



SUSAN E. SAVAGE
CHAIR OF THE LEGISLATURE

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County of Schenectady

NEW YORK

SCHENECTADY COUNTY LEGISLATURE

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May 13, 2008 - 7:00 PM

SPECIAL COMMITTEE MEETING LEGISLATIVE CONFERENCE REGULAR MEETING PUBLIC HEARING

SPECIAL COMMITTEE MEETING

1. Special Committee Meeting Called to Order
2. Reading of the Special Committee Meeting Notice by the Clerk:

THERE SHALL BE a Special Meeting of the Committee on Ways and Means on Tuesday, May 13, 2008 at 7:00 p.m. by the call of Committee Chair Philip Fields to be held in the Chambers of the Schenectady County Legislature located at 620 State Street, Schenectady, New York, 6th Floor, for the purpose of hosting an informational presentation by the New York State Association of Counties regarding the impact of the recently adopted New York State budget on counties.

3. Special Committee Meeting
4. Adjourn Special Committee Meeting

PUBLIC HEARING

1. Public Hearing called to order.
2. Roll Call
3. Reading of Public Hearing Notice by Clerk:

PLEASE TAKE NOTICE that pursuant to section 20 of the Municipal Home Rule Law, a public hearing is hereby called upon proposed Local Law No. 06-2008, to be held before the Legislature of the County of Schenectady, in the Legislative Chambers in the County Office Building, 620 State Street, Schenectady, New York on the 13th day of May, 2008 at 7:00 pm for the purpose of hearing all interested persons on the question of adoption of the proposed Local Law adopting a real property tax exemption for “Cold War” veterans as authorized by section 458-b of the real property tax law.

4. Appearance by the Public
5. Close Public Hearing

LEGISLATIVE CONFERENCE

1. Call to order
2. Roll Call
3. Invocation
4. Pledge of Allegiance
5. Presentation of Ceremonial Resolutions
6. Meeting of the Rules Committee
7. Privilege of the Floor

REGULAR MEETING **AGENDA**

1. Call to Order of Regular Monthly Meeting
2. Roll Call
3. Approval of the Minutes
4. Reports
5. Communications
6. Reports from Standing Committees
7. Resolution 75-08 Legislator Fields (CF1) A RESOLUTION TO CREATE CERTAIN POSITIONS IN THE COUNTY YOUTH BUREAU, TO AUTHORIZE THE ESTABLISHMENT OF LICENSED SUMMER DAY CAMP AND TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO NECESSARY AGREEMENTS FOR THE CREATION OF SUCH DAY CAMP
8. Resolution 76-08 Legislator Finn (EDP3) A RESOLUTION AUTHORIZING SCHENECTADY COUNTY TO ENTER INTO AN AGREEMENT WITH THE SCHENECTADY METROPLEX

DEVELOPMENT AUTHORITY REGARDING THE
CONSTRUCTION AND PAYMENT OF A COUNTY
ROADWAY

9. Resolution 77-08 Legislator Finn (EDP4) A RESOLUTION AUTHORIZING SCHENECTADY COUNTY TO CONVEY REAL PROPERTY TO THE SCHENECTADY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

10. Resolution 78-08 Legislator Petta (ECP2) A RESOLUTION CALLING FOR A PUBLIC HEARING TO REVIEW AND CONSIDER THE RECOMMENDATIONS OF THE SCHENECTADY COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD REGARDING PARCELS TO BE ADDED TO AGRICULTURAL DISTRICT NUMBER 1

11. Resolution 79-08 Legislator Jasenski (IC1) A RESOLUTION AUTHORIZING AN AMENDMENT TO THE SNOW AND ICE AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE 2007/08 WINTER SEASON

12. Resolution 80-08 Legislator Dagostino (IC2) A RESOLUTION AUTHORIZING SCHENECTADY COUNTY TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF CORRECTIONS

13. Resolution 81-08 Legislator McDonald (PF7) A RESOLUTION CALLING FOR A PUBLIC HEARING ON A PROPOSED LEASE OF REAL PROPERTY AT THE SCHENECTADY COUNTY AIRPORT

14. Resolution 82-08 Legislator Fields (WM10) A RESOLUTION CORRECTING CLERICAL ERRORS ON THE MUNICIPAL TAX ROLL OF ROTTERDAM

