LOCAL LAWS
BOOK 2
INDEX

Page

ALCOHOLIC BEVERAGES

Local Law #1 of 2007 – A Local Law Prohibiting Consumption of alcoholic beverages by minors on private property 77

CIVIL SERVICE LAW

Providing for placing the Greene County Highway and Solid Waste Superintendent positions in the unclassified service class pursuant to Section 35(e) of the Civil Service Law 84

Providing for placing the Greene County Deputy Budget Officer position in the exempt class service pursuant to Section 41 of the Civil Service Law 93

COUNTY CLERK

Providing for enhanced personal privacy protection for documents records in the office of the County Clerk and authorizing an increase in fees collected by the County Clerk for the recording, entering, indexing and endorsing a certificate of any instrument. 86

DEPUTY BUDGET OFFICER

Providing for placing the Greene County Deputy Budget Officer position in the exempt class service pursuant to Section 41 of the Civil Service Law 93

DISABLED

Local Law #1 of 2004 – Exemption from real property taxes of property owned by persons with disabilities and limited incomes 61

Amending Local Law #1 of 2004 – Relating to exemption from real property taxes of property owned by persons with disabilities and limited incomes 62, 68, 75, 81, 85, 97, 108, 117

ELECTRICIANS

Amending subsection 2 of Section 7 of Local Law No. 2 of the Year 1988 re: Master Electrician's License – Class "B" (allow flexibility for Board) 28

EMPIRE ZONE DESIGNATION

Authorizing the Chairman of the Greene County Legislature to Make Joint Application with Schoharie County for Designation of certain areas as an Empire Zone **(REPEALED BY LOCAL LAW NO. 1 OF 2005** effective 9/16/05 – see directly below) 48

Authorizing the Chairman of the Greene County Legislature to Make Application for Designation of Certain Areas Within Greene County As An Empire Zone **(AND REPEALS LOCAL LAW NO. 3 OF 2002)** 63

ETHICS

Establishing a Code of Ethics for Greene County and rescinding Resolution No. 293-70 adopted December 4, 1970. 11

Amended, Local Law 3 of 1997 25

FARM

Right to Farm Law 45

FIREWORKS (see "Sparkling Devices")

FUNERAL EVENTS

Relating to a law against the disruption of funeral related events 102

HIGHWAY AND SOLID WASTE

Providing for placing the Greene County Highway and Solid Waste Superintendent positions in the unclassified service class pursuant to Section 35(e) of the Civil Service Law 84

INSURANCE

Amending Local Law No. 13 of 1982
(The Greene County Self-Insurance Worker's Compensation Plan) 31, 104

ITEM PRICING

SEE WEIGHTS & MEASURES (Below)

JAIL

Providing for reimbursement for costs for medical and dental services to inmates of County Jail 8

LEGISLATURE

Revising present Legislative Districts (5 to 7) 9

Term of Chairperson to Expire at End of Term of Legislature Selecting Such Chairperson. 27

Reapportionment of County Legislative Districts 58

LOCAL LAWS

Authorizing Abstract Publication of (future) Local Laws 33

MORTGAGE RECORDING

Imposing an additional Mortgage Recording Tax in Greene County 94, 105, 111

PARKING

Regulating County-Owned Parking Lots in the Village and Town of Catskill, New York 69

PURCHASING

Authorize the Award of Purchase and Service Contracts On The Basis Of Best Value Criteria Pursuant to NYS General Municipal Law And State Finance Law 109

REDISTRICTING

Revising present Legislative Districts (5 to 7) 9

Reappointment of County Legislative Districts 58

REIMBURSEMENT OF COSTS

For medical and dental services to inmates of the Greene County Jail 8

SALARIES

Civil Service Commissioners	1, 5, 10, 26, 29, 30, 41
Clerk of Legislature	1, 5, 26, 30, 44
County Administrator	1, 5
County Attorney	5
County Clerk	5, 6, 10, 26, 29, 41, 44,118
Economic Developer	10, 26, 29, 30, 41
Election Commissioners	1, 5, 10, 26, 29, 30, 41, 44
Electrical Examiners	1, 5, 26, 29, 30, 41
Superintendent of Highways	5, 6, 30, 41, 44
Public Health Director	1, 5, 6, 41
Real Property Tax Services Director	1, 5, 6,7, 10, 26, 29, 30, 41, 44
Sheriff	5, 6, 10, 26, 29, 41, 44,118
Social Services Commissioner	1, 5, 6, 7, 10, 26, 29, 30, 41, 44
Treasurer	5, 6, 10, 26, 29
Director of Veterans' Services	7, 10, 29, 30, 44

SPARKLING DEVICES

Authorizing The Sale And Use of Sparkling Devices 119

TAXES

Authorizing The Greene County Legislature To Override The Tax Levy Limit Established in General Municipal Law, Section 3-c (The New York State Real Property Tax Cap) for 2015 114

RESCINDED: 116

Local Law #1 of 2004 – Exemption from real property taxes of property owned by persons with disabilities and limited incomes 61

Amending Local Law #1 of 2004 – Relating to exemption from real property taxes of property owned by persons with disabilities and limited incomes 62, 68, 75, 81, 85, 97, 108, 117

Providing a change in the amount of Veterans' exemption and to permit veterans to reapply for the exemption of Real Property Tax Law, Sections 458 and 458-A 42

Provide for the increase of the maximum exemption allowable for Veterans' real property tax exemption under Section 458-A of the Real Property Tax Law 74

To provide Veterans' Property Tax Exemptions
To Gold Star Parents Pursuant to New York State Law 76

To provide for an exemption from Real Property Taxes
for real property owned by veterans who rendered
military service to the United States during the
"Cold War" 79

Imposing an additional Mortgage Recording Tax in
Greene County 94, 105

Establishing an installment agreement for eligible
real property owners pursuant to Section 1184
of the real property tax law 98

(Not a local law: Res. No. 236-08, adopted 6/18/08, exempts residential solar energy systems equipment and the service of installing the systems from the county's sales and compensating use taxes, effective September 1, 2008).

TELEPHONES

Enhanced 911 Emergency Telephone System Establ. (1993) 2

Imposing a surcharge on Wireless communications services
in the County of Greene 82

TEXT MESSAGES

Prohibiting the use of wireless handsets to compose, read
or send text messages while operating a motor
vehicle in the County of Greene 89

TOBACCO

In relation to the sale by Greene County of its
rights to receive payments expected to become
due under the Master Settlement Agreement and
the related Consent Decree and Final Judgment
with various tobacco companies 38

VETERANS

To Provide Veterans' Property Tax Exemptions
To Gold Star Parents Pursuant to New York State Law 76

Providing a change in the amount of veterans'
exemption and to permit veterans to reapply for
the exemption of Real Property Tax Law, Sections
458 and 458-A 42

Provide for the increase of the maximum exemption allowable for Veterans' real property tax exemption under Section 458-A of the Real Property Tax Law 74

Provide for an exemption from Real Property Taxes for real property owned by Veterans who rendered military service to the United States during the "Cold War". 79

WEIGHTS AND MEASURES

To ensure accurate Price Marking of Consumer Goods 34

Adopted February 17, 1993

LOCAL LAW NUMBER 1 OF 1993

A LOCAL LAW Establishing an Enhanced 911 Emergency Telephone System Serving the County of Greene and Imposing a Monthly Surcharge Upon Telephone Corporation Customers to Pay for the Obtaining and Maintaining of Said Enhanced 911 Emergency Telephone System Serving the County of Greene.

Be it enacted by the County Legislature of the County of Greene as follows:

Section 1. Declaration of Legislative Intent

The County Legislature of the County of Greene hereby determines that it is in the best interest of the citizens of the County of Greene to implement an Enhanced 911 Emergency Telephone System serving the County of Greene.

Section 2. Establishment of E911 System

The County of Greene hereby establishes an Enhanced 911 Emergency Telephone System serving the County of Greene, and declares its intention that E911 service shall begin operations within the County of Greene on or before April 1, 1995.

Section 3. Definitions

1. "E911 System" means an Enhanced Emergency Telephone Service which automatically connects a person dialing the digits 9-1-1 to an established public service answering point and which shall include, but not be limited to, selective routing, automatic number identification and automatic location identification.

2. "911 Service Area" means the area within the geographic boundaries of the County of Greene.

3. "Service Supplier" means a telephone corporation which provides local exchange access service within the County of Greene.

4. "System Costs" means the costs associated with obtaining and maintaining the telecommunication equipment and the telephone services costs necessary to establish and provide an E911 system.

Section 4. Establishment of a Surcharge for System Costs

For the purpose of paying for the costs associated with obtaining and maintaining the telecommunication equipment and telephone services needed to provide an Enhanced 911 Emergency Telephone System to serve the County of Greene, the County of Greene hereby imposes a surcharge in the amount of thirty-five cents ($.35) per access line per month on the customers of every service supplier. This surcharge shall be imposed on a per access line basis on all current bills rendered for local exchange access service within the County of Greene, with the following exceptions:

1. The surcharge shall not be imposed upon more than seventy-five (75) exchange access lines per customer per location;

2. The surcharge shall not be imposed upon lifeline customers;

3. The surcharge shall not be imposed upon the County of Greene.

Section 5. Collection of Surcharge

1. All service suppliers are hereby authorized and directed to begin billing their customers for the surcharge established herein prior to the date the E911 system service is to begin; all service suppliers shall begin to add the said surcharge to the billings of its customers issued or dated on or after May 31, 1993.

2. The appropriate service supplier or suppliers serving the service area shall act as collection agent for the County of Greene and shall remit all funds collected as the surcharge to the Chief Fiscal Officer of the County. Such funds shall be remitted no later than thirty days after the last business day of the month during which said funds were collected.

3. The service supplier shall be entitled to retain as an administrative fee an amount equal to two percent (2%) of its collections of the surcharge.

4. The surcharge required to be collected by the service supplier shall be added to and stated separately in its billings to the customer.

5. The service supplier shall annually provide to the County of Greene an accounting of the surcharge amounts billed and collected. Such annual accounting shall be furnished to the Chief Fiscal Officer of the County of Greene no later than sixty (60) days after the last business day of the calendar year for which the accounting is rendered.

Section 6. Liability for Surcharge

1. Each service supplier customer who is subject to the provisions of this local law shall be liable to the County of Greene for the surcharge until it has been paid to the County of Greene, except that payment to a service supplier is sufficient to relieve the customer from further liability for such surcharge.

2. The service supplier shall have no obligation to take any legal action to enforce the collection of any surcharge. However, whenever the service supplier remits the funds collected as the surcharge to the County of Greene, it shall also provide the County with the name and address of any customer refusing or failing to pay the surcharge imposed by this local law and shall state the amount of such surcharge remaining unpaid.

Section 7. System Revenues

This local law shall not be interpreted as precluding other means of funding all or part of an E911 system. The County of Greene may apply for and accept Federal monies and may accept contributions and donations from any source for

the purpose of funding an E911 Emergency Telephone System. All surcharge monies remitted to the County of Greene by a service supplier and all other monies dedicated to the payment of system costs from whatever source derived or received by the County of Greene shall be expended only upon authorization of the County Legislature and only for payment of system costs as permitted by County Law Article 6. The County of Greene shall separately account for and keep adequate books and records of the amount and source of all such revenues and of the amount and object or purpose of all expenditures thereof. If at the end of any fiscal year the total amount of all such revenues exceeds the amount necessary and expended for payment of system costs in such fiscal year, such unencumbered cash surplus shall be carried over for the payment of system costs in the following fiscal year. However, if at the end of any fiscal year such unencumbered cash surplus exceeds an amount equal to five percent (5%) of that necessary for the payment of system costs in such fiscal year, the County Legislature shall by local law reduce the surcharge for the following fiscal year to a level which more adequately reflects the system cost requirements of its E911 system. The County Legislature may also by local law reestablish or increase such surcharge, subject to the provisions of County Law Section 303, if the revenues generated by such surcharge and by any other source are not adequate to pay for system costs.

Section 8. Validity and Severability

If any section or part of this local law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section of this law.

Section 9. Effective Date

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

Adopted December 13, 1993

LOCAL LAW NUMBER 1 OF 1994

A LOCAL LAW increasing certain salaries of Appointive and/or Elective Officers serving a fixed term.

BE IT ENACTED by the County Legislature of the County of Greene as follows:

SECTION 1. The annual base salaries of the following County Officers shall be increased to the sums set opposite the office and designation of such County Officers in the following schedule, to wit:

	From	To
Civil Service Commissioners (3)	$ 2,014.ea.	$ 2,074. ea.
Clerk of Legislature	25,000.	25,749.
County Administrator	50,925.	52,453.
County Attorney	36,028.	37,109.
County Clerk	36,750.	37,853.
Election Commissioners (2)	11,237. ea.	11,574. ea.
Electrical Examiners (5)	1,537. ea.	1,583. ea.
Superintendent of Highways	42,744.	44,026.
Public Health Director	48,851.	50,317.
Director of Real Property Tax Services	37,800.	38,934.
Sheriff	36,750.	39,690.
Commissioner of Social Services	44,018.	45,339.
County Treasurer	39,375.	40,556.

SECTION 2. This Local Law shall take effect January 1, 1994 upon full compliance with the provisions of the statutes of the State of New York.

December 7, 1994

LOCAL LAW NUMBER 1 OF 1995
(AS AMENDED BY MOTION)

A LOCAL LAW increasing certain salaries of Appointive and/or Elective Officers serving a fixed term.

BE IT ENACTED by the County Legislature of the County of Greene as follows:

SECTION 1. The annual base salaries of the following County Officers shall be increased to the sums set opposite the office and designation of such County Officers in the following schedule, to wit:

	From	To
County Clerk	37,853.	39,379.
Superintendent of Highways	44,026.	45,800.
Public Health Director	50,317.	52,344.
Director of Real Property Tax Services	38,934.	40,504.
Sheriff	39,690.	41,278.
Commissioner of Social Services	45,339.	47,165.
County Treasurer	40,556.	42,191.

SECTION 2. This Local Law shall take effect January 1, 1995 upon full compliance with the provisions of the statutes of the State of New York.

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 1995
(AS AMENDED BY MOTION)

Motion by Legislator Macko

Seconded by Legislator McRoberts

ROLL CALL VOTE:

Ayes 10 Noes 3 Absent 0 CARRIED

Coyne
Lorenz
Ohm

LOCAL LAW NUMBER 1 OF 1996

A LOCAL LAW increasing certain salaries of Appointive and/or Elective Officers serving a fixed term.

BE IT ENACTED by the County Legislature of the County of Greene as follows:

SECTION 1. The annual base salaries of the following County Officers shall be increased to the sums set opposite the office and designation of such County Officers in the following schedule, to wit:

	From	To
Director of Real Property Tax Services	40,906.	42,250.
Commissioner of Social Services	47,633.	50,500.
Director of Veterans' Services	22,155.	22,775.

SECTION 2. This Local Law shall take effect January 1, 1996 upon full compliance with the provisions of the statutes of the State of New York.

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 1996

Motion by Legislator McRoberts

Seconded by Legislator Macko

ROLL CALL VOTE:

Ayes 13 Noes 0 Absent 0 CARRIED

AAG379

Adopted October 16, 1996

LOCAL LAW NUMBER 2 OF 1996

A LOCAL LAW pursuant to 500-h(2) of the New York Corrections Law, providing for reimbursement for costs for medical and dental services to inmates of the Greene County Jail.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. Pursuant to Section 500-h(2) of the New York Correction Law the County of Greene shall henceforth be reimbursed for costs paid for medical and dental services for inmates in the County Jail from any third party coverage or indemnification carried by an inmate receiving such services, and such third party coverage or indemnification shall first be applied against the total cost to the hospitals or other providers of such services.

SECTION 2. Insofar as the provisions of this Local Law are inconsistent with the provisions of any other Local Law, the provisions of this Local Law shall be controlling.

SECTION 3. This Local Law shall take effect upon filing with the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law. filed 10-28-96

Adopted October 16, 1996

LOCAL LAW NUMBER 3 OF THE YEAR 1996

A LOCAL LAW revising the present Legislative Districts in the County of Greene.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. After the effective date of this Local Law the County of Greene shall henceforth be composed of seven Legislative Districts, with geographic boundaries encompassing towns and villages, and with Legislative representation for each District as follows:

District No.	Towns/Villages Comprising District	Number of Legislators
1	Town and Village of Catskill, Town of Cairo	5
2	Town and Village of Coxsackie	2
3	Town and Village of Athens	1
4	Town of Greenville	1
5	Town of New Baltimore	1
6	Towns of Prattsville, Ashland, Windham, Jewett, Durham	2
7	Towns of Halcott, Lexington and Hunter; Villages of Hunter and Tannersville	1

SECTION 2. This Local Law is subject to referendum on petition under Municipal Home Rule Law Section 24 and shall take effect upon filing with the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

SECTION 3. Insofar as the provisions of this Local Law are inconsistent with the provisions of any other Local Law, specifically Local Law No. 2 of the Year 1985, the provisions of this Local Law shall be controlling.

Sec. of State filed 12/05/96

AAG379

10

December 4, 1996

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 1997

Motion by Legislator Ohm

Seconded by Legislator Martinez

APPROVED AS TO FO

ROLL CALL VOTE:

Ayes 13 Noes 0 Absent 0

CARRIED

COUNTY ATTORNEY

December 4, 1996

LOCAL LAW NUMBER 1 OF 1997

A LOCAL LAW increasing certain salaries of Appointive and/or Elective Officers serving a fixed term.

BE IT ENACTED by the County Legislature of the County of Greene as follows:

SECTION 1. The annual base salaries of the following County Officers shall be increased to the sums set opposite the office and designation of such County Officers in the following schedule, to wit:

	From	To
Civil Service Commissioners (3)	$ 2,074.	$ 2,136.
County Clerk	39,768.	41,000.
Economic Developer	52,000.	53,560.
Election Commissioners (2)	11,574.	11,600.
Director of Real Property Tax Services	42,250.	44,000.
Sheriff	41,278.	42,516.
Commissioner of Social Services	50,500.	52,860.
Treasurer	42,608.	45,000.
Veteran's Service Agency Director	22,775.	23,458.

SECTION 2. This Local Law is subject to referendum on petition under Municipal Home Rule Law Section 24 and shall take effect upon filing with the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Secy State 3/11/97 file

April 16, 1997

MOTION TO ADOPT

LOCAL LAW NO. 2 OF 1997

Motion by Legislator Mathes

Seconded by Legislator McRoberts ROLL CALL VOTE

Ayes 11 Noes 1 Absent 1 Bartels CARRIED
Lawrence

April 16, 1997

COUNTY OF GREENE

LOCAL LAW NO. 2 OF 1997

A LOCAL LAW establishing a Code of Ethics for Greene County and rescinding Resolution No. 293-70 adopted December 4, 1970.

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF GREENE AS FOLLOWS:

GREENE COUNTY CODE OF ETHICS

Contents:

1. Short title
2. Purpose and scope
3. Definitions
4. Standards of conduct
5. Disclosure of interests
6. Board of Ethics
7. Penalties
8. Distribution of Code
9. Repeal of prior Code
10. Effective date

Section 1. Short title. This local law shall be known and may be cited as the "Greene County Code of Ethics."

Section 2. Purpose and scope. This Code is enacted pursuant to article 18 of the general municipal law and in recognition of the policy of the State of New York and the County of Greene to maintain the highest standards of integrity in the public service. Specifically, this Code has as a major purpose the establishment of procedures by which any member of the public may come forward and have considered any allegation or claim of wrongdoing in violation of this Code by any elected or appointed officer or employee of the County or of any member of any Board or Commission of the County. At the same time it is an equally important major purpose of this Code to protect officers and employees of the County against insubstantial or unfounded allegations of violations arising out of the reasonable performance of their duties. This Code shall be in addition to all other restrictions, standards and provisions pertaining to the conduct of County officers and employees.

Section 3. Definitions. As used in this Local Law, the following terms shall have the meanings indicated.

cc: Treas.
24 Sept. Leader w/ memo
Co. Atty
3-file

1. Officer or Employee. An officer or employee of the County, whether paid or unpaid, including members of the County Legislature, and of any administrative board, commission or other agency of the County where such board, commission or other agency is appointed in its entirety by the County.

2. Interest. A pecuniary or material benefit accruing to a municipal officer or employee, unless the context otherwise requires, and shall be deemed to include the business or financial affairs of the officer's or employee's spouse, minor children and dependents; a firm, partnership or association in which such officer or employee is a member; a corporation of which such officer or employee is an officer or director; and a corporation any stock of which is owned or controlled directly or indirectly by such officer or employee.

