



# TOWN OF AMENIA

## TOWN BOARD

4988 Route 22, AMENIA, NY 12501  
TEL: 845-373-8860 [www.ameniany.gov](http://www.ameniany.gov)

### RESOLUTION NO. 27 OF 2017

#### ADOPTING TOWN OF AMENIA LOCAL LAW NO. 3 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"

WHEREAS, Resolution No. 20 was duly adopted by the Town Board of the Town of Amenia ("Town Board") on July 6, 2017 introducing 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 for a public hearing to be held by the Town Board at Town Hall, 4988 Route 22, Amenia, New York, at 7:00 p.m. on August 3, 2017 to hear all interested parties on said proposed Local Law No. 1, and

WHEREAS, Notice of said Public Hearing was duly advertised in the Millerton News, the official newspaper of the Town of Amenia ("the Town"), on July 13, 2017, and posted on the Town Clerk's signboard on July 7, 2017, and

WHEREAS, said public hearing was duly held at the Town Hall at 7:00 p.m. on August 3, 2017, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law,

NOW, THEREFORE, BE IT RESOLVED that:

- 1) pursuant to Part 617 of the implementing regulations pertaining to Article 8, State Environmental Quality Review Act ("SEQR"), it is determined by the Town Board that adoption of said proposed Local Law does not constitute an action as defined in that adoption of said Local Law will not affect the environment and, therefore, said Local Law may be considered without further regard to SEQR, and
- 2) the Town Board hereby adopts said Local Law entitled, "A Local Law Providing for the Appointment of a Sole Appointive Assessor Pursuant to Article 3 of the Real Property Tax Law," a copy of which is attached hereto and made a part hereof, and the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and, subject to the requirements of the referendum described in said law, to enter said Local Law in the Local Law Book of the Town, and to give due notice of the adoption of said Local Law to, and to file said Local Law with, the New York Secretary of State.

Supervisor Perotti motioned, seconded by Councilman Morris; The foregoing Resolution was voted upon with all councilwomen/councilmen voting as follows:

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

DATED: Amenia, New York  
August 3, 2017

  
DAWN MARIE KLINGNER, TOWN CLERK

**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.