

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one.)

FILED  
STATE RECORDS

of MARBLETOWN

MAR 07 2023

DEPARTMENT OF STATE

Local Law No. 1 of the year 20<sup>23</sup>

A local law A LOCAL LAW AMENDING CHAPTER 172 ARTICLE I, CODE OF THE TOWN OF  
(Insert Title)  
MARBLETOWN, SENIOR CITIZENS TAX EXEMPTION

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of MARBLETOWN

as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)



**TOWN OF MARBLETOWN**  
**LOCAL LAW NO. 1 OF 2023**

**A Local Law amending Chapter 172 Article I, Code of the Town of Marbletown,**  
**Senior Citizens Tax Exemption**

§ 172-Article I of the Code of the Town of Marbletown shall be deleted in its entirety and replaced to read as follows:

**§ 172-1. Exemption.**

Pursuant to and in accordance with the provisions of §467 of the New York State Real Property Tax Law, real property situated in the Town of Marbletown, subject to taxation by the Town of Marbletown and owned by one or more persons, each of whom is 65 years of age or over, or real property situated in the Town of Marbletown, subject to taxation by the Town of Marbletown and owned by a husband and wife, one of whom is 65 years of age or over, shall be exempt from real property taxation by the Town of Marbletown.

**§ 172-2. Income Levels for Qualified Senior Exemptions.**

<b>Annual Income</b>	<b>Percentage Assessed Valuation Exempt from Taxation</b>
More than \$0 but less than 50,000	50%
\$50,000 or more but less than \$51,000	45%
\$51,000 or more but less than \$52,000	40%
\$52,000 or more but less than \$53,000	35%
\$53,000 or more but less than \$53,900	30%
\$53,900 or more but less than \$54,800	25%
\$54,800 or more but less than \$55,700	20%
\$55,700 or more but less than \$56,600	15%
\$56,600 or more but less than \$57,500	10%
\$57,500 or more but less than \$58,400	5%

A. This schedule shall take effect with the July 1, 2023, tax rolls.

**§ 172-2.1 Application for Exemption**

A. Application for such exemption must be made by the owner or all owners of the property on forms

prescribed by the State Board, to be furnished by the appropriate assessing authority, and shall furnish the information and be executed in the manner required or prescribed in such forms and shall be filed in such assessor's office on or before the appropriate taxable status date.

B. Extension of deadline.

- (1) Where a renewal application for the exemption authorized by this section has not been filed on or before the taxable status date, and the owner believes that good cause existed for the failure to file the renewal application by that date, the owner may, no later than the last day for paying taxes without incurring interest or penalty, submit a written request to the assessor asking him or her to extend the filing deadline and grant the exemption. Such request shall contain an explanation of why the deadline was missed and shall be accompanied by a renewal application, reflecting the facts and circumstances as they existed on the taxable status date.
- (2) The assessor may extend the filing deadline and grant the exemption if he or she is satisfied that:
  - (a) Good cause existed for the failure to file the renewal application by the taxable status date; and
  - (b) The applicant is otherwise entitled to the exemption.
- (3) The assessor shall mail notice of his or her determination to the owner.
- (4) If the determination states that the assessor has granted the exemption, he or she shall thereupon be authorized and directed to correct the assessment roll accordingly, or, if another person has custody or control of the assessment roll, to direct that person to make the appropriate corrections.
- (5) If the correction is not made before taxes are levied, the failure to take the exemption into account in the computation of the tax shall be deemed a "clerical error" for purposes of Title 3 of Article 5 of the New York State Real Property Tax Law and shall be corrected accordingly.

§ 172-2.2 **Severability**

If any part or provision of this local law is judged invalid by any court of competent jurisdiction, such judgment shall be confined in application to the part or provision directly on which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Law or the application thereof to other persons or circumstances. The Town hereby declares that it would have enacted the remainder of this Law even without such part or provision or application.

§ 172-2.3 **Effective Date**

This local law shall become effective immediately upon the filing in the office of the New York Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2023 of the ~~(County)(City)(Town)(Village)~~ of MARBLETOWN was duly passed by the TOWN BOARD on FEBRUARY 21 2023, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

*Leanne Moody*

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: March 5, 2023

(Seal)

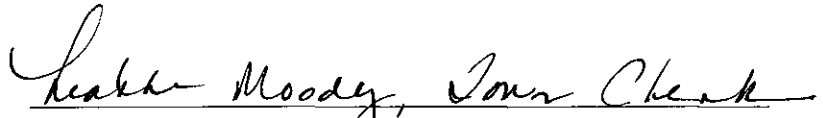
**Effective Date of this Local Law**

This Local Law shall be effective upon filing with the office of the Secretary of State, and the Town Clerk is directed to immediately file a copy of this Local Law with the New York State Secretary of State as required by law.