3. County. The County of Greene.

4. Code. The Greene County Code of Ethics as set forth in this Local Law.

5. Board. The Board of Ethics established pursuant to section 6 of this Code.

Section 4. Standards of conduct. Every officer or employee of the County shall be subject to and abide by the following standards of conduct:

1. Gifts. No officer or employee of the County, whether paid or unpaid, shall directly or indirectly solicit any gift or gratuity, or accept or receive any gift or gratuity irrespective of value whether in the form of money, services, loan, travel, entertainment or any other form, from any person, firm or corporation which the officer or employee knows or has reason to know is seeking or has received or has sought a financial benefit from the County not provided to the public in general within the previous twenty-four months. Gifts or gratuities as referred to herein shall not include goods or services exchanged between persons who are officers or employees of the County. Advisory opinions may be sought by any officer or employee from the Board pursuant to paragraph c of subdivision 4 of section 6 of this Code as to whether an occurrence is or would be a prohibited gift or gratuity.

2. Confidential information. He or she shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest.

3. Representation before agencies and courts.

a. One's own agency. No officer or employee shall appear for or act as representative of any person or entity in relation to any matter before any municipal agency of which he or she is an officer, member or employee or before any municipal agency over which he or she has jurisdiction or to which he or she has the power to appoint any member, officer or employee. Representation by a County Legislator of interests of a constituent in matters pending before the County Legislature is not within the prohibition of this subsection.

b. Before any agency for a contingent fee. No officer or employee shall receive or enter into any agreement, express or implied for compensation for services to be rendered in relation to any matter before any municipal agency whereby his or her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this subdivision shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

c. Courts. No officer or employee shall represent private interests in any court action or proceeding against the interest of the County in any litigation to which the County is a party. If said officer is an attorney, he or she should not engage in activities in which his or her personal or professional interests are or foreseeably may be in conflict with his or her official duties.

4. Interests in conflict with official duties. He or she shall not invest or hold any interest or commercial investment, directly or indirectly, in any financial business, commercial or other private transaction which creates a conflict with his or her official duties, excepting officially designated banks in which he or she has less than a five (5%) percent stock ownership or officially designated newspapers. No member of a board, commission or other agency not appointed in its entirety by the County shall be in violation of this subsection by submission to the County of bids or commercial proposals on any subject in competition with other bidders or proposers on such subject.

5. Private employment. He or she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

6. Future employment. He or she shall not, after the termination of service or employment with the County, appear absent a court order before any board, agency, department or other administrative unit of the County in relation to any case, proceeding or application in which he or she personally participated during the period of his or her service or employment or which was under his or her active consideration.

7. Use of County property. He or she shall not directly or indirectly use or allow the use of property of any kind owned by the County, including property leased to the County, for other than official County business or not-for-profit activities specifically authorized by the County.

8. Treatment of the public. Every officer and employee shall treat all members of the public, whether a person, firm, corporation or other organization, with equal consideration and without special advantage.

9. Course of conduct. Every officer or employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he or she is likely to be engaged in acts that are in violation of his or her trust. He or she should not use or attempt to use his

or her official position to secure unwarranted privileges or exemptions for himself, herself or others. He or she should not by any conduct give reasonable basis for the impression that any person can improperly influence him or her or unduly enjoy his or her favor in the performance of his or her official duties or that he or she is affected by the kinship, position or influence of any party or person.

10. Suits against County. Nothing herein shall be deemed to bar or prevent the timely filing by a present or former officer or employee of any claim, account, demand or suit against the County or any agency thereof on behalf of any officer or employee or any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Section 5. Disclosure of interests.

1. Disclosure by officer of interest. Any officer or employee who has, will have or intends to acquire any interest, direct or indirect, in any matter being considered by the Legislature or by any official, board, agency, officer or employee of the County and who participates in discussions before or gives opinions or advice to the Legislature or to any board, agency or individual considering the same shall fully and officially disclose the nature and extent of such interest in writing.

2. Disclosure by officer or employee having special knowledge of County matters. Any officer or employee who has knowledge of any matter being considered by the Legislature or any board, agency, officer or employee of the County in which he or she has or will have or intends to acquire any direct or indirect interest shall be required to disclose, in writing, his or her interest to the Legislature, such board, agency, officer or employee and the nature and extent thereof.

3. Disclosure by officer or employee of interest in legislation. Any officer or employee who has a direct or indirect financial or private interest in any legislation and who participated in discussions before or gives official opinions to the Legislature shall fully and officially disclose the nature and extent of such interest in writing. Any legislator who has direct or indirect financial or other private interest in any proposed legislation shall fully and officially disclose the nature and extent of such interest in writing.

Section 6. Board of Ethics.

1. Establishment. There is hereby established a Board of Ethics for the County, pursuant to article 18 of the general municipal law.

2. Membership. The Board shall consist of three members, initially appointed within ninety (90) days of the effective date of this Local Law. The members shall be appointed by the Chairperson of the Legislature, subject to confirmation by the Legislature, and shall serve three year terms of office, one such term expiring at the end of each successive calendar year, provided that the first appointments to the Board shall be as follows:

a. one member appointed for a one year term;

b. one member appointed for a two year term; and

c. one member appointed for a three year term.

Members of the Board shall not serve more than two full consecutive three year terms. In the event a vacancy occurs prior to the expiration of a term of office, such vacancy shall be filled for the balance of such term in the same manner as members are appointed to full terms. No more than one member of any political party shall serve on the Board at any time. The Board shall include one member from each of the two political parties ranking first and second in party enrollment among Greene County registered voters at the time of any given appointment. No member shall be an elected official, a political party officer, a member of a political party committee or have substantial business interests with the County. All members shall reside in the County. All members shall serve without compensation but shall be reimbursed for all reasonable expenses incurred in the conduct of their duties. The members shall elect a chairperson from among themselves. This subdivision supersedes the provisions of subdivision 1 of section 808 of the general municipal law which requires the Board to include at least one elected or appointed officer or employee of the County.

3. Removal. Members of the Board may be removed for cause by the vote of two-thirds of the Legislature. Prior to removal, the Board member shall be given written notice of the grounds for removal and an opportunity to reply.

4. Powers and duties.

a. The Board shall render advisory opinions in writing to officers or employees of the County regarding specific matters pertaining to potential conflicts of interest, filings and reporting requirements with respect to this Code and article 18 of the general municipal law. Such opinions shall be rendered only upon written request by the officer or employee concerning only the subject of the inquiry as it pertains to the requesting person's own concerns, except that the County Administrator may request advisory opinions on matters of general concern.

b. The Board shall accept from any member of the general public or from its own members or from any officer or employee of the County and consider any complaint or allegation, except an anonymous complaint or allegation, of conflict of interest on the part of any officer or employee of the County or any other violation of the Code. All such complaints or allegations are to be kept in the confidential records of the Board. Should the Board determine that there is apparent merit in the complaint or allegation, it shall send a copy of the complaint or allegation and a written invitation to the officer or employee so charged to appear at a private meeting of the Board and explain the apparent conflict of interest or Code violation. Should such officer or employee fail to appear

in response to such invitation or should he or she appear and fail to satisfy the Board that there is no conflict of interest or Code violation, the Board may commence an adjudicatory proceeding in accordance with the Regulations For Adjudicatory Proceedings annexed hereto and made a part hereof as Schedule A. At the conclusion of those proceedings the Board shall send a written report on the matter to the County Administrator. The report shall include findings of fact and conclusions of law and any decision as to penalties, including but not limited to fines or suspension, removal from office or employment. The report shall not be made public except by the unanimous vote of the Board.

c. The Board shall render advisory opinions in writing to officers or employees regarding specific matters pertaining to potential violations of this Code. Such opinions shall be rendered only upon written request by the officer or employee concerning only the subject of the inquiry as it pertains to the requesting individual's own obligations under this Code.

d. The Board shall administer and enforce this Code and conduct any investigations necessary to carry out the provisions hereof. Pursuant to the powers and duties of the Board, the Board may administer oaths or affirmations, subpoena witnesses, compel their attendance and require the production of any books or records which it may deem relevant or material.

e. The Board may make recommendations with respect to amendments to this Code to the Legislature.

f. The Board, upon its formation, shall be governed by Regulations For Adjudicatory Proceedings in the form annexed hereto and made a part hereof as Schedule A. The Board shall maintain records of its opinions and proceedings.

g. Notwithstanding the provisions of article 6 of the public officers law, the only records of the Board which shall be available for public inspection are:

i. Written disclosures filed pursuant to this Code;

ii. Notices of hearings or proceedings;

iii. Notices of penalties imposed under section 7 hereof; and

iv. Advisory opinions with names of individuals redacted.

h. The Board may retain counsel admitted to practice in the State of New York subject to confirmation and funding approval by the Legislature.

i. The Board shall be empowered to request support staff and assistance from the Legislature in furtherance of its duties and responsibilities.

<u>Section 7. Penalties</u>. Any officer or employee of the County who knowingly and wilfully violates the provisions of

this Code shall be subject to a civil penalty of up to ten thousand ($10,000) dollars. Any non-elected officer or employee of the County or any appointed member of any County board, agency or commission who knowingly and wilfully violates the provisions of this Code shall be subject to removal, termination or suspension. Any individual or person who, for the purpose of securing preferential treatment in dealings with the County, knowingly and wilfully aids, abets or induces any officer or employee to violate this Code, shall be subject to having any current contract with the County cancelled and shall be barred from bidding on any other County contract for a period of up to two (2) years. The foregoing penalties shall be imposed by the Board subject to review pursuant to article 78 of the Civil Practice Law and Rules. In addition, the foregoing penalties shall be imposed by the Board subject to prior compliance by the County with any disciplinary provisions of any collective bargaining agreement between the County and any group of which the officer or employee is a member.

Section 8. Distribution Of Code. The County Administrator shall cause a copy of this Code to be distributed to every officer and employee of the County within thirty (30) days after the effective date of this Local Law. Failure to distribute such Code or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with this Code nor the enforcement of the provisions thereof. Each officer and employee elected or appointed thereafter shall be furnished with a copy before entering upon the duties of his or her office or employment.

Section 9. Repeal of prior Code. The Resolution entitled "Code of Ethics" adopted December 4, 1970 is hereby rescinded and repealed.

Section 10. Effective date. This Local Law shall take effect upon filing with the Secretary of State. The provisions of sections 4 and 5 of this Code shall take effect December 1, 1997.

SCHEDULE A

REGULATIONS FOR ADJUDICATORY PROCEEDINGS

Sec.

1. Intent and Purpose
2. Definitions
3. Notice of Hearing or Proceeding
4. Time and Place of Hearing or Proceeding
5. Evidence and Proof
6. Representation
7. Oaths
8. Adjournments
9. Time Limits
10. Decision after Hearing or Proceeding
11. Conduct of Hearings
12. Hearing Officer
13. Powers and Duties of Hearing Officer
14. Fines, Penalties
15. Record of Hearing or Proceeding
16. Privacy/confidentiality

1. Intent and Purpose.

The Board of Ethics of Greene County has statutory authority to follow rules and regulations governing the conduct of adjudicatory proceedings and appeals relating to compliance with the Greene County Code of Ethics, and the conduct of hearings held thereunder.

These rules and regulations shall apply to all proceedings undertaken by the Board. Persons subject to the requirements of the law shall be entitled to receive an adjudicatory hearing or proceeding as to every action or decision as to them taken by the Board, including but not limited to extensions of time, waivers and/or exemptions from the disclosure requirements.

2. Definitions.

(a) "Board" shall mean the Board of Ethics established pursuant to the Greene County Code of Ethics.

(b) "Hearing Officer" shall mean the presiding officer in adjudicatory hearings or proceedings conducted pursuant to these regulations, who shall be independent of the Board and of the County of Greene and shall be appointed by the Board at the expense of the County and such hearing officer shall reside and conduct his or her principal business outside of the County.

3. Notice of Hearing or Proceeding.

(a) Where the Board elects to go forward with a proceeding to determine compliance with the requirements of State and local law, or to take such other action as may be authorized by law, the Board shall serve a written notice, by certified mail or other appropriate method of service authorized under the Civil Practice Law and Rules, to the parties and their representatives of record at least twenty (20) calendar days prior to the date of any hearing or

proceeding under these rules. The Notice of Hearing or Proceeding shall contain the following:

(i) a statement of the time and place of the hearing or proceeding;

(ii) a statement of the nature of the hearing or proceeding;

(iii) reference to the particular statutes and rules relevant to the hearing or proceeding;

(iv) a short, plain language statement of the violations asserted, if any, including identification of all persons known to the Board as of the date of the Notice having knowledge or information concerning the alleged violation; and

(v) a statement for hearing impaired parties and participants concerning the provision of deaf interpretation services without charge.

(b) A copy of these regulations shall accompany each Notice of Hearing or Proceeding which is sent pursuant to these regulations.

(c) The Notice of Hearing or Proceeding shall contain information concerning circumstances under which an adjournment may be granted and the result of failure to appear for a scheduled hearing or proceeding.

(d) The Notice of Hearing or Proceeding shall inform the parties and their representatives of the right of each party to be represented, to testify, to produce witnesses, to present documentary evidence, and to examine opposing witnesses and evidence.

4. Time and Place of Hearing or Proceeding.

(a) The time and place of the hearing or proceeding shall be contained in the Notice of Hearing or Proceeding.

(b) The time and place of the hearing or proceeding shall not be changed unless a party formally requests a change pursuant to the adjournment request procedure contained in Section 8 hereof.

(c) The time and place of the hearing or proceeding shall, as far as practicable, take into account the convenience of the parties and the availability of witnesses.

5. Evidence and Proof.

(a) The formal rules of evidence do not apply to adjudicatory hearings or proceedings conducted pursuant to these rules. However, the rules of privilege recognized by law shall be given effect. Objections to evidentiary offers may be made and shall be a part of the record. Subject to these rules, any party may, for the purpose of expediting

the hearing or proceeding and when the interests of the parties will not be substantially prejudiced thereby, submit all or part of the evidence in written form.

(b) The hearing officer may exclude irrelevant, or unduly repetitive evidence or cross-examination from any hearing or proceeding.

(c) The burden of proof shall be upon the Board of Ethics to establish by clear and convincing evidence the facts and findings which support its decisions, including but not limited to a finding that non-compliance with the requirements of law has had or will have a material bearing on the discharge of the official duties of the person subject thereto.

(d) No decision or determination by the hearing officer or the Board shall be made except on consideration of the record as a whole, or such portions thereof as may be cited by any party to the hearing or proceeding and as supported by and in accordance with substantial evidence.

(e) Each party shall have the right of cross-examination.

(f) Official notice may be taken of all facts of which judicial notice may be taken and of other facts within the specialized knowledge of the Board. When official notice is taken, every party shall be given notice thereof and shall, on timely request, be afforded an opportunity prior to decision to dispute the fact or its materiality.

(g) All findings of fact shall be based exclusively on the evidence in record and on matters officially noticed.

(h) In making its findings and decisions and carrying out its duties with regard to ensuring compliance with State laws and the Greene County Code of Ethics, the Board shall in every case evaluate whether any non-compliance by any person subject thereto affects in any manner the ability of such person to fully and faithfully carry out the responsibilities and duties of their position. Only if the Board finds by clear and convincing evidence that non-compliance has a material bearing on the discharge of the person's official duties and that such non-compliance was willful can the enforcement and punitive powers of the Board be exercised.

6. Representation.

Any person compelled to appear in person, or who voluntarily appears in any hearing or proceeding conducted according to these rules, shall be accorded the right to be accompanied, represented, and advised by counsel. Nothing herein shall be construed either to grant or to deny to any person who is not a lawyer the right to appear for or represent others in any hearing or proceeding herein.

7. Oaths.

(a) All oaths required by these rules may be taken before any person authorized to administer oaths within the State of New York.

(b) Oaths shall be administered to all witnesses who testify or appear in any adjudicatory proceeding conducted pursuant to these rules.

8. Adjournments.

(a) Adjournment of any hearing or proceeding conducted pursuant to these rules shall be granted only for good cause.

(b) Written requests for adjournment shall be submitted to the hearing officer in the hearing or proceeding for which the adjournment is sought. The request must be accompanied by an affidavit which contains sufficient detail to allow the hearing officer to rule on the request.

9. Time Limits.

(a) Under these rules adjudicatory proceedings shall be conducted in an expeditious manner with all due regard for the rights of the parties concerned. Every effort should be made by the parties to effectuate a speedy disposition of the case.

(b) Parties to any hearing or proceeding are required to file all papers, statements, proofs, and other evidence with the hearing officer at a time to be designated by the officer. An extension of time for filing those items will be granted by the hearing officer only upon formal request.

10. Decision after Hearing or Proceeding.

(a) All final recommendations of the hearing officer, and all decisions and determinations of the Board shall be in writing or stated in the record and shall include findings of fact, conclusions of law, and reasons for the decision or determination and, when appropriate, shall direct that specific action be taken by the parties. The final decisions or determinations of the Board shall be binding upon the Board.

(b) A copy of all final decisions and determinations of the Board and recommendations of the hearing officer shall be made available to the parties to the hearing or proceeding, and shall be delivered or mailed forthwith to each party and to its representative of record.

(c) Except as provided in the Greene County Code of Ethics or as otherwise provided herein, members of the Board shall not communicate directly or indirectly with any party or representative thereof in connection with any pending adjudicatory proceeding.

(d) The Board shall maintain the final decision or determination in any adjudicatory proceeding in a file with an index by name of party and subject matter. The index and the notice of civil assessment, if any, shall not be made available for public inspection and copying except as provided in Section 16 of these rules. Each decision or determination shall be so filed and indexed within sixty (60) days after having been rendered.

11. Conduct of Hearings.

The hearing officer, exercising discretion, may elect to conduct any hearing or proceeding under these rules ex parte after a showing that the party who is the subject of the hearing and its representative of record have been notified by certified mail of the pending hearing or proceeding or otherwise served with notice of the hearing. The party who is the subject of the hearing shall at no time be deprived of the opportunity to appear. However, if a party has been served with two (2) written notices of a hearing and fails to appear after each notice, the hearing officer upon proof of service, shall have the authority to proceed with the scheduled hearing. Proof of service shall consist of a signed certified mail receipt or affidavit.

12. Hearing Officer.

All hearings or proceedings under these rules shall be conducted by a hearing officer, retained and provided by the County, who shall have the power and authority of presiding officers or hearing officers as defined by the State Administrative Procedure Act (SAPA), any other pertinent statute or local law, ordinance, or resolution, and these regulations. The hearing officer shall be an individual who has in no way been involved with the action or proceeding in question.

13. Powers and Duties of Hearing Officer.

A hearing officer is authorized to do the following in any hearing or proceeding to which he or she is assigned:

(a) administer oaths and affirmations;

(b) at the request of any party, sign and issue subpoenas in the name of the Board requiring the attendance and giving of testimony by witnesses and the production of books, papers, documents, and other evidence. Subpoenas shall be regulated by the Civil Practice Law and Rules. Nothing herein contained shall affect the authority of an attorney for a party to issue subpoenas under the provisions of the Civil Practice Law and Rules;

(c) provide for the taking of testimony by deposition;

(d) regulate the course of the hearings, set the time and place for continued hearings and the time for filing of briefs and other documents;

(e) direct the parties to appear and confer to consider the simplification or settlement of the issues by consent of the parties; and

(f) prepare findings of fact and recommendations.

14. Fines, Penalties.

(a) At the close of the hearing or proceeding, the hearing officer shall make findings of fact and a recommendation as to the appropriate penalty or fine to be assessed or any other action to be taken. The proposed findings of fact and recommendation shall be transmitted to

the Board for approval and simultaneously mailed or delivered to the parties to the proceeding. The parties shall have an opportunity to respond in writing, in the form of a brief, to the findings of fact and recommendation of the hearing officer, and such written response shall be directed to the Board for its consideration within fifteen (15) days after the service of the hearing officer's findings and recommendations upon the parties. In their brief submitted in response to the findings of fact and recommendation of the hearing officer, the parties may not submit or discuss evidence which is not a part of the official record of the hearing or proceeding. The Board shall act on the findings of fact and recommendation as expeditiously as possible. The Board may affirm or reverse the findings of fact and recommendation of the hearing officer in whole or in part, or it may remand and/or dismiss the proceeding based upon the record produced at the hearing.

(b) The assessment of penalties under the Greene County Code of Ethics shall not preclude the referral of an appropriate violation to a prosecutor for prosecution of criminal charges.

(c) If the alleged violation has been established, and the Board determines in light of all the circumstances that the violation is not serious enough to warrant assessment of penalty, the Board in its discretion may take such other action as appropriate, including but not limited to a written admonition or a recommendation that disciplinary action be taken. The Board may forward a copy of such admonition or a recommendation for disciplinary action to the individual's appointing authority, as appropriate.

