Law, the provisions of this law are intended to supersede any inconsistent provisions of State or local law.

Section 4. Operative and Effective Dates.

The local law shall only become effective if approved by a majority of the qualified voters of the Town of Amenia voting at the general election to be held on November 7, 2017 and, if so approved, shall be operative as of November 7, 2017 and effective immediately upon filing with the New York Secretary of State.

Pursuant to the Municipal Home Rule Law of the State of New York, it is necessary to hold a public hearing on this local law. Councilwoman Doyle offered the following resolution, which was seconded by Councilman Morris, who moved its adoption:

WHEREAS, on July 6, 2017, the Town Board introduced this proposed local law for the Town of Amenia, to be known as Town of Amenia Proposed Local Law No. 1 of 2017, entitled, "A Local Law Providing for the Appointment of a Sole Appointive Assessor Pursuant to Article 3 of the Real Property Tax Law",

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held in relation to said proposed Local Law as set forth in the form of notice hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall on August 3, 2017, at 7:00 o'clock p.m., and that notice of said hearing shall be published in the official newspaper of general circulation in the Town of Amenia by the Town Clerk, at least five (5) days before such hearing, and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Amenia will hold a public hearing at the Town Hall, 4988 Route 22, Amenia, New York on August 3, , 2017 at 7:00 o'clock p.m., on proposed Local Law No. 1 of 2017, entitled, "A Local Law Providing for the Appointment of a Sole Appointive Assessor Pursuant to Article 3 of the Real Property Tax Law";

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the Town of Amenia Town Hall, 4988 Route 22, Amenia, New York, during normal business hours on all business days between the date of this notice and the date of the public hearing;

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Amenia, New York
July 6, 2017


DAWN MARIE KLINGNER, TOWN CLERK

[Resolution No. 20 of 2017 introducing Proposed Local Law No. 1 of 2017 – continued]

The foregoing resolution was voted upon with all councilwomen/councilmen voting as follows:

Supervisor Perotti	Yes
Councilwoman Doyle	Yes
Councilman DeLango	Absent
Councilman Gutierrez	Yes
Councilman Morris	Yes

DATED: Amenia, New York
July 6, 2017


DAWN MARIE KLINGNER, TOWN CLERK

ATTACHMENT A

A LOCAL LAW PROVIDING FOR THE APPOINTMENT OF A SOLE APPOINTIVE ASSESSOR PURSUANT TO ARTICLE 3 OF THE REAL PROPERTY TAX LAW

SECTION 1. Title

The Law shall be entitled: "A Local Law Providing for the Appointment of a Sole Appointive Assessor Pursuant to Article 3 of the Real Property Tax Law".

SECTION 2. Purpose and Intent

The purpose of this Local Law is to provide for the appointment of a Sole Appointive Assessor in the Town of Amenia pursuant to Section 328 of Article 3 of the Real Property Tax Law of the State of New York ("Real Property Tax Law") and to abolish the elective office of Sole Assessor.

SECTION 3. Amendment of Town Code.

Chapter 4, entitled, "ASSESSORS", of the Town Code of the Town of Amenia ("Town Code") is amended as follows:

§4-1 is amended to read: **Legislative intent.**

The Town of Amenia has determined the necessity to appoint a Sole Appointive Assessor pursuant to §328 of Article 3 of the Real Property Tax Law and to abolish the elective office of Sole Assessor.

§4-2 is amended to read: **Appointment of Sole Appointive Assessor.**

The Town Board of the Town of Amenia hereby enacts, pursuant to §328 of Article 3 of the Real Property Tax Law, that: From and after November 7, 2017, there shall be a Sole Appointive Assessor to be appointed by the Town Board as provided in §310 of Article 3 of the Real Property Tax Law, whose term shall be as provided in §310 of Article 3 of the Real Property Tax Law, and the elective office of Sole Assessor shall be abolished.

§4-3 remains as: **Provisions Subject to Referendum.**

This chapter shall be subject to mandatory referendum in the manner prescribed in §23 of the Municipal Home Rule Law.

§4-4 is amended to read: **Approval by Qualified Voters.**

This chapter shall only become effective if approved by a majority of the qualified voters of the Town of Amenia voting at the general election to be held on November 7, 2017 and, if so approved, shall be effective immediately on filing with the New York Department of State.

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. Effective Date and Applicability

This Local Law shall only become effective if approved by a majority of the qualified voters of the Town of Amenia voting at the general election to be held on November 7, 2017 and, if so approved, shall be effective immediately on filing with the New York Secretary of State.