15. Resolution 83-08 Legislator Fields (WM11) A RESOLUTION AUTHORIZING A MORTGAGE TAX DISTRIBUTION OF \$1,626,906.11 TO THE VARIOUS MUNICIPALITIES OF SCHENECTADY COUNTY FOR THE PERIOD OCTOBER 1, 2007 TO MARCH 31, 2008

16. Resolution 84-08 Legislator Finn (R40) A RESOLUTION ADOPTING LOCAL LAW NO. 04-2008

26. Any Other Resolutions Sponsored by the Committee on Rules

27. Adjournment



Schenectady County Legislature

RESOLUTION 75-08

Sponsored by Legislator Fields:

A RESOLUTION TO CREATE CERTAIN POSITIONS IN THE COUNTY YOUTH BUREAU, TO AUTHORIZE THE ESTABLISHMENT OF A LICENSED SUMMER DAY CAMP AND TO AUTHORIZE THE COUNTY MANAGER TO ENTER INTO NECESSARY AGREEMENTS FOR THE CREATION OF SUCH CAMP

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Assistant to the Commissioner of Social Services for Youth Development by memorandum dated May 1, 2008 recommends the creation of a licensed day camp for children to be operated at Central Park in the City of Schenectady entitled the Schenectady County City Outreach in Recreation and Education (SCCORE); and

WHEREAS, the Assistant to the Commissioner of Social Services for Youth Development advises that such day camp would be administered by the Schenectady County Youth Bureau, in cooperation with the City of Schenectady and the Schenectady City School District; and

WHEREAS, the Assistant to the Commissioner of Social Services for Youth Development further advises that such day camp would operate for six weeks (July 7th to August 15th) from Monday to Friday during the hours of 9:00 am to 1:00 pm; and

WHEREAS, the Assistant to the Commissioner of Social Services for Youth Development further advises that a maximum of seventy-five children between the ages of eight and twelve years old would be enrolled in such day camp on a “first-come, first-serve” basis; and

WHEREAS, the Assistant to the Commissioner of Social Services for Youth Development further advises that the weekly fee for such day camp would be \$50; and

WHEREAS, the Assistant to the Commissioner of Social Services for Youth Development further advises that six temporary staff would be needed to operate such day camp – one camp director and five recreation leaders; and

WHEREAS, the Assistant to the Commissioner of Social Services for Youth Development further advises that such day camp would involve five program activities for the participants – swimming, tennis, boating/fishing, computer technology and horticulture; and

WHEREAS, the Assistant to the Commissioner of Social Services for Youth Development further advises that such program activities would utilize existing facilities, including:

- Swimming would be conducted at the Central Park pool,
- Tennis would be conducted at the Central Park tennis courts,
- Boating/fishing would be conducted at Iroquois Lake in Central Park,
- Computer technology would be conducted at Central Park Middle School, and
- Horticulture would be conducted at the Schenectady Horticulture Education Center at Central Park; and

WHEREAS, the Personnel Administrator by memorandum dated May 2, 2008 states that the Schenectady County Civil Service Commission, at its May 20, 2008 meeting, will create the following positions in the County Youth Bureau: one position of SCCORE Camp Director, and five positions of Recreation Leader; and

WHEREAS, the Personnel Administrator further states that the position of SCCORE Camp Director will have a rate of \$16.67 to \$20.00 per hour, and

the position of Recreation Leader will have a rate of \$12.00 to \$13.00 per hour; and

WHEREAS, the County Manager by memorandum dated May 2, 2008 recommends the establishment of a summer day camp in Central Park, the creation of one position of Camp Director and five positions of Recreation Leader, and the approval of the appropriate budgetary amendments; now, therefore, be it

RESOLVED, that the following positions in the County Youth Bureau be and they hereby are created as follows:

<u>Position</u>	<u>Hourly Rate</u>
SCCORE Camp Director	\$16.67 to \$20.00
Recreation Leader	\$12.00 to \$13.00
Recreation Leader	\$12.00 to \$13.00
Recreation Leader	\$12.00 to \$13.00
Recreation Leader	\$12.00 to \$13.00
Recreation Leader	\$12.00 to \$13.00

