

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.)

ST
FEB 17 2023

of Beekman

DEPARTMENT OF STATE

Local Law No. 1 of the year 2023

A local law entitled "Local Law No.1 of the Year 2023, Amending Chapter 135 of the Code of the

(Insert Title)

Town of Beekman Enacting a Property Tax Exemption for Volunteer Firefighters and

Ambulance Workers Pursuant to Section 466-a of the Real Property Tax Law"

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

County City Town Village
(Select one.)

of Beekman

as follows:

SEE ATTACHED

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

(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 Beekman was duly passed by the TOWN BOARD on February 14th 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) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(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) *(Name of Legislative Body)* (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. *(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.)

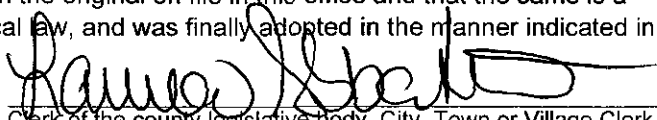
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified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

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

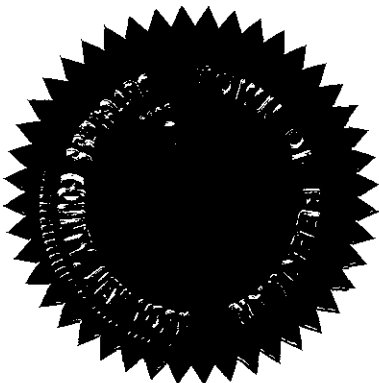
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, 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.


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

Date: February 15, 2023



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

A Local Law entitled “Local Law No. 1 of the Year 2023, Amending Chapter 135 of the Code of the Town of Beekman Enacting a Property Tax Exemption for Volunteer Firefighters and Ambulance Workers Pursuant to Section 466-a of the Real Property Tax Law”

Be it enacted by the Town Board of the Town of Beekman as follows:

SECTION 1. TITLE.

This Local Law shall be known and cited as “Local Law No. 1 of the Year 2023, Amending Chapter 135 of the Code of the Town of Beekman Enacting a Property Tax Exemption for Volunteer Firefighters and Ambulance Workers Pursuant to Section 466-a of the Real Property Tax Law.”

SECTION 2. PURPOSE.

The purpose of this Local Law is to amend Chapter 135 by adding a new Article VI enacting a Property Tax Exemption for Volunteer Firefighters and Ambulance Workers.

SECTION 3. AMENDMENT TO CHAPTER 135.

A new Article VI of Chapter 135 of the Code of the Town of Beekman, entitled “Volunteer Firefighters and Ambulance Workers Exemption,” is hereby added and enacted pursuant to Real Property Tax Law Section 466-a, to read as follows:

**“Article VI
Volunteer Firefighters and Ambulance Workers Exemption**

§ 135-8. Grant of exemption.

An exemption of 10% of assessed value of property owned by an active enrolled member who has satisfied their required LOSAP points for the year as set forth below, or such enrolled member and their spouse, is hereby granted from taxation with respect to the real property taxes of the Town of Beekman as long as eligibility requirements are met.

§ 135-9. Eligibility requirements.

Such exemption shall be granted to an active enrolled member who has satisfied their required LOSAP points for the year of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service provided that:

- A. The property is owned by the volunteer firefighter or volunteer ambulance worker;
- B. The property is the primary residence of the volunteer firefighter or volunteer ambulance worker;
- C. The property is used exclusively for residential purposes;
- D. The volunteer firefighter or volunteer ambulance worker resides in the Town of Beekman and the Town of Beekman is served by such incorporated volunteer fire company or fire department or

incorporated voluntary ambulance service;

E. The volunteer firefighter or volunteer ambulance worker is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and

F. The volunteer firefighter or volunteer ambulance worker meets the minimum service requirement established by the Town of Beekman, which is hereby established as three years.

§ 135-10. Application.

A volunteer firefighter or volunteer ambulance worker must annually, on or before the applicable taxable status date, file an application for such property tax exemption with the assessor responsible for preparing the assessment roll for the Town of Beekman, on a form as prescribed by the New York State Commissioner of Taxation and Finance. The Town of Beekman must maintain written guidelines, available upon request, as to the requirements of an active enrolled member who has satisfied their required LOSAP points volunteer member relating to this exemption.

§ 135-11. Certification.

