

**TOWN OF THOMPSON  
NOTICE OF PUBLIC HEARING  
ON PROPOSED LOCAL LAW**

**NOTICE IS HEREBY GIVEN** that there has been duly introduced at a meeting of the Town Board of the Town of Thompson, New York, held on June 2, 2015, a proposed Local Law No. 3 of 2015, entitled "A local law to amend Chapter 218 ("Taxation") of the Town of Thompson Code by adding Article VI entitled 'Green Homes Tax Exemption'".

**NOTICE IS FURTHER GIVEN** that the Town Board of the Town of Thompson will conduct a public hearing on the aforesaid proposed Local Law at the Town Hall, 4052 Route 42, Monticello, New York, on August 18, 2015 at 7:30 P.M., or as soon thereafter as said public hearing shall be convened, at which time all persons interested will be heard.

The proposed local law seeks to provide tax relief to those property owners who construct, reconstruct or expand structures on their property that meet or exceed LEED certification standards for green buildings

Copies of the Local Law described above are on file in the office of the Town Clerk of the Town of Thompson, where the same are available to public inspection during regular office hours.

**PLEASE TAKE FURTHER NOTICE**, that all interested persons will be given an opportunity to be heard on said proposed Local Law at the place and time aforesaid.

**NOTICE IS HEREBY GIVEN**, pursuant to the requirements of the Open Meetings Law of the State of New York, that the Town Board of the Town of Thompson will convene in public meeting at the place and time aforesaid for the purpose of conducting a public hearing on the proposed Local Law described above and, as deemed advisable by said Board, taking action on the enactment of said Local Law.

Dated: July 21, 2015

BY ORDER OF THE TOWN BOARD

TOWN OF THOMPSON

MARILEE J. CALHOUN

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.

Town of Thompson

Local Law No. 3 of the year 2015

A local law amending Chapter 218 entitled "Taxation" to the Town of Thompson Code by adding a new Article VI entitled "Green Homes Tax Exemption" relating to providing an exemption for construction and improvements to real property initiated on or after January 1, 2016, meeting LEED certification standards for Green Buildings.

Be it enacted by the Town Board of the

Town of Thompson

ARTICLE VI Green Homes Tax Exemption

§218-19. Purpose.

The purpose of this article is to provide tax relief to those property owners who construct, reconstruct or expand structures on their property that meet or exceed LEED certification standards for green buildings.

§218-20. Exemption granted.

Construction of improvements to real property meeting LEED certification standards for green buildings shall be exempt from taxation to the extent provided by this local law, pursuant to RPTL 470 "Tax Exemption for Improvements to Real Property Meeting Certification Standards for Green Buildings".

§218-21. Extent of Exemption.

Such real property, or portion thereof, which is certified under a LEED certification standard for the categories of silver, gold, or platinum as meeting green building standards, as determined by an LEED accredited professional shall be exempt as provided below for the respective percentages, provided that a copy of the LEED certification for a qualified category is filed with the Assessor's Office and is approved by the Assessor as meeting the requirements of this local law. Such exemption shall be limited to the extent of any increase in assessed value resulting from the construction or reconstruction of a property meeting LEED certification or the maximum exempt amount, whichever is less.

LEED EXEMPTION

<u>Year</u>	<u>Silver</u>	<u>Gold</u>	<u>Platinum</u>
1	100%	100%	100%
2	100%	100%	100%
3	100%	100%	100%
4	80%	100%	100%

5	60%	80%	100%
6	40%	60%	100%
7	20%	40%	80%
8	0%	20%	60%
9	0%	0%	40%
10	0%	0%	20%

§218-22. Requirements.

A. No such exemption shall be granted unless: (a) such construction of improvements was commenced on or after the 1st day of January, 2016; (b) the value of such construction exceeds the sum of ten thousand dollars; and (c) such construction is documented by a building permit for the improvements, or other appropriate documentation as required by the Assessor. For purposes of this section the term “construction of improvements” shall not include ordinary maintenance and repairs.