; and, be it further

RESOLVED, that the County Manager be and she hereby is directed to establish a licensed summer day camp located in the City of Schenectady at Central Park entitled the Schenectady County City Outreach in Recreation and Education (SCCORE); and, be it further

RESOLVED, that the County Manager be and she hereby is authorized, after approval by the County Attorney as to form and content, to execute all necessary documents and agreements with the City of Schenectady, the Schenectady City School District, the Cornell Cooperative Extension, and all State and local licensing entities to establish and operate a licensed summer day camp consistent with the provisions of this resolution; and, be it further

RESOLVED, that the 2008 Operational Budget be and it hereby is amended as follows:

Establish Appropriation Codes:

A7310.112 – Hourly rated wages	\$ 14,875.
A7310.415106 – SCCORE – Summer Camp Various	\$ 4,535.
A7310.429 – Professional Services	\$ 1,950.

Increase Appropriation Codes by:

A9030.800 – Fringe Benefits – Social Security	\$ 1,140.
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Establish Revenue Code:

A2705.15 – Participant Fees – Summer Camp	\$ 22,500.
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Schenectady County Legislature

RESOLUTION 76-08

Sponsored by Legislator Finn:

A RESOLUTION AUTHORIZING SCHENECTADY COUNTY TO ENTER INTO AN AGREEMENT WITH THE SCHENECTADY METROPLEX DEVELOPMENT AUTHORITY REGARDING THE CONSTRUCTION AND PAYMENT OF A COUNTY ROADWAY

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Director of Public Works by memorandum dated May 2, 2008 advises that a proposed letter agreement has been prepared between Schenectady County and the Schenectady Metroplex Development Authority for the construction of a county roadway to serve the Fortitech Industrial Development Site at the Schenectady County Airport; and

WHEREAS, the Director of Public Works recommends that this Governing Body approve the proposed letter agreement; and

WHEREAS, the County Attorney by memorandum dated May 2, 2008 advises that the Schenectady Metroplex Development Authority agrees to provide Schenectady County up to \$150,000.00 for the construction of a county roadway; and

WHEREAS, the County Attorney further advises that if the cost for the project exceeds \$150,000.00 the Schenectady Metroplex Development Authority will use its best efforts to fully compensate Schenectady County for the expense of the roadway; and

WHEREAS, the County Attorney advises that the proposed letter agreement includes the following major items:

1. The County will construct a roadway, complying with all appropriate requirements and specifications, from the end of Rudy Chase Drive (County Road #18) to a point at the vehicle entranceway of the Fortitech Industrial Development Site; and
2. Construction of such roadway shall be substantially completed on or before October 15, 2008; and

WHEREAS, the County Manager by memorandum dated May 2, 2008 recommends approval of the proposed letter agreement between Schenectady County and Schenectady Metroplex Development Authority, and the approval of the necessary budgetary amendments; now, therefore be it

RESOLVED, that the County Manager be and she hereby is authorized, after approval of the County Attorney as to form and content, to negotiate and to execute an agreement with the Schenectady Metroplex Development Authority, and any and all additional agreements with any party necessary to complete this project, consistent with the provisions of this Resolution; and, be it further

RESOLVED, that the 2008 Capital Improvement Program be and it hereby is amended as follows:

Establish Appropriation Code:

H5610-2008/31 – Extension of Rudy Chase Drive \$ 150,000.

Increase Revenue Code by:

H2397 – Other Local Governments \$ 150,000.



Schenectady County Legislature

RESOLUTION 77-08

Sponsored by Legislator Finn:

A RESOLUTION AUTHORIZING SCHENECTADY COUNTY TO CONVEY REAL PROPERTY TO THE SCHENECTADY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the County Attorney by memorandum dated May 2, 2008 advises that a proposed contract for purchase and sale of real estate for the transfer of approximately 24 acres of real property from Schenectady County to the Schenectady County Industrial Development Agency for \$1,050,000.00 has been filed with the Clerk of the County Legislature; and

WHEREAS, schedule A of such proposed contract for purchase and sale of real estate describes the two parcels of land to be conveyed, which parcels are located in the Town of Glenville, lying along the southeasterly line of NYS route 50, state highway no. 5314, Saratoga Road, and approximately 0.75 miles southerly of Glenridge Road; and

WHEREAS, the County Attorney recommends that this Governing Body authorize the County Manager to execute such proposed contract for purchase and sale of real property on behalf of Schenectady County; and

WHEREAS, the County Manager by memorandum dated May 2, 2008 recommends the approval of the proposed contract for purchase and sale of real estate; now, therefore be it

RESOLVED, that the County Manager be and she hereby is authorized, after approval of the County Attorney as to form and content and in furtherance of a public or municipal purpose of the County of Schenectady, to execute a contract for the purchase and sale of real estate for the aforesaid parcel, and to execute all other necessary documents for the conveyance of the aforesaid real property to the Schenectady County Industrial Development Agency.