“The Board of Fire Commissioners” must annually file with the assessor, prior to February 15th, a list of the active volunteer members who are certified to meet the minimum service requirement and have satisfied their required LOSAP points for the year. Such list must provide, as of the applicable taxable status date, the number of years of service served by each such enrolled member and such enrolled member's address of residence.

§ 135-12. No diminution of benefits.

An applicant who is receiving any benefit pursuant to Article 4 of the Real Property Tax Law as of the effective date of this article shall not have any of those benefits diminished because of this article.

§ 135-13. Grant of lifetime exemption.

Any eligible enrolled member who accrues more than 20 years of active volunteer service as certified by the Board of Fire Commissioners shall be granted the 10% exemption as authorized by this article for the remainder of his or her life as long as his or her primary residence is located within the Town of Beekman.

§ 135-14. Un-remarried spouse of enrolled member killed in the line of duty.

The un-remarried surviving spouse of a deceased enrolled member killed in the line of duty, as certified by the Board of Fire Commissioners, is qualified to receive an exemption, as long as the deceased volunteer had been an active member for at least three years.

§ 135-15. Un-remarried spouse of deceased enrolled member.

The un-remarried surviving spouse of a deceased enrolled member, as certified by the Board of Fire Commissioners, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled active member for at least 20 years and the deceased volunteer and un-remarried

spouse had been receiving the exemption at the time of his or her death.

SECTION 4. **NUMBERING FOR CODIFICATION.**

It is the intention of the Town of Beekman and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of Beekman; that the sections and sub-sections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

SECTION 5. **SEVERABILITY.**

If any clause, sentence, paragraph, section or part of this Local Law is declared by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law.

SECTION 6. **EFFECTIVE DATE.**

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law Section 27.

RESOLUTION 02:14:23-6

RE: ADOPTION OF LOCAL LAW NO. 1 OF 2023 A LOCAL LAW TO AMEND CHAPTER 135 OF THE TOWN CODE CONCERNING PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS

WHEREAS, a proposed local law, known as Local Law No. 1 of 2023 entitled "A LOCAL LAW TO AMEND TOWN OF BEEKMAN CODE SECTION 135 OF THE TOWN CODE CONCERNING PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS" was introduced before this Board on January 24, 2023; and

WHEREAS, the Town Board members had the opportunity to review the proposed local law and it has sat on the desks of the Town Board for the required period of time; and

WHEREAS, a public hearing was held on the 14th day of February, 2023 at 7:00 p.m. at Beekman Town Hall, 4 Main Street, Poughquag, in the Town of Beekman, New York, with proper notice having been given therefore; and

WHEREAS, at this public hearing the Town Board members considered any public comments received during the public hearing as well as any written comments received;

NOW, THEREFORE, BE IT ENACTED, the Town Board hereby adopts Local Law No.1 of 2023 entitled "A LOCAL LAW TO AMEND SECTION 135 OF THE CODE OF THE TOWN OF BEEKMAN ENACTING A PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to file forthwith a copy of this Local Law No. 1 with the New York State Secretary of State.

Introduced: COUNCILMAN STIEGLER

Seconded: COUNCILMAN LEMAK

ROLL CALL VOTE:

Councilman Stiegler	AYE
Councilman Battaglini	ABSTAIN
Councilman Lemak	AYE
Councilwoman Wohrman	ABSTAIN
Supervisor Covucci	AYE

BY ORDER OF THE TOWN BOARD
LAUREEN ABBATANTUONO, TOWN CLERK

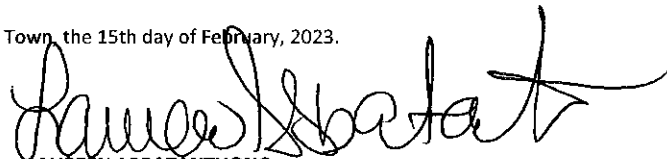
DATED: February 15th, 2023
BEEKMAN, NY

CERTIFICATION

I, LAUREEN ABBATANTUONO, the duly qualified and acting Clerk for the Town of Beekman Town Board, Dutchess County, State of New York, do hereby certify that attached hereto is a true and correct copy of an extract from the minutes of a regular/adjourned meeting of the Town Board of the Town of Beekman, held on the 14th day of February, 2023 and that the Resolution set forth herein is a true and correct copy of the of the Town Board of said Town adopted at said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Town, the 15th day of February, 2023.


LAUREEN ABBATANTUONO
TOWN CLERK