15. Records of Hearing or Proceeding.

(a) The record in hearing or proceeding under these rules shall include:

(i) all notices, pleadings, motions, and intermediate rulings;

(ii) evidence presented;

(iii) a statement of matters officially noticed, except matters so obvious that a statement of them would serve no useful purpose;

(iv) questions and offers of proof, objections thereto, and rulings thereon;

(v) proposed findings and exceptions, if any;

(vi) any findings of fact, conclusions of law, or other recommendations made by the hearing officer; and

(vii) any decision, determination, opinion, order, or report rendered.

(b) The Board shall make a complete record of all hearings and proceedings conducted before it. For this purpose, unless otherwise required by statute, the Board may

use whatever means it deems appropriate, including but not limited to the use of stenographic transcriptions or electronic recording devices. Within a reasonable time after the Board gives notice of its decision, determination, opinion, or order, but before commencement of judicial review, any party to the hearing or proceeding may request the Board to prepare the record or any part thereof, together with any transcript of the hearing or proceeding or any part thereof. The Board shall then prepare the requested portions of the record and transcript within a reasonable time and furnish a copy to the requesting party at no charge.

16. Privacy/confidentiality.

(a) Notwithstanding the provisions of Article 6 of the Public Officers Law, the only records of the Board which shall be available for public inspection are:

(i) Written disclosures filed under section 5 of the Greene County Code of Ethics;

(ii) Notices of hearings or proceedings;

(iii) Notices of penalties imposed under section 14 hereof; and

(iv) Advisory opinions with names of individuals redacted.

(b) Notwithstanding the provisions of Article 7 of the Public Officers Law, no meeting or proceeding of the Board shall be open to the public, except as expressly provided otherwise by the Board.

(c) Information which would reveal confidential material protected by Federal or State statute shall be deleted from any final decision, order, determination, or declaration issued by the Board.

filed w/ Sec. of State 4/25/97

December 17, 1997

MOTION TO ADOPT

LOCAL LAW NUMBER 3 OF 1997

Motion by Legislator

Seconded by Legislator

Ayes Noes Absent CARRIED

December 17, 1997

LOCAL LAW NUMBER 3 OF 1997

A LOCAL LAW pursuant to article 18 of the General Municipal Law, Amending Subsection 2 of Section 6 And Amending Section 10 Of The Code Of Ethics For Greene County Adopted By Local Law No. 2 of the Year 1997 To Extend Certain Dates Set Forth Therein.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. The first sentence of subsection 2 of section 6 of the Greene County Code of Ethics enacted by Local Law No. 2 of 1997 is hereby amended as follows:

> The Board shall consist of three members, initially appointed within {Ninety (90) days} <u>Ten (10) Months</u> of the effective date of this Local Law.

SECTION 2. The second sentence of section 10 of the aforementioned Greene County Code of Ethics enacted by Local Law No. 2 of 1997 is hereby amended as follows:

> The provisions of sections 4 and 5 of this Code shall take effect {December 1, 1997} <u>March 1, 1998</u>.

SECTION 3. This Local Law shall take effect upon filing with the Secretary of State. (12/29/97 filing date)

December 3, 1997

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 1998

Motion by Legislator Lawrence

Seconded by Legislator McRoberts

ROLL CALL VOTE:

Ayes 12 Noes 1 Martinez Absent 0 CARRIED

December 3, 1997

LOCAL LAW NUMBER 1 OF 1998

A LOCAL LAW increasing certain salaries of Appointive and/or Elective Officers serving a fixed term.

BE IT ENACTED by the County Legislature of the County of Greene as follows:

SECTION 1. The annual base salaries of the following County Officers shall be increased to the sums set opposite the office and designation of such County Officers in the following schedule, to wit:

	From	To
Civil Service Commissioners (3)	$ 2,136.	$ 2,200.
Clerk of Legislature	28,642.	29,643.
County Clerk	41,000.	42,230.
Economic Developer	53,560.	56,250.
Election Commissioners (2)	11,600.	12,000.
Electrical Examiners (5)	1,583.	1,630.
Director of Real Property Tax Svcs.	44,000.	45,000.
Sheriff	42,516.	46,500.
Commissioner of Social Services	52,860.	56,750.
Treasurer	45,000.	47,500.

SECTION 2. This Local Law is subject to referendum on petition under Municipal Home Rule Law Section 24 and shall take effect upon filing with the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

filed 2-10-98

March 18, 1998

MOTION TO ADOPT

LOCAL LAW NUMBER 2 OF 1998

Motion by Legislator Mathes

Seconded by Legislator McRoberts, Martinez

Ayes 9 Noes 4 Absent 0 ROLL CALL VOTE CARRIED

Dudley
Lawrence
Ohm
Prest

March 18, 1998

LOCAL LAW NUMBER 2 OF 1998

A LOCAL LAW Providing for the Term of the Chairperson of the Greene County Legislature to Expire at the End of the Term of the County Legislature Selecting Such Chairperson.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. The increased complexity in the Legislative affairs of Greene County has rendered it inappropriate and impractical to provide for the expiration of the term of the Chairperson of the Greene County Legislature at the end of the calendar year in which he or she is selected as heretofore permitted by Section 151(4) of the County Law.

SECTION 2. Recognizing that Section 151(4) of the County Law is a special rather than a general law, it is hereby modified to extend the term of office of the Chairperson of the Greene County Legislature to the expiration of the term of office of the Greene County Legislature selecting such Chairperson.

SECTION 3. This local law shall take effect upon filing with the Secretary of State. filed 03/30/98

APPROVED AS TO FORM

Charles J. Brown

COUNTY ATTORNEY

November 18, 1998

MOTION TO ADOPT

LOCAL LAW NUMBER 3 OF 1998

Motion by Legislator Ohm

Seconded by Legislator Martinez
ROLL CALL VOTE:
Ayes 13 Noes 0 Absent 0 CARRIED

November 13, 1998

LOCAL LAW NUMBER 3 OF 1998

A LOCAL LAW amending subsection 2 of Section 7 of Local Law No. 2 of the Year 1988.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. The first sentence of subsection 2 of Section 7. Licenses, Term, Renewal Fees, is hereby amended as follows:

A Master Electrician's License - Class "B" shall authorize the licensee to engage in the business of Master Electrician in the County of Greene but only for the purpose of undertaking, performing and completing a single continuous job or installation at one location or property <u>unless otherwise stipulated by the Board</u>.

SECTION 2. This Local Law shall take effect upon filing with the Secretary of State.

filed w/ Sec. of State 12/7/98

December 2, 1998

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 1999
(AS AMENDED)

APPROVED AS TO FORM

COUNTY ATTORNEY

Motion by Legislator McRoberts

Seconded by Legislator Martinez

ROLL CALL VOTE:

Ayes 13 Noes 0 Absent 0

CARRIED

December 2, 1998

LOCAL LAW NUMBER 1 OF 1999
(AS AMENDED)

A LOCAL LAW increasing certain salaries of Appointive and/or Elective Officers serving a fixed term.

BE IT ENACTED by the County Legislature of the County of Greene as follows:

SECTION 1. The annual base salaries of the following County Officers shall be increased to the sums set opposite the office and designation of such County Officers in the following schedule, to wit:

	From	To
Civil Service Commissioners (2)	$ 2,200.	$ 2,264.
County Clerk	42,230.	43,496.
Economic Developer	56,250.	57,937.
Election Commissioners (2)	12,000.	12,358.
Electrical Examiners (4)	1,630.	1,678.
Electrical Examiners, Treasurer (1)	1,630.	1,711.
Director of Real Property Tax Svcs.	45,000.	46,348.
Sheriff	46,500.	47,895.
Commissioner of Social Services	56,750.	58,452.
Treasurer	47,500.	48,923.
Director of Veterans' Services	24,336.	25,066.

SECTION 2. This Local Law is subject to referendum on petition under Municipal Home Rule Law Section 24 and shall take effect upon filing with the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

filed w/ Sec. of State 1/22/99

December 9, 1999

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 2000

Motion by Legislator McRoberts

Seconded by Legislator Martinez

ROLL CALL VOTE:

Ayes 13 Noes 0 Absent 0 CARRIED

LOCAL LAW NUMBER 1 OF 2000

A LOCAL LAW increasing certain salaries of Appointive and/or Elective Officers serving a fixed term.

BE IT ENACTED by the County Legislature of the County of Greene as follows:

SECTION 1. The annual base salaries of the following County Officers shall be increased to the sums set opposite the office and designation of such County Officers in the following schedule, to wit:

	From	To
Civil Service Commisioners (3)	$2,264.	2,309.
Clerk of Legislature	30,532.	31,295.
Economic Developer	57,937.	59,675.
Election Commissioners (2)	12,358.	12,605.
Electrical Examiners (5)	1,678.	1,712.
Superintendent of Hwys.	54,000.	55,350.
Dir. of Real Prop. Tax Serv.	46,348.	47,275.
Comm. of Social Services	58,452.	60,205.
Dir. of Veterans Service	25,066.	25,693.

SECTION 2. This Local Law is subject to referendum on petition under Municipal Home Rule Law Section 24 and shall take effect upon filing with the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Filed with Secretary of State 1/10/00

January 19, 2000

MOTION TO ADOPT

LOCAL LAW NUMBER 2 OF 2000

Motion by Legislator Ohm

Seconded by Legislators Deyo and Brooks

ROLL CALL VOTE:

Ayes 12 Noes 0 Absent 1 McRoberts CARRIED

January 19, 2000

LOCAL LAW NUMBER 2 OF 2000

A LOCAL LAW amending certain sections of Local Law No. 13 of the year 1982 (the Greene County Self-Insurance Plan)

BE IT ENACTED by the County Legislature of the County of Greene, as follows (matter in brackets deleted and matter underlined added):

SECTION 1. Article III Participants, Section 3, is hereby amended as follows:

Section 3. Every new employee of any participant in the plan [,except volunteer firemen and civil defense volunteers,] shall be required to undergo a physical examination before undertaking any of the duties of employment, except in the case of an emergency, in which case a participant employing such an employee shall arrange for such physical examination at the earliest possible time after undertaking the required duties. The expense of such physical examination shall be paid from the funds of the plan.

SECTION 2. Article III Participants, Section 5, is hereby amended as follows:

Section 5. The share of each participant in the plan shall be collected as provided in Sections 67 and 71 of the Workers' Compensation Law [except that the share of each city, village, town and fire district participating in the plan shall be collected through the next succeeding tax levy .]

SECTION 3. Article IV Reserves is hereby amended as follows:

Section 1. Reserves not to exceed [Five Hundred Thousand Dollars ($500,000)] <u>one hundred per cent (100%) of the estimated Plan Liability</u> are hereby established for the plan.

[Section 2. There shall be an annual appropriated contribution to said reserves by each participant, not to exceed Twenty Five Thousand ($25,000.00) Dollars until such time as the maximum established reserves are reached and maintained.]

Section (3) 2. (Notwithstanding the provisions of the foregoing Section 2 of this Article, a) Any existing balance in the Workers' Compensation Fund on December 31 of any year, will be transferred to the reserves established, until such time as the maximum is reached and maintained.

SECTION 4. This Local Law shall take effect upon filing with the Secretary of State.

February 16, 2000

MOTION TO ADOPT

LOCAL LAW NUMBER 3 OF 2000

Motion by Legislator Brooks

Seconded by Legislator McRoberts

ROLL CALL VOTE:

Ayes 12 Noes 0 Absent 1 Gardner CARRIED

February 16, 2000

LOCAL LAW NUMBER 3 OF 2000

A LOCAL LAW SUPERSEDING SECTION 214 OF THE COUNTY LAW TO AUTHORIZE ABSTRACT PUBLICATION OF LOCAL LAWS

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. LEGISLATIVE INTENT. Section 214 of the County Law requires the Clerk of the Legislature to publish a true copy of the full text of each local law in the official newspapers of the County. This Local Law is intended to supersede that requirement by authorizing publications of an abstract, rather than the full text, of each local law.

SECTION 2. PUBLICATION OF ABSTRACTS OF LOCAL LAWS. Except as otherwise provided by law, the Clerk of the Legislature shall cause an abstract of each local law to be published in the County's official newspapers at least once a week for two successive weeks, the first publication of which shall be had within ten days after such local law has become effective; provided, however, that any local law which is subject to a permissive referendum shall be published in such official newspapers at least once a week for two successive weeks, the first publication of which shall be had within ten days after such local law is adopted. Such abstract shall concisely state the purpose and effect of each local law.

SECTION 3. PUBLIC INSPECTION AND COPYING. The Clerk of the Legislature shall make a true copy of each local law available for public inspection and copying during the office's regular business hours for one hundred fifty days after the effective date of such local law.

SECTION 4. EFFECTIVE DATE. The Local Law shall become effective immediately upon proper filing pursuant to Section 27 of the Municipal Home Rule Law.

filed with Sec. of State 3/6/00

May 17, 2000

MOTION TO ADOPT

LOCAL LAW NUMBER 4 OF 2000

APPROVED AS TO FO

COUNTY ATTORNE

Motion by Legislator Mathes

Seconded by Legislators Carl, Martinez and Prest

ROLL CALL VOTE:

Ayes 12 Noes 0 Absent 1 - Deyo CARRIED

May 17, 2000

LOCAL LAW NUMBER 4 OF 2000

A LOCAL LAW TO ENSURE ACCURATE PRICE MARKING OF CONSUMER GOODS

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

Section 1. LEGISLATIVE INTENT.

This Local Law recognizes that clear, accurate unit pricing is a basic consumer right that is not adequately protected under current law. It is the intent of this legislation to ensure that consumer goods offered for sale in Greene County are clearly, accurately, and adequately marked as to their selling prices.

Section 2. APPLICATION.

This Local Law applies to every person engaged in the business of selling consumer commodities in Greene County, as the term "consumer commodities" is defined in section 214-h of the New York State Agriculture and Markets Law.

Section 3. DEFINITIONS.

1. "Consumer goods" means consumer commodities sold by any retail store.

2. "Person" shall include without limitation any individual, firm, joint venture, association, co-partnership, group, corporation, or any other legal entity or combination of entities whatsoever.

3. "Computer-assisted checkout system" means any electronic device, computer system, or machine, including but not limited to laser scanners, which determines the selling price of consumer goods by interpreting coded information.

4. "Price look-up function" shall mean the capability of any checkout system to determine the retail price for an item of consumer goods by way of either automatic or manual entry into the system of a code assigned to that particular item.

5. "Retail store" means a store that sells stock keeping units directly to consumers and charges sales tax.

6. "Stock keeping unit" shall mean each group of items offered for sale of the same brand name, quantity of contents, variety and retail price.

Section 4. UNIT PRICING REQUIRED.

1. The selling price shall be clearly stamped, tagged, labeled, or otherwise marked in Arabic numerals on easy-to-read shelf tags or signs, located directly above, below, or immediately adjacent to every stock keeping unit or group of stock keeping units or the same brand, size, and price. Prices may be marked on each item.

2. It shall be a violation of this Local Law:

   a. To stamp, tag, label, or otherwise mark more than one selling price upon an item or stock keeping unit of consumer goods offered for sale in Greene County unless the prior selling price is unmistakably deleted or obliterated or is otherwise marked so as to indicate clearly that the prior selling price is not the current selling price.

   b. To stamp, tag, label, or otherwise mark any consumer goods at a selling price greater than the selling price advertised or displayed for that item.

   c. To sell or offer for sale any consumer goods or services at a greater price than the price displayed or advertised therefor.

   d. To sell or offer for sale any consumer goods which do not have a selling price displayed in conformity with Subdivisions 1 or 2 of this section.

   e. To use a computer-assisted checkout system or price look-up function that determines a retail selling price which exceeds the lower of any item, shelf, sale, or advertised price for any item of consumer goods offered for sale.

Section 5. VIOLATIONS, CIVIL PENALTIES, AND ENFORCEMENT.

1. Any person who violates any provision of this Local Law, or who fails to comply with any order made by an enforcement officer pursuant to this Local Law shall be liable for a violation and subject to a civil penalty.

2. Noncompliance within a stock keeping unit shall constitute a single violation.

3. For failure to clearly, accurately, or adequately mark consumer goods as to their selling prices as required by this Local Law, civil penalties shall accrue but not be imposed unless ten (10) or more violations are found on any one calendar day, provided that no other violations have been cited within a previous twelve (12) month period.

4. For failure to clearly, accurately, or adequately mark consumer goods as to their selling prices as required by this Local Law, civil penalties shall not exceed five hundred ($500.00) Dollars for ten (10) or fewer violations, nor exceed one hundred ($100.00) Dollars for each subsequent violation thereafter. The total civil penalty shall not exceed $1,500.00 per day.

5. The primary responsibility for administration and enforcement of this Local Law shall be with the County Director of Weights and Measures.

6. In stores with computer-assisted checkouts, enforcement officers shall be permitted to compare the item, shelf, sale, or advertised price of any consumer goods with the programmed computer price. A store representative shall afford the enforcement officer access to the test mode of the checkout system in use at that store or to a comparable function of said system and to the retail price information contained in a price look-up function.

7. For violations resulting from a computer-assisted checkout system or price look-up function that determines a retail selling price exceeding the lower of any item, shelf, sale or advertised price for any item of consumer goods offered for sale, civil penalties shall be assessed as follows:

   a. For each of the first two items from different stock keeping units found in violation, the fine shall be fifty ($50.00) dollars.

   b. For each subsequent item from different stock keeping units found to be in violation, the fine shall be one hundred ($100.00) dollars. Penalties shall not exceed $1,000.00 per day.

8. An enforcement officer shall have the authority to issue a stop-removal order with respect to any device, system, or consumer good being used, handled, offered for sale or exposed for sale in violation of section five of this Local Law.

   a. Any stop-removal order issued with respect to any stock keeping unit shall be in writing, shall list the violations and shall direct that any stock keeping unit in violation shall not be sold, offered for sale, or exposed for sale until the violations are corrected.

   b. Any stop-removal order issued with respect to any device or system shall be in writing and shall list the violations. Such stop-removal order shall be stayed until the violations are corrected.

9. The County Attorney, in the name of the County, may upon request of the County Director of Weights and Measures, maintain an action or proceeding in a court of competent jurisdiction against, or respect to, any violation of this Local Law for enforcement

of the provision hereof providing for a penalty.

Section 6. DISPOSITION OF FINES AND PENALTIES.

All fines and penalties imposed and collected by reason of civil enforcement of this Local Law shall be paid to the Greene County Treasurer and credited to the general fund.

Section 7. SEVERABILITY.

If any provision of this Local Law or application thereof to any person or circumstance by adjudged by a court of competent jurisdiction, the remainder of this Local Law and the application of any part thereof to any person or circumstance shall not be affected thereby. To this end, the provisions of each section of this Local Law are hereby declared severable.

Section 8. EFFECTIVE DATE.

This Local Law shall take effect 30 days after its adoption.

filed with Sec of State 6/8/20

August 16, 2000

MOTION TO ADOPT

LOCAL LAW NUMBER 5 OF 2000

Motion by Legislator Lawrence

Seconded by Legislator McRoberts

ROLL CALL VOTE:

Ayes 13 Noes 0 Absent 0 CARRIED

August 16, 2000

LOCAL LAW NUMBER 5 OF 2000

A LOCAL LAW in relation to the sale by Greene County of its rights to receive payments expected to become due under the Master Settlement Agreement and the related Consent Decree and Final Judgment with various tobacco companies.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. Legislative Intent

The Legislature hereby finds that:

A. The County of Greene is entitled to receive payments under the Master Settlement Agreement (hereinafter the "MSA") and the Consent Decree and Final Judgment of the Supreme Court of the State of New York, County of New York, dated December 23, 1998 (hereinafter, as the same may be amended or modified, the "Decree") in the class action entitled State of New York et al. v. Phillip Morris Incorporated, et. al. (Index No. 400361/97); and

B. In order to secure to present generations a portion of the benefits intended to be conferred by the MSA and the Decree it is necessary or desirable for the County to sell all or a portion of its rights, title and interest in, to and under the Decree and in and to the moneys payable to the County under the MSA and the Decree (all such rights, title and interest hereinafter collectively referred to as the "Tobacco Settlement Revenues") to a local development corporation to be created by the County pursuant to the Not-For-Profit Corporation Law of the State of New York.

SECTION 2. Authorization to take all actions necessary to effect sales and to benefit from the consideration to be received from such sales.