Schenectady County Legislature

RESOLUTION 78-08

Sponsored by Legislator Petta:

**A RESOLUTION CALLING FOR A PUBLIC HEARING TO
REVIEW AND CONSIDER THE RECOMMENDATIONS OF THE
SCHENECTADY COUNTY AGRICULTURAL AND FARMLAND
PROTECTION BOARD REGARDING PARCELS TO BE ADDED TO
AGRICULTURAL DISTRICT NUMBER 1**

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, section 303-b of the Agriculture and Markets Law of the State of New York requires the legislative body of any county containing a certified agricultural district to designate an annual thirty-day period whereby a land owner can request that certain lands be included within such certified agricultural district; and

WHEREAS, in compliance with such requirement, the Legislature, by Resolution 214-05, designated December 1, 2007 to December 31, 2007 as the period whereby a land owner can submit requests to this Legislature that certain lands be included within the Schenectady County Agricultural District; and

WHEREAS, during such period the County received seven applications for certain parcels to be included within the Schenectady County Agricultural District; and

WHEREAS, the parcels requested to be included within the Schenectady County Agricultural District are as follows:

<u><i>Town</i></u>	<u><i>S/B/L</i></u>	<u><i>Owner</i></u>
Duanesburg	76.00-2-10	Mary Ann Cornaire
Duanesburg	76.00-2-9.112	Mary Ann Cornaire
Rotterdam	37.-2-2.11	Francis & Marilyn DelGallo
Niskayuna	60.8-1-36.1	Tom & Terri Lennon
Niskayuna	60.8-1-1.2/1	Tom & Terri Lennon
Rotterdam	36.-3-41.1	Elbert & Nancy Watrous
Rotterdam	36.-3-49	Elbert & Nancy Watrous
Rotterdam	36.-3-48	Elbert & Nancy Watrous
Rotterdam	46.-4-2.111	Elbert & Nancy Watrous
Rotterdam	47.-5-13.121	Brad & Andrea Strang
Rotterdam	36.-3-50.2	Brad & Andrea Strang
Rotterdam	36.-2-11.2	Brad & Andrea Strang
Rotterdam	47.-5-13.2	Norma Coffenberg
Princetown	18.-1-3.21	Thomas & Maureen Chico
Princetown	18.-1-3.22	David & Mary Chico

; and

WHEREAS, the Schenectady County Agricultural and Farmland Protection Board met on March 18, 2008 to review such applications, and finds that the aforementioned parcels consist predominantly of “viable agricultural land” and the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district; and

WHEREAS, the Commissioner of the Department of Economic Development and Planning by memorandum dated April 17, 2008 recommends that the County Legislature conduct a public hearing to consider the recommendations of the Schenectady County Agricultural and Farmland Protection Board; and

WHEREAS, the County Manager by memorandum dated May 2, 2008 recommends that the County Legislature conduct a public hearing to

consider the recommendations of the Schenectady County Agricultural and Farmland Protection Board; now, therefore, be it

RESOLVED, that pursuant to section 303-b of the Agriculture and Markets Law, this Governing Body hereby declares that it will conduct a public hearing to be held before the Legislature of the County of Schenectady, in the Legislative Chambers in the County Office Building, 620 State Street, Schenectady, New York on the 10th day of June, 2008 at 7:00 pm for the purpose of hearing all interested persons on the recommendations of the Schenectady County Agricultural and Farmland Protection Board; and, be it further

RESOLVED, that the Clerk of the Schenectady County Legislature is hereby authorized to publish a notice of such public hearing, as outlined in section 303-b of the Agriculture and Markets Law, in a newspaper having a general circulation within Schenectady County, and to send a written notice of such public hearing to appropriate officials of the municipalities in the County for posting within the respective municipality.



