

Local Law Filing

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(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)

of Floral Park

Local Law No. 4 of the year 2024

A local law amending § 83-11 of the Code of the Incorporated Village of Floral Park.

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select One:)

of Floral Park as follows:

Section 1. Legislative Intent

The New York State Legislature recently enacted a new statute, Section 466-a of the Real Property Tax Law, which authorizes the Village to decrease the number of years volunteer firefighters and ambulance workers must serve to be eligible to receive the real property tax exemption from five (5) years to two (2) years. This Local Law amends the Village Code to provide for this shorter period to become so eligible.

Section 2. Section 83-11 As Amended

§ 83-11. Exemption to be granted

- A. Real property owned by an enrolled member of the Village's Volunteer Fire Department or by such enrolled member and spouse residing in the Village of Floral Park shall be exempt from taxation to the extent of ten percent of the assessed value of such property for Village taxes, exclusive of any special assessments. Such exemption shall in no event exceed three thousand dollars multiplied by the latest state equalization rate for the Village.

B. Such exemption shall not be granted to an enrolled member of the Village Volunteer Fire Department unless

- (1). The applicant resides in the Village of Floral Park;
- (2). The property is the primary residence of the applicant;
- (3). The property is used exclusively for residential purposes; provided, however, in the event any portion of the property is not used exclusively for the applicant's residence, but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and
- (4). The applicant has been certified as a member of the Village's Volunteer Fire Department for at least two years. The Village Assessor shall determine the procedure for certification.

C. Any enrolled member of the Village's Volunteer Fire Department who accrues more than twenty years of active service and is so certified shall be granted the ten-percent exemption as authorized by this section for the remainder of his or her life.

D. Un-remarried spouses of volunteer firefighters or volunteer ambulance workers killed in the line of duty. The Village shall continue an exemption or reinstate a pre-existing exemption claimed under this section by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, for such deceased enrolled member's un-remarried spouse if such member is killed in the line of duty; provided, however that:

- (a). such un-remarried spouse is certified by the board of directors of the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who was killed in the line of duty; and
- (b). such deceased volunteer has been an enrolled member for at least two years; and
- (c) such deceased volunteer had been receiving the exemption prior to their death.

E. Un-remarried spouses of deceased volunteer firefighters or volunteer ambulance workers. The Village shall continue an exemption or reinstate a pre-existing exemption to an un-remarried spouse of a deceased enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, provided, however that:

- (a). such un-remarried spouse is certified by the board of directors of the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of a deceased enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; and
 - (b). such deceased volunteer has been an enrolled member for at least twenty years; and
 - (c) such deceased volunteer an un-remarried spouse had been receiving the exemption for such property prior to the death of such volunteer.
- F. The application for such exemption shall be filed with the Village Assessors. The Village Assessor shall prescribe the time period for filing for such exemption, but said period shall be no less than 90 days.
- G. No applicant who is a volunteer firefighter, who by reason of such status is receiving any benefit under New York State Law on the effective date of this section shall suffer any diminution of such benefit because of the provisions of this section.

Section 3. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, 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 4. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

(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. 4 of 2024 of the (County)(City)(Town)(Village) of Floral Park was duly passed by the Board of Trustees on July 16, 2024, in accordance with the applicable provisions of law.

~~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 2023 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2023, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 2023, in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 2023 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2023, and was (approved) (not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 2023. (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 _____ 2023, 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 2023 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 2023, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 2023. (Elective Chief Executive Officer*)~~

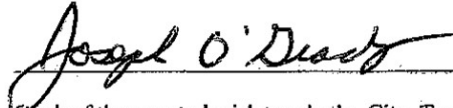
~~Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2023, in accordance with the applicable provisions of law.~~

* 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 2023 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 2023, 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 2023 of the County of
 State of New York, having been submitted to the electors at the General Election of November
2023, 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.



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

July 16

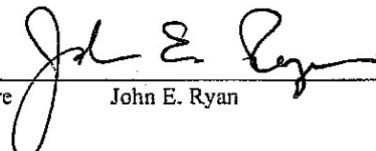
Date: ~~June 18, 2024~~

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or
other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings
have been had or taken for the enactment of the local law annexed hereto.


Signature John E. Ryan

Title Village Attorney

County
City
Town of Floral Park
Village

July 16
Date: ~~June 18, 2024~~

CERTIFICATE

I, Joseph E. O'Grady, Village Clerk of the Village of Floral Park, in the County of Nassau, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Board of Trustees of said Village of Floral Park duly called and held on July 16, 2024, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Board of Trustees and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Village of Floral Park on July 27th 2024.

(SEAL)


Village Clerk

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M I N U T E S
OF THE MEETING
OF THE
PUBLIC HEARING
INCORPORATED VILLAGE OF FLORAL PARK
July 16, 2024
8:00 p.m.