The County is hereby authorized to sell to the said local development corporation, and to take any and all actions necessary or desirable to effect one or more sales to the said local development corporation of, the County's rights, title and interest in and to all or a portion of the Tobacco Settlement Revenues and to take any and all actions necessary or desirable to enable the County to benefit from the consideration to be received from any such sale. The Chairman of the Greene County Legislature or his designee(s) may approve the terms and conditions of any such transaction and the form and substance of any agreement of sale or other

document necessary or desirable to effect any such transaction including the power to execute and deliver any such agreement or other document as may be approved by the person executing the same and to take any and all other actions necessary or desirable to enter into, facilitate or consummate such transaction, including agreeing to pay certain fees and expenses which will be payable regardless of whether or not such transaction is consummated. The County shall use the entire proceeds to be received from said corporation from such sale to finance certain capital projects identified in the County' capital program and the remaining initial proceeds to finance the defeasance of County obligations. It is the intent of this local law that a sale by the County of Tobacco Settlement Revenues to the said local development corporation is, and it is hereby deemed to be, a true sale and not a borrowing.

SECTION 3. Local Development Corporation.

The Chairman of the County Legislature or his designee(s) is hereby authorized to take all actions necessary to create a corporation pursuant to the New York Not-For-Profit Corporation Law Section 1411 (hereinafter, the "Corporation"). The Corporation shall be granted all powers as may be deemed necessary by the Chairman of the Greene County Legislature or his designee(s), which powers shall include, but not be limited to, the power to purchase from the County its right, title and interest in and to all or a portion of the Tobacco Settlement Revenues, to issue bonds, notes and other evidence of indebtedness and other securities and to incur other obligations, to create and transfer assets of the Corporation to a trust or other entity, and to take all other actions as may be necessary in connection therewith.

It is the specific intention of the Legislature that the purpose and scope of the Corporation be limited to the transactions contemplated by this local law including the purchase of Tobacco Settlement Revenues from the County, the financing of any such purchase and related transactions.

SECTION 4. Covenant and Agreement.

The County is hereby authorized to covenant and agree with the Corporation in a transaction contemplated by this local law for the benefit of the Corporation and the holders from time to time of any bonds, notes or other obligations or other securities (hereinafter collectively, the "Securities") issued by the Corporation that the County will not limit or alter the rights of the Corporation to fulfill the terms of its agreements with the holders of the Securities or in any way impair the rights and remedies of such holders or the security for the Securities until the Securities, together with the interest due thereon or payable in respect thereof and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged. The Chairman of the Greene County Legislature or his designee(s) is granted the power to make such a covenant to and agreement with the Corporation and to take any and all actions necessary or desirable to cause such covenant and agreement to be made or enforced. The Corporation is hereby authorized to assign to or for the benefit of the holders of its Securities any

covenant or agreement made by the County pursuant to this Section.

SECTION 5. This Local Law shall take effect upon filing in the office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Filed with Sec. of State 8/28/10

December 6, 2000

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 2001

filed with sec. of state 2/5/01

Motion by Legislator

Seconded by Legislator

ROLL CALL VOTE:

Ayes 12 Noes 0 Absent 1 McRoberts CARRIED

December 6, 2000

LOCAL LAW NUMBER 1 OF 2001

A LOCAL LAW increasing certain salaries of Appointive and/or Elective Officers serving a fixed term.

BE IT ENACTED by the County Legislature of the County of Greene as follows:

SECTION 1. The annual base salaries of the following County Officers shall be increased to the sums set opposite the office and designation of such County Officers in the following schedule, to wit:

	From	To
Civil Service Commissioners (3)	2,309.	2,378.
County Clerk	44,800.	46,368.
Economic Developer	59,675.	61,763.
Election Commissioner (1)	12,605.	12,983.
Electrical Examiners (4)	1,712.	1,763.
Electrical Examiner (1)	1,745.	1,797.
Superintendent of Highways	55,350.	57,287.
Public Health Director	61,000.	63,135.
Director of Real Property Tax Services	47,275.	48,929.
Sheriff	47,895.	54,455.
Commissioner of Social Services	60,205.	62,312.

SECTION 2. This Local Law is subject to referendum on petition under Municipal Home Rule Law Section 24 and shall take effect upon filing with the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

APPROVED AS TO FORM

Charles J. Brown

COUNTY ATTORNEY

May 16, 2001

MOTION TO ADOPT

LOCAL LAW NUMBER 2 OF 2001

Motion by Legislator Martinez

Seconded by Legislators Brooks, Carl, Deyo and Palmateer

ROLL CALL VOTE:

Ayes 12 Noes 0 Absent 1 - Prest CARRIED

LOCAL LAW NUMBER 2 OF 2001

A LOCAL LAW providing a change in the amount of veterans' exemption and to permit veterans to reapply for the exemption of Real Property Tax Law, sections 458 and 458-a.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. The purpose of this local law is to maintain the ratio of the amount of the veterans' exemption to the assessed valuation of property on which the exemption was granted when the ratio may change as a result of a revaluation or update of assessments, as authorized by paragraph (a) and to permit veterans to reapply for the exemption under Real Property Tax Law, section 458 as authorized by paragraph (b) of subdivision 5 of section 458 of the Real Property Tax Law.

SECTION 2 (a). If the total assessed value of real property for which an exemption has been granted pursuant to section 458 of the Real Property Tax Law, has been increased or decreased as a result of a revaluation or update of assessments and a material change in level of assessment has been certified by the State Board of Real Property Services for the assessment roll on which such property is assessed, the assessor shall increase or decrease the amount of such exemption by multiplying the amount of such exemption by such change in level of assessment.

(b) In accordance with paragraph (a) of subdivision 5 of such section 458, if the assessor receives the certification from the State Board after the final assessment roll has been filed, the assessor shall certify the amount of the recomputed exemption to the officer having custody and control of the roll who is directed and authorized by such statute to enter the recomputed exemption on the roll.

SECTION 3. A veteran who had received an exemption under such section 458 and who had opted for the alternate exemption of section 458-a of such law, may reapply for the exemption under section 458 as authorized by paragraph (b) of subdivision 5 of such section 458, if such veteran applies within one year from the adoption of this local law.

SECTION 4. The provisions of this local law shall be applied retroactively to an assessment roll prepared on the basis of a taxable status date occurring on or after March 1, 2001.

SECTION 5. This local law shall take effect immediately upon filing with the Secretary of State.

April 16, 2002

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 2002

Motion by Legislator Martinez

Seconded by Legislator Mathes

ROLL CALL VOTE:

Ayes 9 Noes 2 Deyo, Dudley Absent 2 Prest, Horn CARRIED

April 16, 2002

LOCAL LAW NUMBER 1 OF 2002

A LOCAL LAW increasing certain salaries of Appointive and/or Elective Officers serving a fixed term.

BE IT ENACTED by the County Legislature of the County of Greene as follows:

SECTION 1. The annual base salaries of the following County Officers shall be increased, retroactive to January 1, 2002, to the sums set opposite the office and designation of such County Officers in the following schedule, to wit:

	From	To
County Clerk	$46,368.00	$47,296.00
Legislative Clerk	32,390.00	33,038.00
Election Commissioners (2)	12,983.00ea.	13,243.00ea
Superintendent of Highways	57,287.00	58,433.00
Real Property Tax Services Director	48,929.00	51,020.00
Sheriff	54,456.00	55,544.00
Commissioner of Social Services	62,312.00	66,312.00
Director of Veterans Services	26,592.00	30,092.00

SECTION 2. This Local Law is subject to referendum on petition under Municipal Home Rule Law Section 24 and shall take effect upon filing with the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Filed with Secr. of State 6/10/02

August 21, 2002

MOTION

ADOPTION OF LOCAL LAW NUMBER 2 OF 2002
GREENE COUNTY RIGHT TO FARM LAW

WHEREAS, a public hearing was held on August 21, 2002 to receive comments on the Introductory Local Law Number 2 of 2002, referred to as Greene County Right to Farm Law, as required by Municipal Home Rule Law Section 20 (5); and

WHEREAS, comments were received regarding the Right to Farm Law and duly noted;

NOW, THEREFORE, BE IT ENACTED, that the Greene County Legislature hereby adopts Local Law Number 2 of 2002, referred to as Greene County Right to Farm Law under Municipal Home Rule Law Sections 10 (6), (11) and (12).

Motion by Legislator Ohm

Seconded by Legislator full Legislature

ROLL CALL VOTE:

Ayes 12 Noes 0 Absent 1 Prest CARRIED

August 21, 2002

LOCAL LAW NUMBER 2 OF 2002

A LOCAL LAW regarding the Right To Farm Law

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1: Legislative Intent and Purpose

The Legislature of the County of Greene finds, declares, and determines that farming is important to Greene County because it is a livelihood that preserves the rural traditions and character of the county; provides employment for agribusiness; provides locally produced, fresh commodities; agricultural diversity promotes economic stability; agriculture maintains open space and promotes environmental quality; and agricultural land does not increase the demand for services provided by local governments. In order to maintain a viable farming economy in the County of Greene, farmers shall be afforded protection allowing them the right to farm. When nonagricultural land uses extend into agricultural areas, agricultural operations may become the subject of nuisance suits. As a result, agricultural operations may be forced to cease operations or may be discouraged from making investments in farm improvements.

Chapter 797 of the Laws of 1992 of the State of New York provides the important foundation for achieving right to farm protection. It is the purpose of this Local Law to reduce the loss to the County of Greene of its agricultural resources by limiting the circumstances under which farming may be deemed to be a nuisance and to allow agricultural practices inherent to and necessary for the business of

filed with Sec. of State 9/16/02

farming to proceed and be undertaken free of unreasonable and unwarranted interference or restriction.

SECTION 2: Definitions.

The Legislature of the County of Greene incorporates herein for the purposes of this Local Law the definitions found in Section 301 of Article 25AA of the State Agriculture and Markets Law.

In addition to those definitions found in Section 301 of Article 25AA of the State Agriculture and Markets Law, the following definitions are also applicable for the purposes of this Local Law.

1. "Farmland" shall mean "land used in agricultural production", as defined in subdivision four of section 301 of Article 25AA of the State Agriculture and Markets Law.

2. "Farmer" shall mean any person, organization, entity, association, partnership, limited liability company, corporation or other entity engaged in "land used in agricultural production", as defined in subdivision four of section 301 of Article 25AA of the State Agriculture and Markets Law.

3. "Agricultural products" shall mean "Crops, livestock and livestock products" as defined in subdivision two of section 301 of Article 25AA of the State Agriculture and Markets Law.

4. "Agricultural practices" shall mean "Farm operation" as defined in subdivision eleven of section 301 of Article 25AA of the State Agriculture and Markets Law.

SECTION 3: Right to Farm Declaration.

The Legislature of the County of Greene hereby expresses and acknowledges its support of Section 308 of Article 25AA of the Agriculture and Markets Law, which added a new section to the Agriculture and Markets Law of the State of New York establishing for the first time a statutory right to farm. It addresses sound agricultural management practices in an attempt to limit the commencement of private nuisance suits against farmers. The state right to farm law provides that an agricultural practice shall not constitute a public or private nuisance, so long as it constitutes a sound agricultural practice.

SECTION 4: Right to Farm Disclosure.

In order to promote harmony between farmers and their neighbors, the Greene County Legislature hereby acknowledges and expresses its support of Section 310 of Article 25AA of the State Agriculture and Markets Law, which provides that, whenever any purchase or sale contract is presented for the sale, purchase, or exchange of real property located partially or wholly within an agricultural district, the prospective grantor shall deliver to the prospective grantee a notice which states the following:

"It is the policy of this state and this community to conserve, protect and encourage the development and

improvement of agricultural land for the production of food, and other products and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors. Prospective residents are also informed that the location of property within an agricultural district may impact the ability to access water and/or sewer services for such property under certain circumstances."

SECTION 5: Severability Clause.

If any part of this Local Law is for any reason held to be unconstitutional or invalid, such decision shall not effect the remainder of this Local Law.

SECTION 6: Effective Date.

This Local Law shall be effective immediately upon filing with the New York Secretary of State.

This Local Law was prepared by Local Law #2 of 2005, effective 9/16/05 (see page 63)

August 21, 2002

MOTION TO ADOPT

LOCAL LAW NUMBER 3 OF 2002

Motion by Legislator Carl

Seconded by Legislator Full Legislature

ROLL CALL VOTE:

Ayes 12 Noes 0 Absent 1 Prest CARRIED

August 21, 2002

LOCAL LAW NUMBER 3 OF 2002

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO MAKE JOINT APPLICATION WITH SCHOHARIE COUNTY FOR DESIGNATION OF CERTAIN AREAS WITHIN GREENE COUNTY AS AN EMPIRE ZONE

Be it Enacted by the Legislature of the County of Greene as follows:

Section 1: Legislative Intent and Purpose

Section 961 of Article 18-B of the General Municipal Law has authorized application by Greene County for designation as an Empire Zone within the meaning of said statute. Such designation could greatly benefit Greene County in that new businesses would be encouraged to locate in the zone area, and new and expanded businesses would generate new jobs for Greene County residents. Greene County and Schoharie County are each eligible for designation as Empire Zones under Section 958 of Article 18-B of the General Municipal Law. The designation of a joint Empire Zone would benefit both Greene County and Schoharie County with respect to business development and job creation. It is the intention of the chairman of the Greene County Legislature and the chairman of the Schoharie County Board of Supervisors to prepare and sign a Memorandum of Agreement regarding the administration of a joint Empire Zone.

Section 2: Legislative Authorization

The Chairman of the Greene County Legislature is hereby authorized and empowered to submit a joint application for designation of certain areas within Greene County and Schoharie County as an Empire Zone; provided, however, that such authorization and empowerment shall be conditioned upon the authorization by the Schoharie County Board of Supervisors to jointly submit said application, and upon prior concurrence with respect to such application of the governing bodies of any and all cities, towns, and villages in which such zone is located.

Section 3: Empire Zone Boundaries

The boundaries of said areas to be included in said Empire Zone shall be set forth in Schedule A and Schedule B, which are attached hereto and made part hereof.

Section 4: Local Empire Zone Certification Officer

filed w/ Sec. of State 9/16/02

Pursuant to requirements of Section 963 of the General Municipal Law, the Clerk of the Schoharie County Board of Supervisors shall initially serve as the Local Empire Zone Certification Officer of the Greene County / Schoharie County Empire Zone, and shall perform the following duty, to wit: certify, jointly with the New York State Commissioner of Economic Development in the New York State Commissioner of Labor, those businesses enterprises that are eligible to receive benefits referred to in Section 966 of the General Municipal Law, and any other applicable statutes. Subsequent designations of the Local Empire Zone Certification Officer shall alternate between the Greene County Treasurer and the Clerk of the Schoharie County Board of Supervisors on a two-year cycle.

Section 5: Local Empire Zone Administrative Board

Pursuant to Article 18-B of the General Municipal Law, a Local Empire Zone Administrative Board is hereby established to consist of not less than eight (8) members. The members shall not include the Local Empire Zone Certification Officer, and shall include a representative of local business, organized labor, financial institutions, local educational institutions, community organizations, and at least one resident of the Empire Zone. Initial appointments to the board shall be made as follows:

i. The Chair of the Schoharie County Board of Supervisors shall serve as or appoint, subject to the approval of the Schoharie County Board of Supervisors, the Chair of the Zone Administrative Board, for a two-year term;

ii. The Chair of the Schoharie County Board of Supervisors shall appoint, subject to the approval of the Schoharie County Board of Supervisors, the owner of a local business, for a three-year term;

iii. The Chair of the Schoharie County Board of Supervisors shall appoint, subject to the approval of the Schoharie County Board of Supervisors, a zone resident, for a two-year term;

iv. The Chair of the Schoharie County Board of Supervisors shall appoint, subject to the approval of the Schoharie County Board of Supervisors, a representative of organized labor, for a one-year term;

v. The Chair of the Greene County Legislature shall serve as or appoint, subject to the approval of the Greene County Legislature, the Vice-Chair of the Zone Administrative Board for a two-year term;

vi. The Chair of the Greene County Legislature shall appoint, subject to the approval of the Greene County Legislature, a representative of a financial institution, for a three-year term;

vii. The Chair of the Greene County Legislature shall appoint, subject to the approval of the Greene County Legislature, a representative of a community-based organization, for a two-year term;

viii. The Chair of the Greene County Legislature shall appoint, subject to the approval of the Greene County

Legislature, a representative of a local educational institution, for a one-year term.

Subsequent appointments of the Chair and the Vice-Chair shall alternate between Schoharie County and Greene County.

At the end of each term following the initial appointment, for board members other than the Chair and the Vice-Chair, appointments will be made for three-year terms, with Greene County and Schoharie County rotating the appointments of the representatives. Therefore, at the end of the year one, Schoharie County shall appoint to the board a representative of a local educational institution for a three-year term, and Greene County shall appoint a representative of organized labor for a three-year term. At the end of year two, Schoharie County shall appoint a representative of a community-based organization for a three-year term, and Greene County shall appoint a zone resident for a three-year term. At the end of year three, Schoharie County shall appoint a representative of a financial institution for a three-year term, and Greene County shall appoint the owner of a local business for a three-year term. Subsequent appointments will continue to rotate upon conclusion of each three-year term. Interim appointments made to fill vacancies during a term will be made by the county that made the original appointment.

The Local Empire Zone Administrative Board shall perform all duties required of it pursuant to section 963(b) of the General Municipal Law.

Section 6: Severability Clause

If any part of this Local Law is for any reason held to be unconstitutional or invalid, such decision shall not effect the remainder of this local law.

Section 7: Effective Date

This local law shall take effect upon filing in the office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

SCHEDULE A
Zone Boundaries - Greene County

The following properties, listed by tax map parcel number, shall be included in the boundaries of the Greene County portion of the Empire Zone:

Parcel Number	Municipality	Acreage	Street
41.00-1-29	NEW BALTIMORE	103.10	US 9W
40.00-5-1	NEW BALTIMORE	7.62	W GURPIN LA
40.00-6-2	NEW BALTIMORE	2.79	US 9W
40.00-6-1	NEW BALTIMORE	2.14	US 9W
41.00-1-26	NEW BALTIMORE	41.10	US 9W
41.00-5-1	COXSACKIE	99.26	RT. 9W
56.00-2-1	COXSACKIE	106.30	RT. 9W
41.00-5-2	COXSACKIE	110.60	RT. 9W
	TOTAL ACREAGE	472.91	

Contiguous Zone

SCHEDULE B

Zone Boundaries - Schoharie County
(Finalized)

The following properties, listed by tax map parcel number, shall be included in the boundaries of the Schoharie County portion of the Empire Zone.