Schenectady County Legislature

RESOLUTION 79-08

Sponsored by Legislator Jasenski:

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE SNOW AND ICE AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE 2007/08 WINTER SEASON

BE IT ENACTED by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Director of Public Works advises by memorandum dated May 1, 2008 of the receipt of an amendment to the 2007/08 municipal snow and ice agreement with the New York State Department of Transportation (DOT); and

WHEREAS, the Director of Public Works further advises that the amendment to the existing agreement reflects the severity of the winter and the high cost of fuel during the plowing season; and

WHEREAS, the Director of Public Works further advises that the amount in the original agreement that is payable to the County would be increased from \$706,120.83 to \$1,001,036.21; and

WHEREAS, the DOT Resident Engineer for Schenectady County advises by letter dated April 28, 2008 that DOT has approved an operational adjustment for the 2007/08 municipal snow and ice agreement with Schenectady County; and

WHEREAS, the County Manager by memorandum dated May 2, 2008 recommends that the County amend its 2007/08 snow and ice contract with the DOT to include the aforesaid changes; now, therefore, be it

RESOLVED, that the County Manager be and she hereby is, authorized to execute an amendment to the 2007/08 snow and ice agreement with DOT as detailed herein, after approval by the County Attorney as to form and content.



Schenectady County Legislature

RESOLUTION 80-08

Sponsored by Legislator Dagostino:

A RESOLUTION AUTHORIZING SCHENECTADY COUNTY TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Undersheriff of the Office of the Schenectady County Sheriff recommends by memorandum dated May 2, 2008 that Schenectady County enter into a three-year agreement with the NYS Department of Correctional Services (DOCS) for food service for the inmates; and

WHEREAS, the Undersheriff advises that a cost/benefit analysis performed in conjunction with the County Manager's Office determined that a savings of approximately \$1,000.00 per week could be realized in food costs if the Schenectady County Correctional Facility utilized the food services of DOCS; and

WHEREAS, the Assistant to the County Manager recommends by memorandum dated April 24, 2008 that the Schenectady County Correctional Facility utilize the food services of DOCS, which is prepared under a "cook/chill" method, for the inmates at the County Facility; and

WHEREAS, the Assistant to the County Manager further advises that, subject to legislative approval, the following are essential terms of the agreement, to wit:

1. DOCS would provide food products as requested by Schenectady County;
2. DOCS would transport and deliver the food products to Schenectady County on a weekly basis;
3. The agreement would remain in effect until April 30, 2011;
4. Either party could terminate the agreement on ninety days notice;
and

WHEREAS, the County Manager by memorandum dated May 2, 2008 recommends that the County enter into an agreement with the New York State Department of Correctional Services for the aforementioned food services; now, therefore, be it

RESOLVED, that the County Manager be and she hereby is authorized, after approval of the County Attorney as to form and content, to negotiate and to execute an agreement with the NYS Department of Correctional Services consistent with the provisions of this Resolution.



Schenectady County Legislature

RESOLUTION 81-08

Sponsored by Legislator McDonald:

A RESOLUTION CALLING A PUBLIC HEARING ON A PROPOSED LEASE OF REAL PROPERTY AT THE SCHENECTADY COUNTY AIRPORT

BE IT ENACTED by the Legislature of the County of Schenectady, as follows:

WHEREAS, the Director of Public Works has submitted a memorandum dated May 2, 2008 that provides details regarding the negotiation of a lease agreement with Bruce Tanski for the use of a portion of the Schenectady County Airport for the building of a hangar; and

WHEREAS, the Commissioner of the Department of Economic Development and Planning by memorandum dated April 18, 2008 advises that Bruce Tanski has submitted a proposal to Schenectady County for the construction of a hangar at the Schenectady County Airport for use by private aircraft; and

WHEREAS, no lease for real property for the conduct of business activities that permits the construction of any building on or at a county owned airport can be made by law until the governing body of the county shall have held a public hearing in respect thereto on at least ten days' notice, published in a newspaper having general circulation in the county; now, therefore, be it

RESOLVED, that pursuant to section 352 of the General Municipal Law, a public hearing shall be held in the Chambers of the Schenectady County Legislature, 620 State Street, Schenectady, New York at 7:00 pm on the 10th day of June, 2008, for the purposes of hearing all interested persons on the question of entering into a lease agreement with Bruce Tanski for the

construction and use of a hangar at the Schenectady County Airport; and, be it further

RESOLVED, that notice of such public hearing be published once in the Daily Gazette at least ten days in advance of such public hearing, and that such notice refer to the essential terms of the proposed lease agreement including a general description of the activities on the leased premises, the name of the parties to the agreement, the proposed term of the agreement, and the proposed rent, if any.



