

Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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 of Town Of Russell
Town
Village

Local Law No. 1 of the year 2005

A local law to enact the Senior Citizen Exemption
(Insert Title)

Be It enacted by the Town Board of the
(Name of Legislative Body)

County
City of Town of Russell as follows:
Town
Village

Local Law No. One for the year 2005

A local law to enact the Senior Citizen Exemption

Be it enacted by the Town Board of the Town of Russell, New York, as follows:

Pursuant to Real Property Tax Law Section 467, the following schedule of exemption income eligibility level and assessment reduction for person 65 years of age or over is as follows:

<u>Annual Income</u>	<u>Exempt Amount</u>
\$0- \$10,000.00	50%
\$10,001.00 - \$10,999.00	45%
\$11,000.00- \$11,999.00	40%
\$12,000.00- \$12,999.00	35%
\$13,000.00- \$13,899.00	30%
\$13,900.00- \$14,799.00	25%
\$14,800.00- \$15,699.00	20%

This legislation becomes effective upon the passage of the Town Board of the Town of Russell and filing of this Local Law with the New York State Secretary of State.

This Local Law supercedes Local Law No. One of the year 1997.

(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. _____ of 2005 of the (County)(City)(Town)(Village) of Russell was duly passed by the Town Board on 02/02/2005, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. 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 _____ 19____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____, 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 _____ 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 _____, 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 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____, 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: 02/02/2005

(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 ST. LAWRENCE

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

Title

~~County~~
~~City~~ of Russell
Town
~~Village~~

Date: _____

The Oliver Law Firm

*117 Main Street
Canton, New York 13617*

*Cathleen E. O'Hara
Francis P. Cappello
Roger B. Lindon*

Michelle H. Ladouceur

*Telephone 386-4595
Area Code 315*

*John Oliver III
Retired*

January 14, 2005

Town of Russell
Attn.: Richard S. Knox
4 Pestle Street Road
Russell, NY 13684

Dear Dick:

Re: Local Law No. One of the year 2005

Enclosed herewith, pursuant to our conversation on Friday January 7, 2005, please find a draft of proposed Local Law No. One of the year 2005 for the Town Board relative to the Senior Citizen exemption from real property taxes.

The Town Board must establish a date and time for a public hearing on this Local Law before it passes this Local Law. Notification of that public hearing must be published in the town's official newspaper as required by law and the entire Local Law must be published in that legal notice. You must also obtain an Affidavit of Publication from the newspaper reflecting publication of the legal notice of the public hearing.

Then go ahead and have your meeting. If there are no changes to be made in the Local Law, then the Town Board may go ahead and enact the Local Law. If anything, however, changes in terms of the Local Law as a result of public hearing, so that the Local Law which is adopted is in any way different from that which was published in the town's official newspaper, then you must go back through the entire process all over again with a new public hearing, etc.

Assuming that the Town Board goes ahead and after a proper public hearing is had, adopts Local Law No. One of the year 2005, please have Tess furnish to me the Local Law with the properly completed certification form for filing with the Secretary of State. Have Tess furnish three copies of same to my office. Upon my receipt of same, together with the Affidavit of Publication which you should also have forwarded to me, I will undertake my review of all proceedings and assuming that they meet with legal requirements, I too will sign the certification where indicated and forward same to the Secretary of State's Office for filing. (3)

send Roger + certified signed.
Water Town Times
affidavit

Page 2

When I receive back from the Secretary of State's Office the filing certificate, I will forward same on to Tess to keep with the town's official records.

Very truly yours,

THE OLIVER LAW FIRM



Roger B. Linden

RBL/a
Enclosure

Legal Notice:

Local Law No. One for the year 2005

A local law to enact the Senior Citizen Exemption

Be it enacted by the Town Board of the Town of Russell, New York, as follows:

Pursuant to Real Property Tax Law Section 467, the following schedule of exemption income eligibility level and assessment reduction for person 65 years of age or over is as follows:

<u>Annual Income</u>	<u>Exempt Amount</u>
\$0- \$10,000.00	50%
\$10,001.00 - \$10,999.00	45%
\$11,000.00- \$11,999.00	40%
\$12,000.00- \$12,999.00	35%
\$13,000.00- \$13,899.00	30%
\$13,900.00- \$14,799.00	25%
\$14,800.00- \$15,699.00	20%

This legislation becomes effective upon the passage of the Town Board of the Town of Russell and filing of this Local Law with the New York State Secretary of State.

This Local Law supercedes Local Law No. One of the year 1997.

Therefore, the Town Board of the Town of Russell will hold a public hearing on the adoption of Local Law 1 for the year 2005 at the Russell Town Hall, Russell, New York on February 2, 2005 @ 7:00 pm at which time all persons interested in the topic will be heard.

Tess Eells
Russell Town Clerk

The Oliver Law Firm
117 Main Street
Canton, New York 13617

Cathleen E. O'Horo
Francis P. Cappello
Roger B. Linden

Michelle H. Ladouceur

Telephone 386-4595
Area Code 315

John Oliver III
Retired

March 4, 2005

Town of Russell
Attn.: Teresa L. Eells, Town Clerk
4 Pestle Street Road
Russell, NY 13684

Dear Tess:

Re: Local Law No. One of the year 2005

Enclosed herewith please find the original confirmation of filing of Local Law No. One of the year 2005, received by me from the Secretary of State's Office.

This should be kept with all of the town's records pertaining to the adoption of this local law.

This finally concludes this matter.

Very truly yours,

THE OLIVER LAW FIRM


Roger B. Linden

RBL/a
Enclosure



STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

GEORGE E. PATAKI
GOVERNOR

February 24, 2005

RANDY A. DANIELS
SECRETARY OF STATE

Roger B Linden
The Oliver Law Firm
117 Main Street
Canton NY 13617

RE: Town of Russell, Local Law 1, 2005 filed on February 7, 2005

To Whom It May Concern:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,
Linda Lasch
Principal Clerk
State Records & Law Bureau
(518) 474-2755