		0.00	
		0.00	
57.-3-1.100	Town of Cobleskill	48.20	NYS RTE 7
57.-3-2	Town of Cobleskill	0.30	NYS RTE 7
57.-3-3	Town of Cobleskill	1.43	NYS RTE 7
57.-3-4.100	Town of Cobleskill	1.79	STATE RT 7
57.-3-4.200	Town of Cobleskill	0.28	NYS RTE 7
57.-3-5	Town of Cobleskill	22.00	NYS RT 7
57.-3-6.100	Town of Cobleskill	3.04	NYS RTE 7 OFF
57.-3-6.200	Town of Cobleskill	1.23	NYS RTE 7 OFF
57.-3-6.300	Town of Cobleskill	0.95	NYS RTE 7 OFF
57.-3-6.500	Town of Cobleskill	1.27	NYS RTE 7 OFF
57.-3-14	Town of Cobleskill	20.15	NYS RTE 7
57.-3-15	Town of Cobleskill	1.30	NYS RTE 7
57.-3-16	Town of Cobleskill	1.59	NYS RTE 7
57.-3-17	Town of Cobleskill	2.08	NYS RTE 7
68.-3-16.200	Town of Cobleskill	8.72	MINERAL SPRINGS RD
		114.33	
56.17-8-18	Village of Cobleskill	0.20	UNION STREET
56.17-8-19	Village of Cobleskill	0.10	UNION ST
56.17-8-20	Village of Cobleskill	0.14	MAIN ST & UNION ST
56.17-8-21	Village of Cobleskill	0.10	MAIN STREET
56.17-8-22	Village of Cobleskill	0.10	MAIN STREET
56.17-8-23	Village of Cobleskill	0.10	MAIN STREET
56.17-8-24	Village of Cobleskill	0.10	MAIN STREET
56.17-8-25	Village of Cobleskill	0.10	MAIN STREET
56.17-8-26	Village of Cobleskill	0.10	MAIN STREET
56.17-8-27	Village of Cobleskill	1.00	MAIN STREET
56.17-8-28	Village of Cobleskill	0.10	MAIN STREET
56.17-8-29	Village of Cobleskill	0.50	E MAIN ST
56.17-8-30	Village of Cobleskill	0 10	MAIN STREET
56.17-8-31	Village of Cobleskill	0.10	EAST MAIN ST
56.17-8-32	Village of Cobleskill	0.10	MAIN STREET
56.17-8-33	Village of Cobleskill	0.10	MAIN ST (CO N GRAND)
56.18-2-1	Village of Cobleskill	0.20	EAST MAIN ST
56.18-2-2	Village of Cobleskill	0.20	EAST MAIN ST
56.18-2-3	Village of Cobleskill	0.20	EAST MAIN ST
56.18-2-4	Village of Cobleskill	0.30	EAST MAIN ST
56.18-2-5	Village of Cobleskill	0.18	EAST MAIN ST
56.18-2-6	Village of Cobleskill	0.20	MAIN ST
56.18-2-7	Village of Cobleskill	0 18	MAIN STREET
56.18-2-8	Village of Cobleskill	0.50	EAST MAIN ST
56.18-2-30	Village of Cobleskill	1.00	EAST MAIN ST.
56.18-7-20	Village of Cobleskill	0.30	EAST MAIN STREET
56.18-8-13	Village of Cobleskill	0.30	LEGION DRIVE
56.18-8-14	Village of Cobleskill	0.20	EAST MAIN STREET
56.18-8-15	Village of Cobleskill	0.40	EAST MAIN STREET
56.18-8-16	Village of Cobleskill	0.80	EAST MAIN STREET
56.18-8-17	Village of Cobleskill	1.08	EAST MAIN STREET
56.18-9-1	Village of Cobleskill	0.50	CAMPUS DRIVE
56.19-1-1	Village of Cobleskill	0.91	CAMPUS DRIVE
56.19-1-2	Village of Cobleskill	0.62	EAST MAIN STREET

goes with Local Law # 3 of 2002 Empire Zone

(since this Local law was repealed, I'm not going to type this all in - Just use this photo copy)

page 51

Contiguous Zone

56.19-1-3	Village of Cobleskill	0.35	EAST MAIN ST OFF
56.19-1-4	Village of Cobleskill	1.40	EAST MAIN STREET
56.19-1-5	Village of Cobleskill	0.17	EAST MAIN ST OFF
56.19-1-6	Village of Cobleskill	1.02	EAST MAIN ST OFF
56.19-1-7	Village of Cobleskill	1.00	NYS RTE 7 OFF
56.19-1-8	Village of Cobleskill	1.33	MAIN ST OFF
56.19-1-9	Village of Cobleskill	5.08	EAST MAIN ST
56.19-1-9.-9999	Village of Cobleskill	0.00	EAST MAIN ST
56.19-1-10	Village of Cobleskill	0.80	MAIN STREET
56.19-1-11	Village of Cobleskill	1.00	EAST MAIN ST
56.19-1-12	Village of Cobleskill	0.39	EAST MAIN ST OFF
56.19-1-13	Village of Cobleskill	14.97	EAST MAIN ST
56.19-1-14	Village of Cobleskill	0.71	EAST MAIN ST
56.19-1-15	Village of Cobleskill	0.34	MAIN STREET
56.19-1-16	Village of Cobleskill	0.35	MAIN STREET
56.19-1-17	Village of Cobleskill	0.20	MAIN STREET
56.19-1-18	Village of Cobleskill	0.18	E.MAIN STREET (BARNERVILL
56.19-1-19	Village of Cobleskill	10.00	BARNERVILLE ROAD
56.19-2-1.100	Village of Cobleskill	0.64	EAST MAIN STREET
56.19-2-1.200	Village of Cobleskill	0.72	EAST MAIN ST
56.19-2-2	Village of Cobleskill	0.40	MAIN STREET
56.19-2-3	Village of Cobleskill	0.53	MAIN STREET
56.19-2-3.-9999	Village of Cobleskill	0.00	EAST MAIN
56.19-2-4	Village of Cobleskill	0.40	MAIN STREET
56.19-2-5	Village of Cobleskill	0.28	MAIN STREET
56.19-2-6	Village of Cobleskill	0.40	MAIN ST
56.19-2-8	Village of Cobleskill	2.05	NYS RTE 7
56.19-2-9	Village of Cobleskill	3.50	NYS RTE 7
56.19-2-10	Village of Cobleskill	7.40	NYS RTE 7
56.19-2-11	Village of Cobleskill	0.65	NYS RTE 7
56.19-2-12	Village of Cobleskill	2.70	NYS RTE 7
56.19-2-13	Village of Cobleskill	7.90	EAST MAIN ST
56.19-2-14	Village of Cobleskill	43.79	NYS RTE 7
56.19-2-15	Village of Cobleskill	0.70	EAST MAIN STREET
56.19-2-16	Village of Cobleskill	1.70	NYS RTE 7
56.19-2-17	Village of Cobleskill	0.35	NYS RTE 7 OFF
56.20-1-1	Village of Cobleskill	2.56	NYS RTE 7 OFF
56.20-1-2	Village of Cobleskill	2.44	NYS RTE 7
56.20-1-3	Village of Cobleskill	4.10	NYS RTE 7
56.20-1-4	Village of Cobleskill	17.60	NYS RTE 7
56.20-1-6	Village of Cobleskill	7.80	NYS RTE 7
56.20-1-7	Village of Cobleskill	9.39	NYS RTE 7
56.20-1-8	Village of Cobleskill	16.07	NYS RTE 7
56.20-1-9	Village of Cobleskill	1.02	NYS RTE 7
68.5-3-22	Village of Cobleskill	0.19	MAIN ST.(COR.NORTH GRAND)
68.5-3-23	Village of Cobleskill	0.10	WEST MAIN STREET
68.5-3-24	Village of Cobleskill	0.08	WEST MAIN STREET
68.5-3-25	Village of Cobleskill	0.30	WEST MAIN STREET
68.5-3-26	Village of Cobleskill	0.53	WEST MAIN STREET
68.5-3-28	Village of Cobleskill	0.40	WEST MAIN STREET
68.5-4-21	Village of Cobleskill	0.30	WEST MAIN STREET
68.5-4-22	Village of Cobleskill	0.94	WEST MAIN STREET
68.5-4-23	Village of Cobleskill	0.40	WEST MAIN STREET
68.5-4-24	Village of Cobleskill	0.60	GROVE ST
68.5-4-25	Village of Cobleskill	0.20	GROVE STREET
68.5-4-26	Village of Cobleskill	1.00	GRAND ST OFF
68.5-4-27	Village of Cobleskill	0.10	GROVE STREET
68.5-4-28	Village of Cobleskill	0.29	FRANCES LN
68.5-4-29	Village of Cobleskill	0.10	GROVE STREET
68.5-4-30	Village of Cobleskill	0.10	GROVE STREET

Contiguous Zone

68.5-4-31	Village of Cobleskill	0.10	GROVE ST
68.5-4-32	Village of Cobleskill	0.65	SOUTH WASHINGTON AVE
68.5-4-33	Village of Cobleskill	0.28	SO WASHINGTON AVE OFF
68.5-4-34	Village of Cobleskill	0.17	FRANCE LN OFF
68.5-4-35	Village of Cobleskill	0.09	FRANCE LN OFF
68.5-4-36	Village of Cobleskill	0.13	FRANCE LN OFF
68.5-4-38	Village of Cobleskill	1.00	SOUTH WASHINGTON AVE
68.5-5-2	Village of Cobleskill	0.41	PARK PL
68.5-5-3	Village of Cobleskill	0.20	PARK STREET
68.5-5-4	Village of Cobleskill	0.40	PARK PLACE
68.5-5-5	Village of Cobleskill	0.22	PARK PLACE
68.5-5-6	Village of Cobleskill	0.20	SOUTH GRAND ST JCT PARK P
68.5-5-7	Village of Cobleskill	0.15	SOUTH GRAND ST OFF
68.5-5-8	Village of Cobleskill	0.50	SOUTH GRAND ST
68.5-5-9	Village of Cobleskill	0.26	GROVE ST OFF
68.5-5-10	Village of Cobleskill	0.10	GROVE STREET
68.5-5-11	Village of Cobleskill	0.30	GROVE STREET
68.5-5-12	Village of Cobleskill	0.10	GROVE ST.(JCT PARK)
68.5-5-13	Village of Cobleskill	0.10	PARK PLACE
68.5-5-14	Village of Cobleskill	0.43	PARK PLACE
68.5-5-15	Village of Cobleskill	0.30	PARK PLACE
68.5-5-16	Village of Cobleskill	0.10	PARK PLACE
68.5-5-17	Village of Cobleskill	0.11	GROVE ST OFF
68.5-5-18	Village of Cobleskill	0.15	GROVE ST
68.5-5-19	Village of Cobleskill	0.29	SOUTH GRAND ST
68.5-6-1	Village of Cobleskill	0.76	MACARTHUR AVE
68.5-6-2	Village of Cobleskill	0.60	MACARTHUR AVE
68.5-6-21	Village of Cobleskill	1.62	MACARTHUR AVE
68.5-6-22	Village of Cobleskill	13.40	MACARTHUR AVE
68.5-7-1	Village of Cobleskill	0.10	SOUTH WASHINGTON AVE
68.5-7-2	Village of Cobleskill	0.10	MACARTHUR AVE
68.5-7-3	Village of Cobleskill	0.10	MACARTHUR AVE
68.5-7-4	Village of Cobleskill	0.10	MACARTHUR AVE
68.5-7-5	Village of Cobleskill	0.10	MACARTHUR AVE.
68.5-7-6	Village of Cobleskill	0.40	MACARTHUR AVE
68.5-7-7	Village of Cobleskill	0.12	MACARTHUR AVE
68.5-7-8	Village of Cobleskill	0.10	GROVE STREET
68.5-7-9	Village of Cobleskill	0.10	MACARTHUR AVE & GROVE ST
68.5-7-10	Village of Cobleskill	0.30	GROVE ST & MACARTHUR AVE
68.5-7-11	Village of Cobleskill	0.10	MACARTHUR AVE.
68.5-7-12	Village of Cobleskill	0.20	FLORENCE STREET
68.6-1-1	Village of Cobleskill	0.11	SOUTH GRAND ST
68.6-1-2	Village of Cobleskill	0.20	SOUTH GRAND ST
68.6-1-3	Village of Cobleskill	0.09	SOUTH GRAND STREET
68.6-1-4	Village of Cobleskill	0 10	SOUTH GRAND ST
68.6-1-5	Village of Cobleskill	0.07	SOUTH GRAND STREET
68.6-1-6	Village of Cobleskill	0.10	EAST MAIN STREET
68.6-1-7	Village of Cobleskill	0.10	EAST MAIN STREET
68.6-1-8	Village of Cobleskill	0.10	EAST MAIN STREET
68.6-1-9	Village of Cobleskill	0.30	EAST MAIN STREET
68 6-1-10.100	Village of Cobleskill	0.35	EAST MAIN ST
68.6-1-11	Village of Cobleskill	0.10	EAST MAIN ST OFF
68.6-1-12	Village of Cobleskill	0.09	DIVISION STREET
68.6-1-13	Village of Cobleskill	0.20	DIVISION ST
68.6-1-14	Village of Cobleskill	0.60	DIVISION STREET
68.6-1-15	Village of Cobleskill	0.88	SOUTH GRAND ST
68.6-1-16	Village of Cobleskill	0.12	SOUTH GRAND ST
68.6-2-1	Village of Cobleskill	0.10	DIVISION STREET
68.6-2-2	Village of Cobleskill	0.10	DIVISION STREET
68.6-2-3	Village of Cobleskill	0.10	DIVISION STREET

Contiguous Zon

68.6-2-4	Village of Cobleskill	0.10	DIVISION STREET
68.6-2-5	Village of Cobleskill	0.09	DIVISION STREET
68.6-2-6	Village of Cobleskill	0.10	EAST MAIN STREET
68.6-2-7	Village of Cobleskill	0.20	EAST MAIN STREET
68.6-2-8	Village of Cobleskill	0.30	EAST MAIN ST
68.6-2-9	Village of Cobleskill	0.40	EAST MAIN ST
68.6-2-10	Village of Cobleskill	0.10	CENTER STREET
68.6-2-11	Village of Cobleskill	0.06	DIVISION & MAIN
68.6-3-1	Village of Cobleskill	0.40	CENTER STREET
68.6-3-2	Village of Cobleskill	0.10	CENTER STREET
68.6-3-3	Village of Cobleskill	0.30	EAST MAIN(COR.CENTER ST.)
68.6-3-4	Village of Cobleskill	0.30	MAIN STREET
68.6-3-5	Village of Cobleskill	0.10	EAST MAIN ST
68.6-3-6	Village of Cobleskill	1.00	EAST MAIN STREET
68.6-3-7	Village of Cobleskill	0.30	EAST MAIN ST
68.6-3-8	Village of Cobleskill	0.30	EAST MAIN STREET
68.6-3-9	Village of Cobleskill	0.41	EAST MAIN STREET
68.6-3-10	Village of Cobleskill	0.11	EAST MAIN ST
68.6-3-11	Village of Cobleskill	0.30	EAST MAIN STREET
68.6-3-12	Village of Cobleskill	0.10	SPRING ST & MAIN ST
68.6-3-13	Village of Cobleskill	0.31	SPRING STREET
68.6-3-14	Village of Cobleskill	0.30	SPRING ST
68.6-3-15	Village of Cobleskill	0.14	SPRING STREET
68.6-3-16	Village of Cobleskill	0.60	EAST MAIN ST OFF
68.6-4-1	Village of Cobleskill	0.30	SPRING STREET
68.6-4-2	Village of Cobleskill	0.10	SPRING ST
68.6-4-3	Village of Cobleskill	0.30	SPRING STREET
68.6-4-4	Village of Cobleskill	0.10	SPRING STREET
68.6-4-5	Village of Cobleskill	0.06	SPRING ST
68.6-4-6	Village of Cobleskill	0.10	EAST MAIN STREET
68.6-4-7	Village of Cobleskill	0.10	EAST MAIN ST
68.6-4-8	Village of Cobleskill	0.20	EAST MAIN STREET
68.6-4-9	Village of Cobleskill	0.30	EAST MAIN STREET
68.6-4-10	Village of Cobleskill	0.40	MAIN STREET
68.6-4-11	Village of Cobleskill	0.50	MAIN STREET
68.6-4-12	Village of Cobleskill	0.38	MAIN ST
68.6-4-13	Village of Cobleskill	0.80	MAIN STREET
68.6-4-15	Village of Cobleskill	0.40	EAST MAIN STREET
68.6-4-16	Village of Cobleskill	0.80	EAST MAIN STREET
68.6-4-18	Village of Cobleskill	0.50	EAST MAIN STREET
68.6-4-19	Village of Cobleskill	0.44	EAST MAIN ST
68.6-4-20	Village of Cobleskill	0.30	EAST MAIN ST
68.6-4-21	Village of Cobleskill	0.50	EAST MAIN ST
68.6-4-22	Village of Cobleskill	0.40	EAST MAIN ST
68.6-5-1	Village of Cobleskill	0.10	FLORENCE AVE
68.6-5-2	Village of Cobleskill	1.20	SOUTH GRAND ST & MACARTHU
68.6-6-1	Village of Cobleskill	0.30	MACARTHUR AVE
68.6-6-3	Village of Cobleskill	0.80	MACARTHUR AVE
68.6-6-4	Village of Cobleskill	0.48	MACARTHUR AVE
68.6-6-5	Village of Cobleskill	1.20	MAC ARTHUR AVE
68.6-6-6	Village of Cobleskill	0.70	EAST STREET
68.6-6-7	Village of Cobleskill	0.20	MACARTHUR AVE
68.6-6-8	Village of Cobleskill	2.10	MACARTHUR AVE
68.6-6-24	Village of Cobleskill	0.60	MACARTHUR AVE & EAST ST
68.7-1-1	Village of Cobleskill	0.10	EAST STREET
68.7-1-2	Village of Cobleskill	0.40	EAST STREET
68.7-1-3	Village of Cobleskill	0.50	EAST STREET
68.7-1-4	Village of Cobleskill	0.50	EAST STREET
68.7-1-5	Village of Cobleskill	0.30	EAST STREET
68.9-1-1	Village of Cobleskill	44.98	MINERAL SPRINGS RD OFF

Contiguous Zone

68.10-1-1	Village of Cobleskill	26.59	MINERAL SPRINGS RD
68.10-1-7	Village of Cobleskill	3.40	MINERAL SPRINGS RD
68.10-1-8	Village of Cobleskill	9.31	MINERAL SPRINGS RD
68.10-1-9	Village of Cobleskill	3.75	MINERAL SPRINGS RD
68.10-1-10	Village of Cobleskill	27.56	MINERAL SPRINGS RD
68.10-1-13	Village of Cobleskill	4.53	MINERAL SPRINGS ROAD
56.18-9-2	Village of Cobleskill	2.44	CAMPUS DRIVE
		365.31	
		479.64	

Whole Parcels

Parcel Number	Municipality	Acreage	Street
106.15-3-9	Village of Middleburgh	0.29	MAIN ST
106 15-4-9	Village of Middleburgh	0.05	MAIN ST
48.-4-25.1	Town of Schoharie	30.00	NYS RT 30A
106.15-3-10	Village of Middleburgh	0.03	MAIN ST
106.15-3-12	Village of Middleburgh	0.10	MAIN ST
106.15-3-13	Village of Middleburgh	.0.05	MAIN ST
106.15-3-14	Village of Middleburgh	0.05	MAIN ST
106.15-3-17	Village of Middleburgh	0.10	DEXTER AVE & MAIN ST
106.15-4-12	Village of Middleburgh	0.30	MAIN ST
106.15-4-13	Village of Middleburgh	0.07	MAIN ST
106.15-4-14	Village of Middleburgh	0.20	MAIN ST
106.15-4-16	Village of Middleburgh	0.05	MAIN ST
106.15-4-17	Village of Middleburgh	0.20	MAIN ST
106.15-3-11.100	Village of Middleburgh	0.13	MAIN ST
106.15-3-11.200	Village of Middleburgh	0.03	MAIN ST
		31.65	

'ortions of Tax Parcels Using GPS

'arcel Number	Municipality	Acreage	Street
47.2-5-8	Town of Esperance	0.73	NYS RTE 30A
47.2-7-4	Town of Schoharie	0.09	SOUTH MAIN STREET
47.2-7-5	Town of Schoharie	0.09	SOUTH MAIN ST
5.14-7-1	Village of Sharon Springs	0.24	MAIN STREET
58.-1-12	Town of Cobleskill	4.60	BARNERVILLE ROAD
58.-2-12	Town of Cobleskill	2.38	CO RTE 8 OFF
58.-3-13	Town of Cobleskill	0.19	CAVERNS RD
58.-3-27	Town of Cobleskill	2.67	CAVERNS ROAD
60.-1-15	Town of Schoharie	0.17	NYS RTE 30A
47.2-5-12	Town of Esperance	0.09	NYS RT 30A
47.2-5-13	Town of Esperance	0.09	NYS RT 30A
56.18-9-3	Village of Cobleskill	1.17	BURGIN DR
72.13-10-[illegible]	Village of Schoharie	1.40	FAIR ST
5.18-2-21.1[illegible]	Village of Sharon Springs	0.16	MAIN ST
122.3-1-10.1	Town of Summit	0.77	BAPTIST CHURCH RD
		14.84	