Schenectady County Legislature

RESOLUTION 82-08

Sponsored by Legislator Fields:

A RESOLUTION CORRECTING CLERICAL ERRORS ON THE MUNICIPAL TAX ROLL OF ROTTERDAM

BE IT ENACTED by the Legislature of the County of Schenectady, as follows:

WHEREAS, Section 554 of the Real Property Tax Law provides that this County Legislature shall consider applications for correction of tax rolls when there are clerical errors, unlawful entries, or certain errors in essential facts; and

WHEREAS, this Legislature can either accept or reject the aforesaid applications; and

WHEREAS, the Director of the Real Property Tax Service Agency has reviewed the hereinafter indicated application and has recommended by memorandum dated April 21, 2008 acceptance of same; now, therefore, be it

RESOLVED, that, pursuant to provisions of the Real Property Tax Law, the application is approved and the Rotterdam tax roll is corrected, to wit:

<u>TOWN</u>	<u>OWNER S/B/L</u>	<u>REASON</u>	<u>AMOUNT OF TAXES BILLED</u>	<u>AMOUNT OF TAXES DUE</u>
Rotterdam	J&M Pardus 47.-5-13.11	Error	\$ 3,328.34	\$ 795.33
			Amt. of Refund	\$ 2,533.01

; and, be it further

RESOLVED, that the Commissioner of Finance and the Director of the Real Property Tax Service Agency be and they are hereby authorized to take appropriate action as authorized by law to implement the provisions of this Resolution.



Schenectady County Legislature

RESOLUTION 83-08

Sponsored by Legislator Fields:

**A RESOLUTION AUTHORIZING A MORTGAGE TAX
DISTRIBUTION OF \$1,626,906.11 TO THE VARIOUS
MUNICIPALITIES OF SCHENECTADY COUNTY FOR THE
PERIOD OCTOBER 1, 2007 TO MARCH 31, 2008**

BE IT ENACTED, by the Legislature of the County of Schenectady, as follows:

WHEREAS, a joint report of the Recording Officer and the Commissioner of Finance was filed with the Clerk of the Legislature, showing the amount of mortgage tax monies collected during the preceding period ending March 31, 2008 and credited to each tax district of the county; and

WHEREAS, the Legislature is required to issue the warrant to the Commissioner of Finance directing payment to be made to the proper officer in each city, village and town of the county of the proportionate share to which each city, village and town is entitled by law, now, therefore, be it

RESOLVED, that the joint report of the Recording Officer and Commissioner of Finance be accepted in accordance with the schedule hereinafter specifically set forth, to wit:

Village of Delanson	\$ 2,626.27
Town of Duanesburg	\$ 88,960.56
Village of Scotia	\$ 35,720.53
Town of Glenville	\$ 345,787.30
Town of Niskayuna	\$ 335,568.33
Town of Princetown	\$ 24,099.55

Town of Rotterdam	\$ 350,541.94
City of Schenectady	<u>\$ 443,601.63</u>
TOTAL	\$1,626,906.11

; and, be it further

RESOLVED, that the foregoing statement shall be to the Commissioner of Finance a sufficient warrant for the payment of said monies; and, be it further

RESOLVED, that a certified copy of this Resolution be transmitted by the Clerk of the Legislature to the Commissioner of Finance and to the proper officer of each city, village, and town entitled to payment mentioned herein.



Schenectady County Legislature

PROPOSED LOCAL LAW NO. 6—08

COUNTY OF SCHENECTADY

Introduced by Legislator Finn:

**A LOCAL LAW ADOPTING A REAL PROPERTY TAX
EXEMPTION FOR “COLD WAR” VETERANS AS AUTHORIZED
BY SECTION 458-B OF THE REAL PROPERTY TAX LAW**

BE IT ENACTED by the Legislature of the County of Schenectady, as follows:

Section 1. Definitions.