P R E S E N T:

- KEVIN M. FITZGERALD, MAYOR
- DR. LYNN POMBONYO, DEPUTY MAYOR/TRUSTEE
- FRANK J. CHIARA, TRUSTEE
- JENNIFER STEWART, TRUSTEE
- MICHAEL F. LONGOBARDI, TRUSTEE

ALSO PRESENT:

- JOHN RYAN, ESQ. Village Attorney
- GERARD M. BAMBRICK, Village Administrator
- JOSEPH O'GRADY, Village Clerk
- RENEE MARCUS, Superintendent of Buildings
- LT. WILLIAM DOHERTY, Floral Park Police Department
- KEVIN GINNANE, Superintendent Public Works

Catherine P. Murphy
Court Reporter

1 MAYOR FITZGERALD: Good evening. If I can
2 ask everyone to stand for the Pledge of
3 Allegiance, please.

4 (Pledge of Allegiance said.)

5 MAYOR FITZGERALD: Good evening and
6 welcome to Village Hall for the July board
7 meeting. This evening, we have two public
8 hearings followed by the agenda and board
9 reports and then we will hear questions,
10 comments from the residents.

11 Without further ado, I turn it over to
12 Mr. O'Grady for the first public hearing.

13 JOSEPH O'GRADY: First public hearing will
14 be for Local Law Number 4.

15 Please Take Notice that pursuant to
16 Article 9 of the New York State Constitution,
17 the provisions of the Code of the Incorporated
18 Village of Floral Park and the Municipal Home
19 Rule Law of the State of New York, as amended,
20 a public hearing will be held in the
21 Incorporated Village of Floral park at the
22 Village Hall, One Floral Boulevard, Floral Park
23 on the 16th day of July, 2024 at 8:00 in the
24 evening of that day, to consider enactment of a
25 Local Law entitled, "A Local Law amending

- 7/16/24 - TRUSTEES - LOCAL LAW NUMBER 4 -

1 Section 83-11 of the Code of the Incorporated
2 Village of Floral Park."

3 This Local Law shall take effect
4 immediately upon its filing with the Secretary
5 of State. Dated June 28, 2024. By Order of
6 the Board of Trustees Incorporated Village of
7 Floral Park, New York, Joseph O'Grady, Village
8 Clerk.

9 MAYOR FITZGERALD: Specifically, it is the
10 law that allows the village code to be amended
11 to reduce the number of years the volunteer
12 fire department to be eligible for the property
13 tax exemption from the current of five years to
14 two years.

15 I announce the Board previously adopted a
16 resolution determining that the application
17 does not have a significant impact on the
18 environment.

19 This law, as I mention, is to reduce the
20 tax exemption for the Volunteer Fire Department
21 to live in the Village from five years to two
22 years. I hope it is an aide in the recruitment
23 of firefighters, that not only this Village
24 needs, but the surrounding communities need.
25 In my opinion, every little bit helps.

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Is there anyone on the Board that has any comments on the local law? No? Anyone here from the floor who has a comment?

WILLIAM LAURIA: Good evening, Mr. Mayor. My name is William Lauria. I am a 40 year member of the Floral Park Fire Department, serving as Third Assistant Chief.

I'm here tonight representing the members and Chief Staff in this local law, I guess amendment to the local law to reduce it to two years. We're currently facing a difficult time in recruiting members, retaining members and we only feel that this is a boost in attracting, particularly new members, retaining them and boost the morale of the department. I am in favor of this motion. Thank you.

MAYOR FITZGERALD: Thank you, Chief. Anyone else here in the Village Hall that would like to comment on this? Anyone on Zoom that would like to comment on this? If so, unmute yourself. No one? Or raise your hand in the chat.

MAYOR FITZGERALD: No one? Thank you. Seeing no comment front the Board, therefore, I ask for a motion to adopt Local Law Number 4 of

- 7/16/24 - TRUSTEES - LOCAL LAW NUMBER 4 -

1 2024.

2 TRUSTEE POMBONYO: So moved. As the Mayor
3 and Chief Lauria said, this is very important.

4 TRUSTEE CHIARA: Second.

5 MAYOR FITZGERALD: Thank you.

6 Mr. O'Grady, can you poll the Board.

7 JOSEPH O'GRADY: Trustee Pombonyo?

8 TRUSTEE POMBONYO: Aye.

9 JOSEPH O'GRADY: Trustee Chiara?

10 TRUSTEE CHIARA: Aye.

11 JOSEPH O'GRADY: Trustee Stewart?

12 TRUSTEE STEWART: Aye.

13 JOSEPH O'GRADY: Trustee Longobardi?

14 TRUSTEE LONGOBARDI: Aye.

15 JOSEPH O'GRADY: Mayor Fitzgerald?

16 MAYOR FITZGERALD: Aye. Can I have a
17 motion to close the public hearing.

18 TRUSTEE POMBONYO: So moved.

19 TRUSTEE CHIARA: Second.

20 MAYOR FITZGERALD: Can you poll the Board,
21 again.

22 JOSEPH O'GRADY: Trustee Pombonyo?

23 TRUSTEE POMBONYO: Aye.

24 JOSEPH O'GRADY: Trustee Chiara?

25 TRUSTEE CHIARA: Aye.

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JOSEPH O'GRADY: Trustee Stewart?

TRUSTEE STEWART: Aye.

JOSEPH O'GRADY: Trustee Longobardi?

TRUSTEE LONGOBARDI: Aye.

JOSEPH O'GRADY: Mayor Fitzgerald?

MAYOR FITZGERALD: Aye. Thank you very

much.

Certified to be a true and
accurate transcript of the proceedings.

CATHERINE P. MURPHY
Court Reporter