



# TOWN OF AMENIA

## TOWN BOARD

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

### RESOLUTION No. 44 of 2017

#### **INTRODUCING PROPOSED LOCAL LAW NO. 3 OF 2017 ENTITLED, "A LOCAL LAW TO AMEND LOCAL LAW NO. 2 OF 2008 TO EXTEND THE COLD WAR VETERANS EXEMPTION"**

**WHEREAS**, Section 458-b of the New York Real Property Tax Law ("N.Y. RPTL") provides an exemption from taxation to qualified residential real property owned by Cold War veterans and/or qualified owners for a period of ten years provided municipalities adopt a local law authorizing the same; and

**WHEREAS**, pursuant to Local Law 2 of 2008, the Town Board of the Town of Amenia (the "Town Board") adopted a local law establishing an exemption from real property taxes for Cold War Veterans in accordance with Section 458-b of the N.Y. RPTL; and

**WHEREAS**, recent amendments to Section 458-b of the N.Y. RPTL provide that municipalities may "adopt a local law ... providing that the exemption authorized by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to such ten year limitation";

**WHEREAS**, the Town Board desires to extend the aforementioned exemption in accordance with the statutory amendments to Section 458-b of the N.Y. RPTL, which became effective on September 12, 2017.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board, duly convened at a regular meeting on October 5, 2017, that, pursuant to Section 458-b(2)(c)(iii) of the N.Y. RPTL, the Town Board hereby introduces the following Local Law to be known as Local Law \_\_\_ of 2017 entitled, "A Local Law to Amend Local Law No. 2 of 2008 to Extend The Cold War Veterans Exemption";

**BE IT FURTHER RESOLVED**, by the Town Board as follows:

**Section 1. Statement of Purpose and Intent.**

The purpose of this resolution is to introduce Proposed Local Law No. 2 of 2017. The Proposed Local Law is to amend Local Law No. 2 of 2008, which established the Cold War veterans exemption in accordance with Section 458-b(2)(c)(iii) of the N.Y. RPTL. The proposed local law will amend Local Law No. 2 of 2008, codified at Section 109-3.2 of the Town of Amenia Town Code, to add the following text as subsection C:

“C. The exemption authorized by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to the ten year limitation as set forth in § 458-b, Subdivision (2)(c)(iii) of the New York Real Property Tax Law.”

**Section 2. Effective Date.**

This resolution shall become effective immediately. If enacted, the local law shall become effective immediately upon filing with the New York Secretary of State.

**Section 3. Public Hearing.**

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. Therefore a public hearing shall be held in relation to said Proposed Local Law as set forth in the form of notice hereinafter provided, at which interested parties and citizens shall have an opportunity to be heard. This hearing shall be held at the Town Hall on November 2, 2017, at 7:00 o'clock p.m., and 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 ten (10) days before such hearing, and 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 November 2, 2017 at 7:00 o'clock p.m., on proposed Local Law No. 2 of 2017, entitled, "A Local Law to Amend Local Law No. 2 of 2008 to Extend The Cold War Veterans Exemption" (the "Proposed Local Law"). The purpose of the Proposed Local Law is to provide tax exemptions to qualifying owners of qualifying real property for as long as they remain qualifying Cold War veterans and/or qualifying owners, without regard to the ten year limitation set forth in Section 458-b, Subdivision (2)(c)(3) of the New York Real Property 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  
October 5, 2017

DAWN MARIE KLINGNER, TOWN CLERK

Motion made by Supervisor Perotti; Seconded by Councilwoman Doyle

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

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

DATED: Amenia, New York  
October 5, 2017

  
DAWN MARIE KLINGNER, TOWN

**LOCAL LAW NO. \_\_ - 2017**

**Dated:**

**A LOCAL LAW TO AMEND LOCAL LAW NO. 2 OF 2008 TO EXTEND THE COLD WAR VETERANS REAL PROPERTY TAX LAW EXEMPTION**

**BE IT ENACTED** by the Town Board of the Town of Amenia, in the County of Dutchess, as follows:

**Section 1. Title of Local Law.**

This Local Law shall be entitled “A Local Law to Amend Local Law No. 2 of 2008 to Extend The Cold War Real Property Tax Law Veterans Exemption”.

**Section 2. Authorization.**

This Local Law is adopted pursuant to section 10 of the Municipal Home Rule Law.

**Section 3. Purpose.**

The purpose of this Local Law is to amend Local Law No. 2 of 2008 and Town Code Section 109-3.2, which established the Cold War veterans exemption in accordance with Section 458-b(2)(c)(iii) of the New York Real Property Tax Law. The proposed local law will amend Local Law No. 2 of 2008 and Section 109-3.2 of the Town of Amenia Town Code, to add the following text as subsection C:

“C. The exemption authorized by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to the ten year limitation as set forth in § 458-b, Subdivision (2)(c)(iii) of the New York Real Property Tax Law.”

**Section 4. Severability.**

Each separate provision of this Local Law shall be deemed independent of all other provisions therein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

**Section 5. Effective Date.**

This Local Law shall take effect immediately upon its filing with the Secretary of State.