1
Generic Point
Apple Barrel 2,0
08/19/02,13:34:55,42.69973444,-74.30142291,636.825,3.07,2.77,1.63

2
Generic Point
Apple Barrel 3,0
08/19/02,13:38:05,42.69968760,-74.30140544,637.750,4.40,3.97,1.87

3
Generic Point
Apple Barrel 4,0
08/19/02,13:41:30,42.69964775,-74.30158131,630.775,2.83,1.99,1.34

4
Generic Point
Apple Barrel 5,0
08/19/02,13:45:10,42.69988270,-74.30166104,629.150,2.91,1.96,1.43

5
Generic Point
Apple Barrel 6,0
08/19/02,13:48:40,42.69993748,-74.30141742,632.407,2.65,1.88,1.30

6
Generic Point
Apple Barrel 7,0
08/19/02,13:51:50,42.69991152,-74.30130876,630.053,2.81,1.88,1.28

7
Generic Point
Apple Barrel 1,0
08/19/02,13:55:10,42.69977889,-74.30126030,630.173,2.98,2.03,1.42

8
Generic Point
American Standard 1,0
08/19/02,14:05:00,42.71418294,-74.33571442,610.659,2.98,2.05,1.38

9
Generic Point
American Standard 2,0
08/19/02,14:08:50,42.71402313,-74.33585838,616.066,2.68,2.24,1.64

10
Generic Point
American Standard 3,0
08/19/02,14:12:10,42.71386489,-74.33538094,608.162,2.47,2.07,1.53

11
Generic Point
American Standard 4,0
08/19/02,14:16:45,42.71407519,-74.33456229,615.913,2.62,2.46,1.70

12
Generic Point
American Standard 5,0
08/19/02,14:20:15,42.71445424,-74.33468786,615.740,2.90,2.24,1.63

13
Generic Point
IL Richer 1,0
08/19/02,14:25:55,42.71288541,-74.33612372,623.439,2.52,2.07,1.68

14
Generic Point

IL Richer 2,0
08/19/02,14:29:45,42.71305942,-74.33528619,620.697,2.60,2.43,1.84

15
Generic Point
IL Richer 3,0
08/19/02,14:36:20,42.71321095,-74.33539886,619.517,7.27,2.82,2.31

16
Generic Point
IL Richer 4,0
08/19/02,14:40:55,42.71281057,-74.33624549,617.220,2.51,2.08,1.74

17
Generic Point
Cave House 1,0
08/19/02,14:52:50,42.69138049,-74.38422974,841.325,2.50,2.10,1.60

18
Generic Point
Cave House 2,0
08/19/02,14:57:05,42.69149977,-74.38431148,857.555,3.00,2.32,1.80

19
Generic Point
Cave House 3,0
08/19/02,15:01:55,42.69125990,-74.38456510,852.766,2.59,2.17,1.56

20
Generic Point
Cave House 4,0
08/19/02,15:05:40,42.69141503,-74.38461861,851.807,5.48,2.94,2.62

21
Generic Point
Glovemaster 1,0
08/19/02,15:11:00,42.69120579,-74.38677946,846.271,2.74,2.08,1.42

22
Generic Point
Glovemaster 2,0
08/19/02,15:14:55,42.69109072,-74.38666793,852.732,2.99,2.66,2.05

23
Generic Point
Glovemaster 3,0
08/19/02,15:18:55,42.69095215,-74.38892673,856.122,2.71,2.03,1.47

24
Generic Point
Glovemaster 4,0
08/19/02,15:22:40,42.69106811,-74.38706503,855.382,3.00,2.37,1.68

25
Generic Point
Recycling Fac 1,0
08/19/02,15:29:20,42.69093930,-74.38768087,845.853,3.35,2.02,1.91

26
Generic Point
Recycling Fac 2,0
08/19/02,15:32:50,42.69073877,-74.38800756,841.149,2.73,2.14,1.61

27
Generic Point
Recycling Fac 3,0
08/19/02,15:37:00,42.69023024,-74.38815063,839.224,5.40,4.02,2.75

28
Generic Point
Recycling Fac 3,0
08/19/02,15:42:40,42.68983486,-74.38716153,833.794,3.95,2.81,2.16

29
Generic Point
Recycling Fac 4,0
08/19/02,15:50:50,42.69013685,-74.38660233,840.379,2.86,2.17,2.29

30
Generic Point
Valley Bev 1,0
08/19/02,15:59:50,42.69063863,-74.38347075,812.910,2.76,2.19,1.82

31
Generic Point
Valley Bev 2,0
08/19/02,16:03:50,42.69052877,-74.38421051,824.720,5.96,5.74,3.75

32
Generic Point
Valley Bev 3,0
08/19/02,16:08:15,42.69041208,-74.38410025,801.201,3.29,2.89,1.93

33
Generic Point
Valley Bev 4,0
08/19/02,16:13:05,42.69047564,-74.38345550,801.695,2.87,2.18,1.35

34
Generic Point
KPI Main Bldg 1,0
08/19/02,17:32:00,42.68494751,-74.39768623,799.162,2.49,2.55,1.96

35
Generic Point
KPI Main Bldg 2,0
08/19/02,17:35:50,42.68478551,-74.39754756,784.703,2.38,2.49,1.85

36
Generic Point
KPI Main Bldg 3,0
08/19/02,17:39:35,42.68455858,-74.39769238,779.857,2.36,2.46,1.79

37
Generic Point
KPI Main Bldg 4,0
08/19/02,17:43:15,42.68427561,-74.39778623,785.054,2.61,2.53,1.79

38
Generic Point
KPI Main Bldg 5,0
08/19/02,17:47:00,42.68405897,-74.39841995,786.432,2.59,2.52,1.73

39
Generic Point
KPI Main Bldg 6,0
08/19/02,17:51:30,42.68400677,-74.39910650,785.533,2.43,2.22,1.55

40
Generic Point
KPI Main Bldg 7,0
08/19/02,17:56:20,42.68442640,-74.39932885,784.402,2.43,2.24,1.51

41
Generic Point
KPI New Bldg 1,0

08/19/02,18:00:45,42.68464712,-74.39609780,763.230,2.54,2.80,1.58

42
Generic Point
KPI New Bldg 2,0
08/19/02,18:04:25,42.68488816,-74.39680586,762.018,3.15,2.45,1.54

43
Generic Point
KPI New Bldg 3,0
08/19/02,18:07:55,42.68455486,-74.39700864,759.655,3.83,2.95,2.11

44
Generic Point
KPI New Bldg 4,0
08/19/02,18:11:55,42.68426439,-74.39636693,773.544,2.77,2.31,1.50

45
Generic Point
KPI Graphics 1,0
08/19/02,18:16:10,42.68339241,-74.39480260,759.427,3.34,2.50,1.67

46
Generic Point
KPI Graphics 2,0
08/19/02,18:19:45,42.68356390,-74.39485395,758.917,3.06,2.53,1.51

47
Generic Point
KPI Graphics 3,0
08/19/02,18:23:50,42.68363554,-74.39435638,753.008,4.00,3.55,2.19

48
Generic Point
KPI Graphics 4,0
08/19/02,18:27:00,42.68349199,-74.39430571,749.057,2.76,2.39,1.53

49
Generic Point
Stock House 1,0
08/19/02,18:35:25,42.69059096,-74.38422334,806.497,2.96,3.41,2.43

50
Generic Point
Stock House 2,0
08/19/02,18:39:00,42.69064659,-74.38446184,807.942,2.72,2.47,1.57

51
Generic Point
Stock House 3,0
08/19/02,18:42:50,42.69026000,-74.38509116,805.575,3.54,3.57,1.71

52
Generic Point
Stock House 4,0
08/19/02,18:46:05,42.69010979,-74.38497482,804.981,2.70,2.34,1.53

53
Generic Point
Stock House 5,0
08/19/02,18:50:50,42.69037011,-74.38407451,803.586,2.85,2.54,2.10

1
Generic Point
American Hotel 1,0
08/20/02,13:11:35,42.79361537,-74.61762428,1147.304,4.24,3.24,1.97

2

Generic Point
American Hotel 2,0
08/20/02,13:15:20,42.79360807,-74.61731887,1139.867,3.56,2.45,1.76

3
Generic Point
American Hotel 3,0
08/20/02,13:18:55,42.79383701,-74.61729080,1140.492,4.88,3.66,2.51

4
Generic Point
American Hotel 4,0
08/20/02,13:22:25,42.79386162,-74.61756256,1133.162,3.17,2.32,1.90

5
Generic Point
Roseboro Hotel 1,0
08/20/02,13:29:15,42.79522442,-74.61716095,1126.149,3.22,2.21,1.86

6
Generic Point
Roseboro Hotel 2,0
08/20/02,13:32:45,42.79510092,-74.61689359,1129.482,5.19,3.75,2.36

7
Generic Point
Roseboro Hotel 3,0
08/20/02,13:36:00,42.79525082,-74.61677539,1122.741,3.13,2.42,1.85

8
Generic Point
Roseboro Hotel 4,0
08/20/02,13:39:20,42.79521056,-74.61658397,1129.626,4.19,2.83,2.02

9
Generic Point
Roseboro Hotel 5,0
08/20/02,13:43:30,42.79491330,-74.61665008,1119.396,4.60,3.50,1.74

10
Generic Point
Roseboro Hotel 6,0
08/20/02,13:48:45,42.79482542,-74.61729531,1111.937,3.57,3.29,3.00

11
Generic Point
Roseboro Hotel 7,0
08/20/02,13:52:25,42.79477597,-74.61718188,1113.215,6.54,2.71,1.87

12
Generic Point
Roseboro Hotel 8,0
08/20/02,13:58:25,42.79466034,-74.61703789,1124.058,4.69,3.32,2.14

13
Generic Point
Best Western 0,0
08/20/02,14:26:35,42.68214831,-74.47468882,946.323,2.69,2.10,1.80

14
Generic Point
Best Western 2,0
08/20/02,14:30:50,42.68286838,-74.47315210,946.255,2.48,2.06,1.72

15
Generic Point
Best Western 3,0
08/20/02,14:34:30,42.68325671,-74.47343699,945.743,2.49,2.07,1.71

16
Generic Point
Best Western 4,0
08/20/02,14:38:05,42.68314412,-74.47365085,946.857,2.53,2.46,2.01

17
Generic Point
Best Western 5,0
08/20/02,14:41:25,42.68297642,-74.47359447,945.844,3.19,2.35,1.67

18
Generic Point
Best Western 6,0
08/20/02,14:45:35,42.68242725,-74.47503082,949.393,2.42,2.15,1.51

19
Generic Point
Howes Cavern Motel 1,0
08/20/02,14:59:10,42.69545992,-74.39754618,1036.052,2.52,2.16,1.44

20
Generic Point
Howes Cavern Motel 2,0
08/20/02,15:03:00,42.69523738,-74.39623553,1043.754,2.94,2.17,1.52

21
Generic Point
Howes Cavern Motel 3,0
08/20/02,15:06:30,42.69532073,-74.39619933,1044.783,2.76,2.09,1.44

22
Generic Point
Howes Cavern Motel 4,0
08/20/02,15:11:40,42.69553122,-74.39749818,1050.058,2.73,2.04,1.45

23
Generic Point
Howes Cavern Proposed Site 1,0
08/20/02,15:44:55,42.69558910,-74.39785748,1055.396,2.60,1.82,1.47

24
Generic Point
Howes Cavern Proposed Site 2,0
08/20/02,15:50:35,42.69541486,-74.39947507,1063.382,2.59,1.85,1.37

25
Generic Point
Howes Cavern Proposed Site 3,0
08/20/02,15:55:05,42.69725602,-74.39967238,1072.172,2.74,2.04,1.42

26
Generic Point
Howes Cavern Proposed Site 4,0
08/20/02,16:00:50,42.69687155,-74.39735519,1092.238,2.73,2.06,1.43

27
Generic Point
Harva Co 1,0
08/20/02,16:30:30,42.66310436,-74.31484667,609.499,2.64,2.09,1.41

28
Generic Point
Harva Co 2,0
08/20/02,16:34:40,42.66276219,-74.31525394,610.880,2.91,2.96,2.37

29
Generic Point

Harva Co 3,0
08/20/02,16:41:35,42.66289848,-74.31554934,614.023,3.57,2.21,1.47

30
Generic Point
Harva Co 4,0
08/20/02,16:45:35,42.66276382,-74.31566316,607.168,2.89,2.94,1.94

31
Generic Point
Harva Co 5,0
08/20/02,16:49:35,42.66249681,-74.31521828,604.869,2.84,2.69,1.99

32
Generic Point
Harva Co 6,0
08/20/02,16:54:45,42.66296372,-74.31460074,612.383,2.76,2.47,1.87

April 2, 2003

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 2003

APPROVED AS TO FORM

Carol D. Stevens

COUNTY ATTORNEY

Motion by Legislator Lawrence

Seconded by Legislator Prest

ROLL CALL VOTE:

Ayes 7 Noes 4 Absent 2 Horn and Palmateer CARRIED
Carl, Deyo, Dudley and Ohm

April 2, 2003

LOCAL LAW NO. 1 OF 2003

A LOCAL LAW PROVIDING FOR REAPPORTIONMENT OF COUNTY LEGISLATIVE DISTRICTS

BE IT ENACTED BY THE LEGISLATURE OF GREENE COUNTY AS FOLLOWS:

Section 1. Legislative Intent and Purpose.

Municipal Home Rule Section 10 (1) (a) (13) provides that the County Legislature is solely responsible for reapportioning County Legislative Districts based on population changes. The 2000 Federal Census indicated the need for the reapportionment of County Legislative Districts in Greene County to comply with the "one person, one vote" standard. The Greene County Legislature passed a resolution forming a task force to investigate the need for reapportionment within Greene County to propose a plan or plans for such, and said task force has determined that there is a need for reapportionment and has made a recommendation to the Legislature regarding a proposed plan for reapportionment based on significant increases in the population of Athens, Cairo, Coxsackie, Durham and Hunter. The United States Census Bureau has established the total population of Greene County to be 48,195, which includes the total of 2,910 prisoners; 2,870 incarcerated at the Coxsackie Correctional Facilities and 40 incarcerated at the Catskill Jail Facility.

Section 2. Removal of Prisoners from Population Base.

That the 2,870 prisoners in the Town of Coxsackie and the 40 prisoners in the Town of Catskill, be excluded from the population count used to formulate new Legislative Districts, and that the new population for the purposes of reapportionment be formally established at 45,285.

Section 3. Reapportionment with Weighted Vote.

That the Greene County Legislature shall be reapportioned with a 14-member Legislative Board using a weighted vote as follows:

# of Legislators	Towns in District	Population/ Legislator	Weighted/ Legislator
2	Cairo	3,178	7.02% or 702 votes

cc: Treas
1-Co. Atty
1-Co. Clk
1. Hyum
1. Bd. of Elections
1- MJ
14-Towns
5. Villages
5 File - reapportion
- redistricting
- local laws
- legislature

filed with sec. of State 5/27/03

4	Catskill	2,952	6.52% or 652 votes
1	Athens	3,991	8.81% or 881 votes
2	Coxsackie	3,007	6.64% or 664 votes
1	New Baltimore	3,417	7.54% or 754 votes
1	Greenville	3,316	7.32% or 732 votes
1	Durham	2,592	5.72% or 572 votes
1	Windham Jewett Ashland Prattsville	4,047	8.94% or 894 votes
1	Hunter Lexington Halcott	3,744	8.27% or 827 votes

Section 4. Effective Date.

This Local Law is subject to referendum on petition under Municipal Home Rule Law Section 24 and shall take effect upon filing with the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Section 5. Insofar as the provisions of this Local Law are inconsistent with the provisions of any other Local Law, the provisions of this Local Law shall be controlling.

PAGE 60 (Local Law was amended by this Resolution) so keeping a copy of this with local law #1 of 2003) May 21, 2003

AMENDED RESOLUTION NO. 157-03

AMENDMENT TO PROPOSED LOCAL LAW #1 OF 2003

Legislator Mathes offered the following resolution and moved its adoption:

WHEREAS, on April 2, 2003, a Motion To Adopt Local Law #1 of 2003 was made and approved by the Greene County Legislative Body; and

WHEREAS, the required Public Notice was made and Hearing held pursuant to Municipal Home Rule Section 10; and

WHEREAS, the Motion To Adopt said Local Law # 1 of 2003 needs to be amended to number the districts for the purposes of the Greene County Board of Elections; and

WHEREAS, this Legislature finds that this change to the proposed Local Law on which a Public Hearing has been had is so insubstantial as to not require further Public Hearing and that said changes are minor and inconsequential;

NOW, THEREFORE, BE IT RESOLVED, that Local Law #1 of 2003 shall reflect that the following districts be numbered in the following order:

Catskill	District 1
Coxsackie	District 2
Athens	District 3
Greenville	District 4
New Baltimore	District 5
Windham/Jewett/Ashland/Prattsville	District 6
Hunter/Lexington/Halcott	District 7
Cairo	District 8
Durham	District 9

Seconded by Legislator Martinez

Ayes 12 Noes 0 Absent 1 Carl CARRIED.

Approved by Gov. Ops. Comm.:5/19/03

April 21, 2004

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 2004

Motion by Legislator Martinez

Seconded by Legislators Gardner and Deyo

ROLL CALL VOTE:
(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED

April 21, 2004

LOCAL LAW NUMBER 1 OF 2004

A LOCAL LAW relating to exemption from real property taxes of property owned by persons with disabilities and limited incomes.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. The purpose of this local law is to exempt from real property taxes property owned by persons with disabilities and limited incomes, as authorized by Section 459-c of the Real Property Tax Law.

SECTION 2. Pursuant to Section 459-c of the Real Property Tax Law, persons with disabilities who are owners of real property used exclusively for residential purposes shall be exempt from county taxes to the extent of fifty percentum (50%) of the assessed valuation if said owners fulfill certain qualifications, including a limited income of the owner or the combined income of owners of the real property, which does not exceed a maximum income limit of $16,000.

SECTION 3. In addition, the provisions of Real Property Tax Law Section 459-c, Paragraph 1(b) which is known as the "sliding-scale" option be and hereby are adopted with regard to this exemption for persons with disabilities and limited incomes.

SECTION 4. Any such real property tax exemption will apply on assessment rolls completed based upon taxable status date March 1, 2005 and after.

SECTION 5. This Local Law shall take effect immediately upon its filing with the Secretary of State.

Filed with Sec. of State 4/29/04

December 15, 2004

MOTION TO ADOPT

LOCAL LAW NUMBER 2 OF 2004

Motion by Legislator Martinez

Seconded by Legislators Camadine, Deyo and Valentine

ROLL CALL VOTE:

(9,106) Ayes 13	Noes 0	(894) Absent 1 Hitchcock	CARRIED.

December 15, 2004

LOCAL LAW NUMBER 2 OF 2004

A LOCAL LAW amending Local Law Number 1 of 2004 relating to exemption from real property taxes of property owned by persons with disabilities and limited incomes.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. The purpose of this local law is to amend Local Law Number 1 of 2004 by increasing the maximum income limit from $16,000 to $16,500.

SECTION 2. This Local Law shall take effect immediately upon its filing with the Secretary of State.

filed with Secretary of State 12/20/04

September 8, 2005

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 2005

Motion by Legislator Camadine

Seconded by Legislators Valentine, Brooks, Lawrence

ROLL CALL VOTE:

Ayes 12 (8,454) Noes 0 Absent 2 (1546) CARRIED
Deyo, Hitchcock

September 8, 2005

LOCAL LAW NUMBER 1 OF 2005

A LOCAL LAW AUTHORIZING THE CHAIRMAN OF THE GREENE COUNTY LEGISLATURE TO MAKE APPLICATION FOR DESIGNATION OF CERTAIN AREAS WITHIN GREENE COUNTY AS AN EMPIRE ZONE

WHEREAS, Section 961 of Article 18-B of the General Municipal Law hereby authorizes Greene County to prepare and submit an application for designation as an Empire Zone, including the proposed boundaries thereto, to the New York State Commissioner of Economic Development; and

WHEREAS, such designation could greatly benefit Greene County in that new businesses would be encouraged to locate in the zone area, and new and expanded businesses would generate new jobs for Greene County residents; and

NOW, THEREFORE, BE IT ENACTED BY THE LEGISLATURE OF GREENE COUNTY, as follows:

Section 1. The Chairman of the Greene County Legislature is hereby authorized and empowered to submit an application for designation of certain areas within Greene County as an Empire Zone; provided, however, that such authorization and empowerment shall be conditioned upon the prior concurrence, through properly adopted resolution(s) with respect to such application of the governing bodies of any and all cities, towns and villages in which such zone is located.

Section 2. The boundaries of said areas to be included in said Empire Zone shall be as set forth in Schedule A, which is attached hereto and made part hereof.

Section 3. Pursuant to requirements of Section 963 of the General Municipal Law, the County Administrator of Greene County shall serve as the Local Empire Zone Certification Officer of the Greene County Empire Zone, and shall, pursuant to the regulations promulgated pursuant to Article 18-B of the General Municipal Law, perform the following duty, to wit: certify, jointly with the New York State Commissioner of Economic Development and the New York State Commissioner of Labor, those businesses enterprises that are eligible to receive those benefits referred to in Section 966 of the General Municipal Law, and any other applicable statutes.

Filed with Sec of State 9/16/05

Section 4. Pursuant to Article 18-B of the General Municipal Law, a Local Empire Zone Administrative Board is hereby established to consist of not less than six (6) members. All appointments to the Board shall be made by the Chairman of the Greene County Legislature subject to the approval of the Greene County Legislature. The members of said board shall not include the Local Empire Zone Certification Officer, and shall include a representative of local business, organized labor, financial institutions, local educational institutions, community organizations, and at least one resident of the Empire Zone. The Chairperson of the Board shall be appointed by the Chairman of the Greene County Legislature. The Local Empire Zone Administrative Board shall perform all duties required of it pursuant to Section 963(b) of the General Municipal law.

Section 5. This local law shall take effect upon filing in the office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Section 6. Local Law Number 3 of 2002 which authorized a joint Empire Zone application by Greene County and Schoharie County is hereby repealed pursuant to County Law Section 153(6).