B. In the sole discretion of the Assessor, if the Assessor is satisfied that the applicant is entitled to an exemption pursuant to this section, he or she shall approve the application and such real property shall thereafter be exempt from taxation as provided in this article commencing with the assessment roll prepared after the taxable status date. The assessed value of any exemption granted pursuant to this section shall be entered by the Assessor on the assessment roll with the taxable property, with the amount of the exemption shown in a separate column.

§218-23. Equivalent Standards.

In addition to the LEED certification standards for green buildings, the exemption shall also apply where the construction of improvements meets the Green Building Initiative’s Green Globes Rating System, the American National Standards Institute, or any other substantially equivalent standards for certification using a similar program for green buildings, as determined by the Assessor.

§218-24. Maximum Exemption Amount.

The maximum exemption amount for the exemption provided by this article shall be One Million (\$1,000,000) Dollars of assessed value of the qualifying construction improvements.

2. The Town Board may amend Chapter 218 of the Town of Thompson Code pursuant to Section 470 of the New York State Real Property Tax Law.

3. If any clause, sentence, paragraph, subdivision, section or part thereof this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this local law shall not be affected thereby and shall remain in full force and effect.

4. 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 the matter therein 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. \_\_\_ of 2015 of the Town of Thompson was duly passed by the Town Board on \_\_\_\_\_, 2015 in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 2015 of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2015 and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 2015, 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 2015 of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2015 and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_. 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 \_\_\_\_\_ 2015, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 2015 of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2015 and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 2015 in accordance with the applicable provisions of law.

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 2015 of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of sections 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 a special/general election held on \_\_\_\_\_ 2015 became operative.

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\* 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, chairman 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.

6. (County local law concerning adoption of Charter)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 2015 of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_\_\_ 2015, 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 of 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 the 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 1 above.

\_\_\_\_\_  
~~Clerk of the county legislative body, city, town,  
village clerk or officer designated by local legislative  
body~~

Date: \_\_\_\_\_, 2015

(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 SULLIVAN

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

Date: \_\_\_\_\_, 2015

\_\_\_\_\_  
Attorney for Town of Thompson

At a regular meeting of the Town Board of the  
Town of Thompson held at the Town Hall, 4052  
Route 42, Monticello, New York on August 18,  
2015

**RESOLUTION TO ENACT LOCAL LAW NO. 03 OF 2015**

**WHEREAS**, proposed Local Law No. 03 of the year 2015 entitled, "A local law to amend Chapter 218 ("Taxation") of the Town of Thompson Code by adding Article VI entitled 'Green Homes Tax Exemption'" was introduced to the Town Board at a meeting held on June 02, 2015, at the Town Hall, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard having been heard, and

**WHEREAS**, said local law was duly adopted after a public hearing.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Thompson, New York, does hereby enact and adopt Local Law No. 03 for the year 2015, Town of Thompson, State of New York, which local law is annexed hereto and made a part hereof.

Moved by:

Seconded by:

Adopted on Motion August 18, 2015

Supervisor WILLIAM J. RIEBER, JR.	Yes [ ] No [ ]
Councilman PETER T. BRIGGS	Yes [ ] No [ ]
Councilman RICHARD SUSH	Yes [ ] No [ ]
Councilman SCOTT MACE	Yes [ ] No [ ]
Councilman JOHN A. PAVESE	Yes [ ] No [ ]

STATE OF NEW YORK )

COUNTY OF SULLIVAN (ss.:

The undersigned, Town Clerk of the Town of Thompson, does hereby certify that the resolution annexed hereto to enact Local Law No. 03 of 2015 was adopted by said Town Board on August 18, 2015, a majority of all Board members voting in favor thereof, and the same has been compared with the original on file in my office and is a true and correct copy of said original and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on August \_\_\_\_, 2015.

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Marilee J. Calhoun, Town Clerk