1. As used in this local law:

(a) "Cold War veteran" means a person, male or female, who served on active duty in the United States armed forces, during the time period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one, and was discharged or released therefrom under honorable conditions.

(b) "Armed forces" means the United States army, navy, Marine Corps, Air Force, and Coast Guard.

(c) "Active duty" means full-time duty in the United States armed forces, other than active duty for training.

(d) "Service connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty on active military, naval or air service.

(e) "Qualified owner" means a Cold War veteran, the spouse of a Cold War veteran, or the unremarried surviving spouse of a deceased Cold War veteran. Where property is owned by more than one qualified owner, the exemption to which each is entitled may be combined. Where a veteran is also the unremarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.

(f) "Qualified residential real property" means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section. Such property shall be the primary residence of the Cold War veteran or the unremarried surviving spouse of a Cold War veteran, unless the Cold War veteran or unremarried surviving spouse is absent from the property due to medical reasons or institutionalization.

(g) "Latest state equalization rate" means the latest final equalization rate established by the state board pursuant to article twelve of this chapter.

(h) "Latest class ratio" means the latest final class ratio established by the state board pursuant to title one of article twelve of this chapter for use in a special assessing unit as defined in section eighteen hundred one of this chapter.

Section 2. Exemption.

1. Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent of the assessed value of such property; provided however, that such exemption shall not exceed twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.

2. In addition to the exemption provided by paragraph (1) of this subdivision, where the Cold War veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed forty thousand dollars, or the product of forty thousand dollars multiplied by the latest state equalization rate for the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.

3. Application for exemption shall be made by the owner, or all of the owners, of the property on a form prescribed by the state board. The owner or owners shall file the completed form in the assessor's office on or before the first appropriate taxable status date. This exemption shall continue in full force and effect for all appropriate subsequent tax years and the owner or owners of the property shall not be required to refile each year. Applicants shall be required to refile on or before the appropriate taxable status date if the percentage of disability percentage increases or decreases or may refile if other changes have occurred which affect qualification for an increased or decreased amount of exemption. Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the penal law.

Section 3. Limitations.

1. The exemption provided by section two shall be granted for a period of ten years. The commencement of such ten year period shall be governed pursuant to this section. Where a qualified owner owns qualifying residential real property on the effective date of this local law, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of this local law providing for such exemption. Where a qualified owner does not own qualifying residential real property on the effective date of this local law providing for such exemption, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least sixty days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply

for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within sixty days after the date of purchase of residential real property, such ten year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted for the unexpired portion of the ten year exemption period.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision or part of this local law or the application thereof to any person, firm or corporation or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This law shall take effect immediately after its final adoption, filing and publication in accordance with section 27 of the Municipal Home Rule Law and section 2.12 of the Charter of the County of Schenectady.



Schenectady County Legislature

RESOLUTION 84-08

Sponsored by Legislator Finn:

A RESOLUTION ADOPTING LOCAL LAW NO. 04-2008

BE IT ENACTED by the Legislature of the County of Schenectady, as follows;

WHEREAS, proposed Local Law No. 06-2008, entitled:

A LOCAL LAW ADOPTING A REAL PROPERTY TAX EXEMPTION FOR "COLD WAR" VETERANS AS AUTHORIZED BY SECTION 458-B OF THE REAL PROPERTY TAX LAW

was heretofore introduced on April 8, 2008; and

WHEREAS, in accordance with the law, a public hearing upon proposed Local Law No. 06-2008, before this County Legislature, was duly held on the 13th day of May, 2008; and

WHEREAS, said proposed Local Law in final form has been on the desks of the members of this County Legislature since the 8th day of April, 2008, constituting a period of over seven (7) days, exclusive of Sundays; now, therefore, be it

RESOLVED, that the aforesaid proposed Local Law No. 06-2008 entitled:

A LOCAL LAW ADOPTING A REAL PROPERTY TAX EXEMPTION FOR "COLD WAR" VETERANS AS AUTHORIZED BY SECTION 458-B OF THE REAL PROPERTY TAX LAW

introduced on the 8th day of April, 2008, be and the same is hereby approved and adopted as Local Law No. 04-2008.