SCHEDULE A

ZONE BOUNDARIES - GREENE COUNTY

The following properties, listed by tax map parcel number, shall be included in the boundaries of the Greene County Empire Zone:

1. Area 1

Tax Map ID	Municipality	Address	Acreage
41.00-1-2	Town of New Baltimore	US 9W	77.50
41.00-1-24.1	Town of New Baltimore	Van Gurpin Lane	121.00
41.00-1-27	Town of New Baltimore	US 9W	30.00
41.00-1-28	Town of New Baltimore	US 9W	1.52
41.00-1-29	Town of New Baltimore	US 9W	103.10
41.00-1-30	Town of New Baltimore	NYS RT 87	65.5
41.00-1-34	Town of New Baltimore	US 9W	16.06
41.00-1-35	Town of New Baltimore	US 9W	3.90
41.00-5-2	Town of Coxsackie	US 9W	108.70
41.00-5-22	Town of Coxsackie	US 9W	150.40
56.00-2-9	Town of Coxsackie	US 9W	32.1

An additional 16.6 acres attributable to access roads and railroads brings the total acreage to 726.38 acres.

Description: Starting at a point at 73 degrees 49′ 21.72" W, 42 degrees 23′ 29.82" N proceed in an easterly direction to 73 degrees 48′ 56.07" W, 42 degrees 23′ 28.03" N then southerly to 73 degrees 48′ 56.76" W, 42 degrees 23′ 25.82" N, then easterly to 73 degrees 48′ 50.59" W, 42 degrees 23′ 25.39" N, then south to 73 degrees 48′ 54.67" W, 42 degrees 23′ 12.67" N, easterly to 73 degrees 48′ 39.79" W, 42 degrees 23′ 11.59 N, southerly to 73 degrees 48′ 42.69" W, 42 degrees 23′ 1.43" N, east to 73 degrees 48′ 40.20" W, 42 degrees 23′ 1.17" N, south to 73 degrees 48′ 41.25" W, 42 degrees 22′ 53.06" N, westerly to 73 degrees 48 54.11" W, 42 degrees 22′ 53.35" N, southerly to 73 degrees 48′ 54.35" W, 42 degrees 22′ 48.44" N.

Then proceed south-south-westerly along creek to municipal boundary 73 degrees 48′ 58.95" W, 42 degrees 22′ 40.56" N, west along boundary to 73 degrees 49′ 23.52" W, 42 degrees 22′ 41.99" N, east-south-east to 73 degrees 49′ 7.47" W, 42 degrees 22′ 34.42" N.
From there proceed south along the creek to 73 degrees 49′ 20.86" W, 42 degrees 22′ 2.89" N, and then southerly to 73 degrees 49′ 20.80" W, 42 degrees 22′ 0.51" N, westerly to 73 degrees 49′ 26.47" W, 42 degrees 22′ 0.12" N, south to creek 73 degrees 49′ 27.56" W, 42 degrees 21′ 47.59" N, and then west along creek to 73 degrees 49′ 44.18" W, 42 degrees 21′ 46.52" N.
From there proceed north-west to 73 degrees 49′ 49.33" W, 42 degrees 21′ 47.85" N, north along Mansion St to 73 degrees 49′ 50.78" W, 42 degrees 21′ 54.12" N, north along Rt 9W 73 degrees 49′ 50.07" W, 42 degrees 22′ 3.78" N, east along Joe Garland Drive 73 degrees 49′ 45.31" W, 42 degrees 22′ 4.84" N, north along Joe Garland Drive 73 degrees 49′ 42.90" W, 42 degrees 22′ 15.83" N, and east to 73 degrees 49′ 39.59" W, 42 degrees 22′ 15.89" N.
Continue curving north to 73 degrees 49′ 40.96" W, 42 degrees 22′ 16.61" N, westerly to 73 degrees 49′ 43.06" W, 42 degrees 22′ 16.73" N, northerly to 73 degrees 49′ 43.63" W, 42 degrees 22′ 22.67" N, easterly to 73 degrees 49′ 42.27" W, 42 degrees 22′ 22.91" N, north to 73 degrees 49′ 42.43" W, 42 degrees 22′23.46" N, and west to 73 degrees 49′ 50.39" W, 42 degrees 22′ 23.47" N.
From there proceed northerly to 73 degrees 49′ 51.32" W, 42 degrees 22′ 32.01" N, easterly to 73 degrees 49′ 49.11" W, 42 degrees 22′ 32.10" N, southerly to 73 degrees 49′ 48.92" W, 42 degrees 22′ 31.14" N, east to 73 degrees 49′ 37.86" W, 42 degrees 22′ 29.99" N, north-westerly to 73 degrees 49′ 47.60" W, 42 degrees 22′ 36.19 N, north west to 73 degrees 49′ 51.39" W, 42 degrees 22′ 38.18" N, and north to 73 degrees 49′ 50.74" W, 42 degrees 22′ 42.05" N.
Continue north-westerly to 73 degrees 49′ 53.55" W, 42 degrees 22′ 43.07" N, north to 73 degrees 49′ 54.36" W, 42 degrees 22′ 44.00" N, easterly to 73 degrees 49′ 45.66" W, 42 degrees 22′ 44.68" N, northerly to 73 degrees 49′ 41.88" W, 42 degrees 22′ 52.06" N, west to 73 degrees 49′ 48.75" W, 42 degrees 22′ 52.38" N, and then northerly to 73 degrees 49′ 48.62" W, 42 degrees 22′ 54.51" N.
From there proceed east to 73 degrees 49′ 45.34" W, 42 degrees 22′ 54.00" N, north to 73 degrees 49′ 44.89" W, 42 degrees 22′ 57.67" N, east to 73 degrees 49′ 57.73" W, 42 degrees 22′ 59.65" N, and finally north to 73 degrees 49′ 35.10" W, 42 degrees 23′ 19.02" N along Thruway Exit 21 ramp to starting point.

2. Area 2

Tax Map ID	Municipality	Address	Acreage
56.00-5-1	Town of Coxsackie	Stacey Road	5.19
71.00-1-20	Town of Coxsackie	Flint Mine Road	4.79
71.00-1-25	Town of Coxsackie	Stacey Road	20.00
71.00-1-26	Town of Coxsackie	Stacey Road	28.00
71.00-1-27	Town of Coxsackie	Flats Road	0.70
71.00-1-3.112	Town of Coxsackie	Flint Mine Road	2.83
71.00-1-32	Town of Coxsackie	Flint Mine Road	4.00
71.00-1-33.1	Town of Coxsackie	Flats Road	23.20
71.00-1-33.2	Town of Coxsackie	Flats Road	10.30

*Total acreage of 100.35 acres includes portions of access roads.

Description: From a point at 73 degrees 49′ 1.2" W, 42 degrees 21′ 0.4" N proceed in an easterly direction to 73 degrees 48′ 54.2" W, 42 degrees 21′ 0.81" N, then south-south-easterly to 73 degrees 48′ 40.6" W, 42 degrees 20′ 38.6" N, then westerly to 73 degrees 48′ 43.5" W, 42 degrees 20′ 28.3" N. From there proceed in a southerly direction to 73 degrees 48′ 38.1" W, 42 degrees 20′ 32.9" N, then westerly to 73 degrees 49′ 2.8" W, 42 degrees 20′ 30.9" N. Proceed north to 73 degrees 49′ 3.1" W, 42 degrees 20′ 37.8" N, then to 73 degrees 49′ 9.1" W, 42 degrees 20′ 29.3" N, from there proceed in a north northeasterly direction to the starting point.

3. Area 3

Tax Map ID	Municipality	Address	Acreage
104.00-4-27	Town of Athens	Schoharie Turnpike	60.6
104.00-4-30	Town of Athens	Schoharie Turnpike	13.2
104.00-4-39	Town of Athens	Schoharie Turnpike	6.2
104.00-4-40	Town of Athens	Schoharie Turnpike	24.1
104.00-4-32	Town of Athens	Schoharie Turnpike	62.9

*Total acreage of 167.25 acres includes a portion of Schoharie Turnpike.

Description: From a point at 73 degrees 50′ 24.3" W, 42 degrees 17′ 33.1" N, proceed southeasterly to 73 degrees 50′ 15.7" W, 42 degrees 17′ 30.8" N, then easterly to 73 degrees 50′ 7.4" W, 42 degrees 17′ 30.8" N, south to 73 degrees 50′ 7.4" W, 42 degrees 17′ 28.0" N, east to 73 degrees 49′ 56.6" W, 42 degrees 17′ 27.2" N, southerly to 73 degrees 49′ 56.3" W, 42 degrees 17′ 22.5" N and west to 73 degrees 50′ 3.5" W, 42 degrees 17′ 22.6" N.
Then proceed southwesterly to 73 degrees 50′ 5.5" W, 42 degrees 17′ 19.6" N, southwesterly to 73 degrees 50′ 6.3" W, 42 degrees 17′ 16.0 N, southerly to 73 degrees 50′ 7.8" W, 42 degrees 16′ 59.6" N, northwesterly to 73 degrees 50′ 13.3" W, 42 degrees 17′ 2.3" N, north to 73 degrees 50′ 11.8" W, 42 degrees 17′ 7.2" N, west to 73 degrees 50′ 17.9" W, 42 degrees 17′ 8.3" N, westerly to 73 degrees 50′ 19.7" W, 42 degrees 17′ 8.4" N and then southwesterly to 73 degrees 50′ 21.9" W, 42 degrees 17′ 5.7" N.
Then proceed southeasterly to 73 degrees 50′ 15.5" W, 42 degrees 17′ 2.7" N, then south to 73 degrees 50′ 20.8" W, 42 degrees 16′ 45.7" N, and west to 73 degrees 50′ 28.8" W, 42 degrees 16′ 46.3" N. Proceed south to 73 degrees 50′ 29.3" W, 42 degrees 16′ 45.4" N, west to 73 degrees 50′ 37.7" W, 42 degrees 16′ 46.2" N, north to 73 degrees 50′ 30.2" W, 42 degrees 17′ 10.3" N, west to 73 degrees 50′ 31.3" W, 42 degrees 17′ 10.8" N and north to the starting point.

4. Area 4

Tax Map ID	Municipality	Address	Acreage
171.00-4-1.1	Town of Catskill	US Route 9W	7.8
171.00-4-24	Town of Catskill	US Route 9W	0.75
171.00-4-25	Town of Catskill	US Route 9W	75.0
171.00-4-3	Town of Catskill	US Route 9W	46.2
171.00-4-4	Town of Catskill	US Route 9W	23.0
171.00-4-46	Town of Catskill	US Route 9W	100.2
171.07-2-7	Village of Catskill	US Route 9W	5.9
171.07-5-3	Town of Catskill	US Route 9W	3.2

*Total acreage of 265.05 acres includes a portion of railroad right of way.

Description: From a point at 73 degrees 53′ 15.40" W, 42 degrees 12′ 50.16" N, proceed south to 73 degrees 53′ 14.57" W, 42 degrees 12′ 41.87" N, east to 73 degrees 53′ 13.20" W, 42 degrees 12′ 41.56" N, north to 73 degrees 53′ 11.88" W, 42 degrees 12′ 43.11" N, easterly to 73 degrees 52′ 59.49" W, 42 degrees 12′ 42.77" N, and then southeasterly to 73 degrees 52′ 56.74" W, 42 degrees 12′ 41.30" N.
From that point proceed southwesterly to 73 degrees 53′ 6.29" W, 42 degrees 12′ 27.20" N, easterly to 73 degrees 52′ 57.92" W, 42 degrees 12′ 26.12" N, south to 73 degrees 52′ 58.33" W, 42 degrees 12′ 24.20" N, and east to 73 degrees 52′ 53.74" W, 42 degrees 12′ 23.65" N.
Continue in a southerly direction to 73 degrees 52′ 55.63" W, 42 degrees 12′ 19.30" N, westerly to 73 degrees 53′ 12.47" W, 42 degrees 12′ 23.02" N, south-westerly to 73 degrees 53′ 25.38" W, 42 degrees 11′ 59.74" N, east to 73 degrees 53′ 21.14" W, 42 degrees 11′ 59.01" N, south to 73 degrees 53′ 20.75" W, 42 degrees 11′ 57.69" N, southerly to 73 degrees 53′ 21.22" W, 42 degrees 11′ 56.27" N, south-west to 73 degrees 53′ 24.01" W, 42 degrees 11′ 55.11" N, south-westerly to 73 degrees 53′ 25.79" W, 42 degrees 11′ 54.78" N, south to 73 degrees 53′ 28.42" W, 42 degrees 11′ 45.69" N.
Then proceed west to 73 degrees 53′ 54.86" W, 42 degrees 11′ 50.94" N, north-east to 73 degrees 53′ 49.67" W, 42 degrees 11′ 57.12" N, easterly to 73 degrees 53′ 48.96" W, 42 degrees 11′ 56.91" N, north-easterly to 73 degrees 53′ 48.36" W, 42 degrees 11′ 57.52" N, westerly to 73 degrees 53′ 49.14" W, 42 degrees 11′ 57.80" N, north-east to 73 degrees 53′ 44.2" W, 42 degrees 12′ 3.77" N, north-east to 73 degrees 53′ 27.27" W, 42 degrees 12′ 24.40" N, west to 73 degrees 53′ 36.11" W, 42 degrees 12′ 26.10" N.
Continue north along US Route 9W to 73 degrees 53′ 31.38" W, 42 degrees 12′ 37.11" N, east to 73 degrees 53′ 29.34" W, 42 degrees 12′ 36.62" N, northerly to 73 degrees 53′ 27.03" W, 42 degrees 12′ 39.34" N, west to 73 degrees 53′ 29.36" W, 42 degrees 12′ 39.95" N and then north along US Route 9W to starting point.

December 21, 2005

MOTION TO ADOPT

LOCAL LAW NUMBER 2 OF 2005

Motion by Legislator Martinez

Seconded by Legislators Camadine and Deyo

ROLL CALL VOTE:

(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

December 21, 2005

LOCAL LAW NUMBER 2 OF 2005

A LOCAL LAW amending Local Law Number 1 of 2004 relating to exemption from real property taxes of property owned by persons with disabilities and limited incomes.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. The purpose of this Local Law is to amend Local Law Number 1 of 2004 by increasing the maximum income limit from $16,500 to $17,500.

SECTION 2. This Local Law shall take effect immediately upon its filing with the Secretary of State.

filed with Sec. of State 12/27/05

March 15, 2006

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 2006

Motion by Legislator Hitchcock

Seconded by Legislator Martinez

ROLL CALL VOTE:
(9,348) (652)
Ayes 13 Noes 1 Absent 0 CARRIED
Valentine

LOCAL LAW NUMBER 1 OF 2006

A LOCAL LAW REGULATING COUNTY-OWNED PARKING LOTS IN THE VILLAGE AND TOWN OF CATSKILL, NEW YORK

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

WHEREAS, there are no current limitations, restrictions or regulations regarding parking on County property within the Village and Town of Catskill with the exception of Local Law No. 2 of the year 1967 which established a procedure by Local Law authorizing the Superintendent of Highways of the County of Greene to remove vehicles from County highways and other public property in the County of Greene in certain circumstances; and

WHEREAS, it has been determined by this Legislature after a thorough review that in the interest of ensuring adequate parking for its employees, guests and business invitees, it is necessary to establish specific rules, regulations and procedures governing the use of County-owned parking lots in the Village of Catskill; and

WHEREAS, this Local Law will establish policies and procedures for the ticketing by the Greene County Sheriff or the removal by towing by the Superintendent of Highways of vehicles not authorized to be present in the County-owned lots which are identified with specificity and set forth herein.

SECTION 1. This Local Law shall be known as the "Greene County Parking Area Law."

SECTION 2. LEGISLATIVE INTENT. The purpose of this Local Law is to regulate the use of certain parking lots owned by the County of Greene and located within the Village and Town of Catskill, NY, designated for parking for the employees, visitors and business invitees of the Greene County Office Building or Greene County Courthouse located on Main Street, Catskill, NY. It is further the intent of this Local Law to provide for the prompt issuance of parking violations to any unauthorized users of the parking lots and to facilitate the safe removal of vehicles by towing of unauthorized users so as to govern in an orderly fashion the use of these premises.

SECTION 3. The following words, when used in this Local Law, shall have the meanings ascribed to them in this

filed with Secretary of State 3/29/06

section, except in those instances where the context clearly indicates otherwise, to wit:

(a) The word "vehicle" shall mean any device in, upon or by which any person or property is or may be transported upon a highway except a device which is operated on rails or tracks.

(b) The word "person" shall mean and include every natural person, firm, co-partnership, association, corporation or other entity.

(c) The word "operator" shall mean and include every person who shall operate a vehicle as the owner thereof or as the agent, employee, or permittee of the owner or is in actual physical control of a vehicle.

(d) The word "park" shall mean and include the permitting of any vehicle to be parked or put in place and let remain or leave standing in or upon County-owned property or area.

(e) The word "restricted" parking area means the real property identified and set forth with specificity in Exhibit "A" attached hereto and made a part hereof.

(f) The word "Superintendent" shall mean the Greene County Superintendent of Buildings and Grounds.

(g) The word "Sheriff" shall mean and include the Sheriff of Greene County and any and all deputies, designees, or subordinates designated by him from time to time in and about the policing of the parking areas herein described.

(h) Unless otherwise herein indicated above or by the context in which they might be used, all words used herein shall have the meanings ascribed to them by the General Construction Law of the State of New York.

SECTION 4. (a) The Superintendent, subject to subdivision (b), is hereby granted and shall exercise authority to:

(i) designate, delineate, allocate and otherwise prescribe places where parking is permitted. Such authority shall include, but not be limited to, the right to restrict parking in one or more particular places, to accommodate the needs of the Greene County employees, the public in transacting official business within the County Office Building or the County Courthouse and to accommodate the needs of the handicapped;

(ii) prohibit, restrict or limit the stopping, standing or parking of vehicles;

(iii) regulate the direction of traffic;

(iv) regulate the speed at which vehicles may operate within the area;

(v) cause the erection and maintenance of signs to advise the public of requirements established hereunder.

(b) The Greene County Legislature retains ultimate authority hereunder and may by Resolution direct the Superintendent to take, revise or desist from taking any particular action or actions with regard to the authority granted pursuant to subdivision (a) above.

(c) All rules, regulations and exercise of the authority granted under this section shall be reduced to writing, signed by the Superintendent and filed in the office of the Acting Clerk of the Greene County Legislature and made available for public inspection.

SECTION 5. (a) Any person stopping, standing, parking or operating a motor vehicle in violation of the provisions of this law or regulation of the Superintendent issued hereunder is guilty of an offense punishable by fine as follows:

1. 1st offense by a fine of ten ($10.00) dollars.

2. 2nd offense within six months by a fine of fifty ($50.00) dollars.

3. 3 or more offenses within a one year period by a fine of one hundred ($100.00) Dollars.

(b) Each day of violation shall be a separate and distinct offense.

SECTION 6. Parking of a vehicle by a person or operator on the restricted parking areas is prohibited unless such person or operator shall have a parking permit sticker duly issued by the Sheriff pursuant to SECTION 8 of this Law.

SECTION 7. All parking in restricted parking areas shall be in places designated by signs and markings or other directions posted by order of the Sheriff, or his designee or by the Superintendent; and it shall be unlawful for any person or operator to improperly park inside of such places or otherwise than is designed by signs or to use such areas unreasonably and contrary to the intent of this law.

SECTION 8. A person's or operator's privileges to park in restricted parking areas shall be indicated by placing on a vehicle, in a conspicuous position, a small parking permit sticker, properly inscribed, which shall be placed in the exclusive possession of the Sheriff who is hereby authorized to issue the same to such County employees as may be certified to the Sheriff by County Department Heads as being entitled thereto and to such others as come within the intent of this Local Law. The Sheriff shall keep a record of stickers and place a number on each sticker so delivered.

SECTION 9. In any prosecution or proceeding hereunder, the failure to display such parking permit sticker on any vehicle shall be presumptive evidence that said vehicle is parked in violation of these regulations, and the registration plate displayed on a motor vehicle shall be presumptive evidence that the owner of such vehicle was the person who parked such vehicle at the place where any violation of these regulations occurred.

SECTION 10. No vehicle shall be parked in the restricted parking areas between the hours of 8:00 a.m. and 6:00 p.m. except vehicles displaying an authorized parking permit sticker unless specifically authorized by the Sheriff. No vehicle shall be parked in the restricted parking areas between the hours of 11:00 p.m. and 8:00 a.m.

