

Resolution No. 15 of 2021

At a meeting of the Town of Clinton Town Board duly held at the Town Hall, Centre Road in the Town of Clinton on the 9th day of February, 2021. Upon the calling of the roll by the Town Clerk the following members were:

Present: Supervisor Ray Oberly
Councilman Chris Juliano
Councilman Whitton
Councilwoman Cunningham

Absent: Councilman Dean Michael

The following resolution was offered for adoption by Supervisor Oberly which resolution was seconded by Councilman Juliano

RESOLUTION (1) EXTENDING TO THE 2021 ASSESSMENT ROLL THE RENEWAL OF EXEMPTIONS RECEIVED ON THE 2020 ASSESSMENT ROLL PURSUANT TO SECTIONS 467 AND 459-C OF THE NEW YORK REAL PROPERTY TAX LAW (NY RPTL) FOR ELIGIBLE PERSONS AGE SIXTY-FIVE (65) AND OLDER AND ELIGIBLE PERSONS WITH DISABILITIES AND LIMITED INCOME, (2) DISPENSING WITH THE NEED FOR RENEWAL APPLICATIONS FROM SUCH QUALIFIED PERSONS, AND (3) RESCINDING TOWN BOARD RESOLUTION NO. 57 OF 2020.

WHEREAS, on December 28, 2020, Governor Andrew M. Cuomo signed into law Chapter 381 of the 2020 Laws of New York (Bill S9114/A11141) (hereinafter the “State Legislation”);

WHEREAS Subpart D of Part B of the State Legislation provides that no governing body of an assessing unit or the Town Assessor may require eligible recipients appear in person to file a renewal application for any reason;

WHEREAS, Subpart D of Part B of the State Legislation extends to the 2021 assessment roll the renewal of exemptions received on the 2020 assessment roll pursuant to sections 467 and 459-c of the New York Real Property Tax Law (NY RPTL) for eligible persons age sixty-five (65) and older and eligible persons with disabilities and limited incomes;

WHEREAS, Subpart D of Part B of the State Legislation permits the governing body of an assessing unit to adopt a Local Law or Resolution with procedures by which the Town Assessor may require a renewal from such eligible persons when the Town Assessor has reason to believe that an owner who qualified for an exemption on the 2020 assessment roll may have since changed

his or her primary residence, added another owner to the deed, transferred the property to a new owner, has died or for some other reason is no longer qualified for the exemption;

WHEREAS, the State Legislation is deemed to have been in full force and effect on March 7, 2020 and shall expire on May 1, 2021; and

WHEREAS, the Town of Clinton is desirous of adopting a Resolution pursuant to the State Legislation which extends to the 2021 assessment roll the exemptions received on the 2020 assessment roll for eligible persons and allows the Town Assessor to require a renewal application when the Town Assessor has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll has since changed primary residence, added another owner to the deed, transferred the property to a new owner, has died or for some other reason is no longer qualified for the exemption.

NOW THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize and direct the Town Assessor in accordance with the State Legislation to extend to the 2021 assessment roll the renewal of exemptions received on the 2020 assessment roll pursuant to sections 467 and 459-c of New York State Real Property Tax Law (NY RPTL) for eligible persons age sixty-five (65) and older and for eligible persons with disabilities and limited income; and be it further,

RESOLVED, that the Town Assessor is permitted, in her sole discretion, to require a renewal application when the Town Assessor has reason to believe that an owner who qualified for an exemption on the 2020 assessment roll has since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, has died or for some other reason is no longer qualified for the exemption; and be it further,

RESOLVED, that Resolution No. 57 of 2020 approved at the December 29, 2020 Town Board meeting is hereby rescinded and replaced in its entirety with this Resolution; and be it further

RESOLVED, that the Town Assessor is authorized, directed, and empowered to take all actions necessary to implement this Resolution.

Raymon Oberly, Town Supervisor voting AYE

Dean Michael, Councilman voting ABSENT

Chris Juliano, Councilman voting AYE

Nancy Cunningham, Councilwoman voting AYE

Michael Whitton, Councilman voting AYE

There being a majority of the Town Board voting to approve the resolution, the resolution was declared by the Supervisor to have been adopted.

Dated: February 9, 2021

TOWN OF CLINTON, NEW YORK

A handwritten signature in cursive script, appearing to read "Carol Jean Mackin".

Town Clerk:

Carol Jean Mackin