

MINUTES OF SEA CLIFF VILLAGE BOARD
November 14, 2016

The meeting of the Incorporated Village of Sea Cliff was held on Monday, November 14, 2016, at 7:00 p.m. at Village Hall to discuss various Village matters.

Present: Bruce Kennedy, Mayor
 Edward Lieberman, Deputy Mayor
 Kevin McGilloway, Village Trustee
 Dina Epstein, Village Trustee
 Robin Maynard, Village Trustee
 Marianne Lennon, Village Clerk
 Brian Stolar, Village Attorney

Mayor Bruce Kennedy

Welcome to the Board Meeting of November 14, 2016

Scott Whitting led the assembly in the Pledge of Allegiance.

The first order of business was a Public Hearing on Proposed Bill No. 1, Year 2016: VSC 1601. A local law to amend the Code of the Village of Sea Cliff to repeal Village Code §117-23, and adopt a new Village Code §117-23.1, to make available to eligible veterans the Alternative Veterans Tax Exemption provided in Real Property Tax Law §458-a.

The Public Hearing was opened for Public Comment:

- A resident and veteran thanked the Board as this would be a good thing for veterans who did not have an exemption with the Village

On a motion by Trustee McGilloway, seconded by Deputy Mayor Lieberman and unanimously approved by those present, the Public Hearing was closed.

On a motion by Trustee Epstein, seconded by Trustee Maynard and unanimously approved by those present, the minutes of November 7, 2016 were hereby approved.

On a motion by Deputy Mayor Lieberman, seconded by Trustee McGilloway and unanimously approved by those present, the Board approved the application for a public right of way encroachment license for 408 Littleworth Lane with a one-time fee of \$150.00.

On a motion by Trustee McGilloway, seconded by Trustee Epstein and unanimously approved by those present, the Mayor was authorized to sign an agreement with Global Telecom Supply for a new telephone system.

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Trustee McGilloway offered the following resolutions for adoption:

RESOLUTION NO. 53, YEAR 2016

WHEREAS, the Board of Trustees is considering the adoption of **Proposed Bill No. 1, Year 2016: VSC 1601. A local law to amend the Code of the Village of Sea Cliff to repeal Village Code §117-23, and adopt a new Village Code §117-23.1, to make available to eligible veterans the Alternative Veterans Tax Exemption provided in Real Property Tax Law §458-a.**

NOW, THEREFORE, BE IT RESOLVED, that the following Local Law, introduced as Bill No. 1, Year 2016, be adopted as follows:

TEXT OF BILL
Incorporated Village of Sea Cliff
Local Law No. 1, Year 2016

VSC 1601

A local law to amend the Code of the Village of Sea Cliff to repeal Village Code §117-23, and adopt a new Village Code §117-23.1, to make available to eligible veterans the Alternative Veterans Tax Exemption provided in Real Property Tax Law §458-a.

Section one. Section 117-23 is hereby repealed and replaced with a new section 117-23.1, to read as follows:

“§117-23.1 Alternative Veterans Tax Exemption.

A. Findings.

Real Property Tax Law (RPTL) §458-a was adopted by the New York State Legislature and became effective August 30, 1984. RPTL §458-a provides for an alternative veterans exemption from real property taxes. The alternative veterans exemption would be mandatory unless an affected municipality, including villages, timely opted out of its provisions. By Local Law 2-1984, adopted September 26, 1984, the Village opted out of the provisions of RPTL §458-a. After further study and evaluation of the law, its current and future impacts on the Village and its intended benefits for eligible veterans, the Board of Trustees determines that RPTL §458-a should be made applicable within the Village. The Board further finds that the adoption of RPTL §458-a shall have minimal, if any, adverse impact upon current or future tax rates levied against all property within the Village. The Board, therefore, determines, in accordance with RPTL §458-a(4), to repeal Village Code §117-23, as adopted by Local Law 2-1984, and thereby makes such law mandatory within the Village.

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B. Repeal of Former Village Code §117-23.

Village Code §117-23, as adopted by Local Law 2-1984, is hereby repealed in its entirety.

C. Maximum Available Alternative Veterans Exemption.

1. The maximum exemption allowable to qualifying real property exempt from taxation under RPTL §458-a to the extent of 15% of the assessed value shall be \$30,000.

2. The maximum exemption allowable to veterans who served in a combat theatre or combat zone of operations, as documented by the award of the United States Campaign Ribbon or Service Medal, under RPTL §458-a to the extent of 10% of the assessed value shall be \$20,000.

3. The maximum exemption allowable, as an additional exemption available to a veteran who has received a compensation rating from the United States Veterans' Administration or the United States Department of Defense because of a service-connected disability, calculated as the product of the assessed value multiplied by 50% of the veteran's disability rating under RPTL §458-a, shall be \$100,000.

Section two. If any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section three. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.

Public Comment:

- Concerns regarding information to be provided to the DEC by 14 Bay Avenue
- Resident/veteran thanked the Board for the Veterans Day Ceremony

Meeting adjourned at 7:30p.m.

Marianne Lennon
Village Clerk