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I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2023 of the Town of Marletown, was duly passed by the Town Board on February 21, 2023 in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in above.



(Seal)

Heather Moody, Town Clerk

Date: March 3, 2023

STATE OF NEW YORK

COUNTY OF ULSTER



## TOWN OF MARBLETOWN

A regular meeting of the Town Board of the Town of Marbletown was convened in a public session of the Town Hall, 1925 Lucas Ave Cottekill, New York on January 17, 2023, at 6:00 o'clock P.M. local time. The meeting was called to order by Supervisor Rich Parete, and, upon roll being called, the following were:

**PRESENT:** Rich Parete, Ken Davenport, Don LaFera, Daisy Foote and Tim Hunt

**ABSENT:**

The following Resolution was offered by Councilman Davenport and seconded by Councilwoman Foote

**RESOLUTION #16-2023; NOTICE OF PUBLIC HEARING FOR LOCAL LAW TO AMEND THE MARBLETOWN TOWN CODE TO INCREASE INCOME LIMITS RELATIVE TO THE SENIOR CITIZEN TAX EXEMPTION**

**PLEASE TAKE NOTICE** that a proposed Local Law is under consideration by the Town Board of the Town of Marbletown, New York, designated as Local Law No. of 2023 to Amend the Marbletown Town Code to Increase Income Limits Relative to the Senior Citizen Tax Exemption.

**PLEASE TAKE FURTHER NOTICE** that the purpose of said Local Law, generally, is to increase the income limits of the senior citizen tax exemption to the maximum amount permitted by New York State Law.

**PLEASE TAKE FURTHER NOTICE** that said proposed Local Law is on file at the Marbletown Town Clerk's Office located at 1925 Lucas Ave., Cottekill, New York, where it is available for public inspection during regular business hours.

**PLEASE TAKE FURTHER NOTICE** that a public hearing upon said proposed Local Law has been scheduled for the 7th day of February, 2023, at 6:00 PM, to be held at Rondout Municipal Center, 1925 Lucas Ave, Cottekill, NY. An opportunity to be heard in regard thereto will then and there be given to members of the public.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Davenport	Voting <u>Aye</u>
Councilman Lafera	Voting <u>Aye</u>
Councilman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

Resolution #16-2023 was thereupon adopted.

*Heather Moody, Town Clerk/Tax Collector*

Dated: January 17, 2023



## TOWN OF MARBLETOWN

A regular meeting of the Town Board of the Town of Marbletown was convened in a public session of the Town Hall, 1925 Lucas Ave Cottekill, New York on February 21, 2023, at 6:00 o'clock P.M. local time. The meeting was called to order by Supervisor Rich Parete, and, upon roll being called, the following were:

**PRESENT:** Rich Parete, Ken Davenport, Don LaFera, Tim Hunt and Daisy Foote

**ABSENT:**

The following Resolution was offered by Councilman Hunt and seconded by Councilman LaFera

**RESOLUTION #23-2023; LOCAL LAW TO AMEND CHAPTER 172 "TAXATION" AMEND INCOME LIMITS FOR EXEMPTIONS FOR SENIOR CITIZENS**

**WHEREAS**, the Town Board of the Town of Marbletown (the "Town Board") has determined that amending Chapter 172 (Taxation) of the Town Code to increase the maximum income levels at which senior citizen (age sixty-five years or over) are eligible to receive an exemption on real estate taxes levied by the Town is necessary and in the best interest of the Town to protect the health, safety, and welfare of its' citizens; and

**WHEREAS**, the action to adopt this proposed Local Law is a Type II Action under the New York State Environmental Quality Review Act regulations for which no environmental review is required.

**WHEREAS**, this proposed Local Law is adopted pursuant to Municipal Home Rule Law § 10 and Real Property Tax Law § 467; and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Marbletown adopt Local Law #1, a Local Law to Amend Chapter 172 "Taxation" Amend Income Limits for Senior Citizens.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Davenport	Voting <u>Aye</u>
Councilman Lafera	Voting <u>Aye</u>
Councilman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

Resolution #23-2023 was thereupon adopted.

*Heather Moody, Town Clerk/Tax Collector*

Dated: February 21, 2023