SECTION 11. The Sheriff shall police the area and issue a simplified information or other appropriate accusatory instrument on behalf of the County to any person or operator unlawfully operating or parking a vehicle in the area contrary to the provisions of this law or the regulations of the Superintendent issued hereunder.

SECTION 12. The Superintendent and any County employee designated in writing by the Superintendent is hereby authorized to police the area and issue an appearance ticket on behalf of the County to any person or operator unlawfully operating or parking a vehicle in the area contrary to the provisions of this Law or the regulations of the Superintendent issued hereunder.

SECTION 13. Jurisdiction is hereby conferred upon and granted to Village Court of the Village of Catskill to hear, try and determine all questions of law or of fact arising under this local law to impose the fine hereunder prescribed. Except as otherwise provided by law, the fines collected shall be the property of the Village and ultimately remitted to the Treasurer of the Village.

SECTION 14. Whenever any vehicle shall be found parking in violation of this law such vehicle, in the discretion of the Sheriff, may be removed and conveyed by or under the direction of the Sheriff by means of towing the same or otherwise to some suitable place of storage, and such removal and storage shall be at the risk and expense of the owner of such vehicle. Before the owner or person in charge of such vehicle shall be permitted to remove the same from the custody of the Sheriff, he/she shall furnish evidence of his/her identity and ownership or right to possession, pay the proper charges, and sign a receipt for such vehicle. This remedy is in addition to the penalties provided for in SECTION 5 above.

SECTION 15. This Local law is intended and shall be liberally construed to be additional to any other Local Law or statute of the State of New York. If any part or portion of this law or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provisions or application directly involved in the controversy.

SECTION 16. This Local Law shall take effect immediately.

SCHEDULE A

1. Tax Map No.'s 172.05-3-10 and 172.05-3-9 as bounded by Main Street, Bronson Street, Hill Street and property of Valentine.

2. Tax Map No.'s 156.78-5-9, 156.78-5-8, 156.78-5-7, 156.78-5-6 as bounded by Hill Street, NYS Rt. 385 Bridge Street and property of Full Gospel Tabernacle, Village of

Catskill, Cornelius, Lalor and Munn, Towneking Realty,LLC and Stiefel & Winans.

3. Tax Map No.'s 156.78-5-18, 156.78-5-5, 156.78-5-2, 156.78-5-4 and 156.78-5-19 as bounded by NYS Rt. 385, lands of Hernandez, Hill Street, lands of Dunn, Steel Holding Corp. and Water Street.

4. Tax Map No.'s 156.78-2-40 bounded by Water Street, Lands of Sturges and McDonald; Tax Map No. 156.78-2-38 as bounded by Water Street, Lower Thompson Street, lands of Main Street, LLC and Varga.

5. Tax Map No. 156.70-2-12 bounded by Water Street, Union Street, Main Street and lands of Cuthbert, Quinn, Brand, DeVillamil, Brantley, McGovern, EC Duz It All, Inc. and Anasta.

6. Tax Map No. 156.78-5-17 at 313-317 Main Street.

March 15, 2006

MOTION TO ADOPT

LOCAL LAW NUMBER 2 OF 2006

Motion by Legislator Martinez

Seconded by Legislators Camadine, Deyo, Ohm, Valentine

ROLL CALL VOTE:

(7,723)
Ayes 11 Noes 0 Absent 0 CARRIED

Abstained 3 - Brooks, Dudley, Speenburgh (2,277)

LOCAL LAW NUMBER 2 OF 2006

A LOCAL LAW TO PROVIDE FOR THE INCREASE OF THE MAXIMUM EXEMPTION ALLOWABLE FOR VETERANS' REAL PROPERTY TAX EXEMPTION UNDER SECTION 458-A OF THE REAL PROPERTY TAX LAW

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

WHEREAS, Section 458-a of the Real Property Tax Law authorizes a partial exemption from real property taxes on qualifying residential real property owned by veterans; and

WHEREAS, Subdivision 2(d)(ii) of Section 458-a of the Real Property Tax Law authorizes counties, cities, towns and villages to reduce or increase the maximum exemption allowable, by local law; and

WHEREAS, in regard to the veterans who own residential real property within Greene County, it is the desire of the Greene County Legislature to increase the maximum;

SECTION 1. The maximum exemptions allowable from County real property taxation pursuant to Section 458-a of the Real Property Tax Law shall be eighteen thousand dollars ($18,000), twelve thousand dollars ($12,000) and sixty thousand dollars ($60,000), respectively.

SECTION 2. Any such real property tax exemption will apply on assessment rolls completed based upon Taxable Status Date March 1, 2006 and after.

SECTION 3. This Local Law shall take effect immediately upon its filing with the Secretary of State.

Filed with Secretary of State 3/20/06

December 20, 2006

MOTION TO ADOPT

LOCAL LAW NUMBER 3 OF 2006

Motion by Legislator Martinez

Seconded by Legislator Valentine

ROLL CALL VOTE:
(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED

December 20, 2006

LOCAL LAW NUMBER 3 OF 2006

A LOCAL LAW amending Local Law Number 1 of 2004 relating to exemption from real property taxes of property owned by persons with disabilities and limited incomes.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. The purpose of this Local Law is to amend Local Law Number 1 of 2004 by increasing the maximum income limit from $17,500. to $18,000.

SECTION 2. This Local Law shall take effect immediately upon its filing with the Secretary of State.

Filed with Secretary of State 12/26/06

December 20, 2006

MOTION TO ADOPT

LOCAL LAW NUMBER 4 OF 2006

Motion by Legislator Camadine

Seconded by Legislator Deyo

ROLL CALL VOTE:
(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED

December 20, 2006

LOCAL LAW NUMBER 4 OF 2006

A LOCAL LAW TO PROVIDE VETERANS' PROPERTY TAX EXEMPTIONS TO GOLD STAR PARENTS PURSUANT TO NEW YORK STATE LAW

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. This Local Law is enacted pursuant to the authority set forth in and in accordance with the New York State Real Property Tax Law (RPTL) section 458-a, as amended by Chapter 326 of the Laws of 2000. All terms and definitions of RPTL 458-a shall be equally applicable in this local law.

SECTION 2. As authorized by subdivision 7 of RPTL section 458-a, the County of Greene hereby includes a Gold Star Parent (i.e., parent of a child who died in the line of duty while serving in the United States Armed Forces during a period of war) within the definition of "qualified owner" set forth in RPTL 458-a (1) (c), and property owned by a Gold Star Parent within the definition of "qualifying residential real property" set forth in RPTL 458-a (1) (d), provided that such property shall be the primary residence of the Gold Star Parent. The additional exemption provided for in RPTL 458-a (2) (c) shall not apply to real property owned by Gold Star Parent.

SECTION 3. This Local Law shall take effect immediately and shall apply to taxable status dates occurring on or after March 1, 2007.

Filed with Secretary of State 12/26/06

May 16, 2007

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 2007

Motion by Legislator Martinez

Seconded by all Legislators: Brooks, Cotten, Deyo, Dudley, Frey, Gardner, Hitchcock, Lawrence, Lennon, Prest, Valentine, Van Slyke and Speenburgh.

ROLL CALL VOTE:
(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

May 16, 2007

LOCAL LAW NUMBER 1 OF 2007

A LOCAL LAW PROHIBITING CONSUMPTION OF ALCOHOLIC BEVERAGES BY MINORS ON PRIVATE PROPERTY

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. Legislative Intent. It is the purpose of this section to protect the public interest, welfare, health and safety within the County of Greene by prohibiting the service to and consumption of alcoholic beverages by persons under the age of twenty-one (21) at private residences located in the County. The County finds that the occurrence of social gatherings at private residences where alcoholic beverages are served to or consumed by persons under the age of twenty-one (21) is harmful to such persons themselves and a threat to public welfare, health and safety. The County finds further that persons under the age of twenty-one (21) often obtain alcoholic beverages at such gatherings and that such persons who are in control of such residences know of such service and/or consumption and will be more likely to ensure that alcoholic beverages are neither served to nor consumed by persons under the age of twenty-one (21) at these gatherings.

Filed with Secretary of State May 25, 2007

SECTION 2. Definitions. For the purpose of this section, the following terms shall be defined as follows:

Alcoholic beverage means any liquor, wine, beer, spirits, cider or other liquid or solid, patented or not composed of or containing alcohol or spirits, whether or not brewed, fermented or distilled, and capable of being consumed by a person; except that confectionary containing alcohol as provided in Subsection 12 of 200 Agriculture and Markets Law shall not be considered alcoholic beverage within the meaning of this section.
Control means having the authority and ability to regulate, direct or dominate.
Minor means any person under the age of twenty-one (21).

Open House Party means a social gathering or otherwise, at a residence or other private property with minors present.
Residence means any home, apartment, condominium, co-operative unit or other dwelling unit of any kind, including yards and open areas adjacent thereto.

SECTION 3. Prohibition. No person having control of any residence shall allow an open house party to take place at said residence if such person knows that any alcoholic beverage is being unlawfully possessed, served to or consumed by a minor at said residence.

SECTION 4. Exceptions. The provisions of this section shall not apply to:

1. The possession or consumption of an alcoholic beverage by persons lawfully permitted to do so pursuant to Section 65-c of the New York State Alcohol Beverage Control Law, or any other applicable law.

SECTION 5. Inconsistency with other laws:

1. If any part or provision of this Local Law is inconsistent with any federal or state statute, law, rule or regulation, then such statute, law, rule or regulation shall prevail.

2. If any part or provision of this Local Law is adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision of said law in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this law, or the application thereof to other persons or circumstances.

SECTION 6. Penalties for offenses: Failure to comply with Section "3" above shall constitute a violation, punishable by a fine of up to two hundred and fifty dollars ($250.00) or imprisonment of up to fifteen (15) days, or by both such fine and imprisonment; a second violation within one (1) year shall be punishable by a fine of up to five hundred dollars ($500.00) or imprisonment of up to fifteen (15) days, or by both such fine and imprisonment; a third offense within one (1) year shall be punishable by a fine of up to seven hundred and fifty dollars ($750.00) or imprisonment of up to fifteen (15) days, or by both such fine and imprisonment.

SECTION 7. Effective date: This local law shall take effect immediately.

November 20, 2007

MOTION TO ADOPT

LOCAL LAW NUMBER 2 OF 2007

Motion by Legislator Brooks

Seconded by Legislators Cotten, Deyo, Dudley, Frey, Gardner, Hitchcock, Lawrence, Lennon, Martinez, Prest, Valentine, Van Slyke and Speenburgh.

ROLL CALL VOTE:
(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

November 20, 2007

LOCAL LAW NUMBER 2 OF 2007

A LOCAL LAW TO PROVIDE FOR AN EXEMPTION FROM REAL PROPERTY TAXES FOR REAL PROPERTY OWNED BY VETERANS WHO RENDERED MILITARY SERVICE TO THE UNITED STATES DURING THE "COLD WAR"

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

WHEREAS, Section 458-b of the Real Property Tax Law authorizes a limited exemption from real property taxes for residential real property owned by veterans who rendered military service to the United States during the "Cold War"; and

WHEREAS, Section 458-b of the Real Property Tax Law authorizes municipalities to establish maximum exemption amounts; and

WHEREAS, in regard to "Cold War" veterans who own residential real property within Greene County, it is the desire of the Greene County Legislature to authorize the "Cold War" veterans exemption and establish maximum amounts;

SECTION 1. In accordance with the provisions of Section 458-b of the Real Property Tax Law of the State of New York, residential real property owned by veterans who rendered military service to the United States during the "Cold War" shall be exempt from county taxation.

SECTION 2. The maximum exemptions allowable from County real property taxation pursuant to Section 458-b of the Real Property Tax Law shall be 10% of the property's assessment, not to exceed 8,000 multiplied by the latest final state equalization rate for service during the "Cold War" and a percentage of the property's assessment equal to one-half of any service

connected disability rating not to exceed 40,000 multiplied by the latest final state equalization rate.

SECTION 3. This Local Law shall take effect immediately upon its filing with the Secretary of State.

filed w/ Sec. of State
11/23/07

December 19, 2007

MOTION TO ADOPT

LOCAL LAW NUMBER 3 OF 2007

Motion by Legislator Martinez

Seconded by Legislators Cotten and Valentine

ROLL CALL VOTE:
(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

December 19, 2007

LOCAL LAW NUMBER 3 OF 2007

A LOCAL LAW amending Local Law Number 1 of 2004 relating to exemption from real property taxes of property owned by persons with disabilities and limited incomes.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. The purpose of this Local Law is to amend Local Law Number 1 of 2004 by increasing the maximum income limit from $18,000 to $18,500.

SECTION 2. This Local Law shall take effect immediately upon its filing with the Secretary of State.

FILED WITH SECRETARY OF STATE 12-26-07

December 19, 2007

MOTION TO ADOPT

LOCAL LAW NUMBER 4 OF 2007

Motion by Legislator Brooks

Seconded by Legislator Martinez

ROLL CALL VOTE:
(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

December 19, 2007

LOCAL LAW NUMBER 4 OF 2007

A LOCAL LAW IMPOSING A SURCHARGE ON WIRELESS COMMUNICATIONS SERVICE IN THE COUNTY OF GREENE.

BE IT ENACTED by the County Legislature of the County of Greene as follows:

SECTION 1. Pursuant to the authority granted to the Greene County Legislature by State Law, the County of Greene hereby imposes a surcharge of thirty cents per month on wireless communications service in the County of Greene. The surcharge shall be imposed on each wireless communications device and shall be reflected and made payable on bills rendered for wireless communications service that is provided to a customer whose place of primary use is within the county. For purposes of this local law, the term "place of primary use" shall mean the street address that is representative of where the customer's use of the wireless communications service primarily occurs, which address must be (a) the residential street address or the primary business street address of the customer and (b) within the licensed service area of the wireless communications service supplier. A wireless communications service supplier may treat the address used by such supplier for any wireless communications customer under a service contract or agreement in effect on July 28, 2002 as that customer's place of primary use for the remaining term of such service contract or agreement, excluding any extension or renewal of such service contract or agreement, for purposes of determining the taxing jurisdiction with respect to taxes on wireless communications service. Such surcharge shall be added by such wireless communications service suppliers to the billings of their customers as of January 1, 2008.

SECTION 2. Each wireless communications service supplier serving the County of Greene shall act as collection agent for the county and shall remit the funds collected pursuant to the surcharge imposed by this local law to the Chief Fiscal Officer of the County of Greene. Such funds shall be remitted no later than thirty (30) days after the last business day of the month.

FILED with
SECRETARY OF
STATE 12-26-07

Each wireless communications service supplier shall be entitled to retain, as an administrative fee, an amount equal to two percent (2%) of its collections of the surcharge imposed by this local law. The surcharge required to be colleted by such wireless communications service suppliers shall be added to and separately stated in their billings to customers.

SECTION 3. Each wireless communications service customer who is subject to the provisions of this local law shall be liable to the County of Greene for such surcharge until it has been paid to the county, except that payment to a wireless communications service supplier is sufficient to relieve such customer from further liability for such surcharge.

SECTION 4. No wireless communications service supplier shall have a legal obligation to enforce the collection of the surcharge imposed by this local law; provided, however, that whenever the wireless communications service supplier remits the funds collected to the County of Greene, it shall also provide the county with the name and address of any customer refusing or failing to pay the surcharge imposed by this local law and shall state the amount of such surcharge remaining unpaid.

SECTION 5. Each wireless communications service supplier shall annually provide to the County of Greene an accounting of the surcharge amounts billed and collected.

SECTION 6. This local law shall take effect upon filing with the office of the Secretary of State of the State of New York.

MOTION TO ADOPT

September 17, 2008

LOCAL LAW NUMBER 1 OF 2008

Motion by Legislators Brooks and Hitchcock

Seconded by Legislator Van Slyke

ROLL CALL VOTE:

(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

LOCAL LAW NUMBER 1 OF 2008

A LOCAL LAW PROVIDING FOR PLACING THE GREENE COUNTY HIGHWAY AND SOLID WASTE SUPERINTENDENT POSITIONS IN THE UNCLASSIFIED SERVICE CLASS PURSUANT TO SECTION 35 (e) OF THE CIVIL SERVICE LAW

BE IT ENACTED by the County Legislature of the County of Greene as follows:

WHEREAS, Section 35 (e) of the Civil Service Law of the State of New York provides that the head or heads of any department of the government who are vested with authority, discretion and control over a department and who have power and authority to appoint and remove officers and employees therein shall be classified as unclassified service; and

WHEREAS, the County of Greene desires to have the Greene County Highway and Solid Waste Superintendent status changed from the non-competitive class to an unclassified service class pursuant to the Civil Service Law; and

WHEREAS, the purpose of this change is to allow the Greene County Highway and Solid Waste Superintendent to appoint a Deputy County Highway and Solid Waste Superintendent in the exempt class as defined by Civil Service Law;

SECTION 1. Pursuant to Section 35 (e) of the Civil Service Law the County Highway and Solid Waste Superintendent is hereby given control over the Highway and Solid Waste Department, the power to hire and fire and the authority to appoint a Deputy.

SECTION 2. The Deputy County Highway and Solid Waste Superintendent shall have the authority to act generally for and in place of the County Highway and Solid Waste Superintendent pursuant to Section 41 (b) of the Civil Service Law.

SECTION 3. It is the intention of the Legislature and the Legislature does hereby make the Greene County Highway and Solid Waste Department a bona fide department to allow the County Highway and Solid Waste Superintendent the authority to appoint a Deputy in the exempt class service as such as defined by the Civil Service Law of the State of New York.

SECTION 4. This Local Law shall take effect immediately upon its filing with the Secretary of State.

FILED with SECRETARY OF STATE 9-24-08

December 17, 2008

MOTION TO ADOPT

LOCAL LAW NUMBER 2 OF 2008

Motion by Legislator Deyo

Seconded by Legislator Martinez

ROLL CALL VOTE:

(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

December 17, 2008

LOCAL LAW NUMBER 2 OF 2008

A LOCAL LAW amending Local Law Number 1 of 2004 relating to exemption from real property taxes of property owned by persons with disabilities and limited incomes.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. The purpose of this Local Law is to amend Local Law Number 1 of 2004 by increasing the maximum income limit from $18,500. to $19,500.

SECTION 2. This Local Law shall take effect immediately upon its filing with the Secretary of State.

FILED WITH SECRETARY OF STATE 12-22-08

January 21, 2009

RESOLUTION NO. 10-09

AMENDING LOCAL LAW NUMBER 1 OF 2009

Legislator Van Slyke offered the following resolution and moved its adoption:

WHEREAS, at the December 17th, 2008 meeting of the Greene County Legislature, Local Law Number 1 of 2009 entitled "A Local Law Providing For Enhanced Personal Privacy Protection For Documents Records in the Office of the County Clerk and Authorizing An Increase In Fees Collected By the County Clerk for the Recording, Entering, Indexing and Endorsing A Certificate of Any Instrument" was adopted; and

WHEREAS, although it was adopted in December of 2008, pursuant to established procedures, this Local Law was numbered for the year it was to become effective; and

WHEREAS, after its adoption, said Local Law was filed in the State Records and Law Bureau, Department of State; and

WHEREAS, the State Records and Law Bureau notified Greene County that Local Laws are no longer to be numbered according to their effective date, but rather should be numbered according to their date of adoption; and

NOW, THEREFORE, BE IT RESOLVED, that Local Law Number 1 of 2009 is amended to delete any mention of 'Local Law Number 1 of 2009' and replace it with 'Local Law Number 3 of 2008'; and be it further

RESOLVED, that the remainder of this Local Law remains unchanged.

Seconded by Legislator Gardner

(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

Approved by Gov't Ops. Comm.: 1/20/09

FILED WITH SECRETARY OF STATE 12-22-08

December 17, 2008

MOTION TO ADOPT

LOCAL LAW NUMBER ~~1~~ 3 OF 200~~9~~ 8

Motion by Legislator Valentine

Seconded by Legislator Martinez

ROLL CALL VOTE:

(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

---

cc: Treas
1-Mary Jo
1-Co. Atty
1-Co. CLK
4-Fire local law 1 OF 2009
- pH file
- fees

December 17, 2008

LOCAL LAW NUMBER ~~1~~ 3 OF ~~2009~~ 2008

COUNTY OF GREENE

A Local Law Providing For Enhanced Personal Privacy Protection For Documents Recorded In The Office Of The County Clerk, and Authorizing An Increase In Fees Collected By The County Clerk For The Recording, Entering, Indexing And Endorsing A Certificate On Any Instrument.

BE IT ENACTED, by the Legislature of the County of Greene, as follows:

SECTION 1. TITLE.

This law shall be known as the "Enhanced Personal Privacy Protection for Recorded Documents Law."

SECTION 2. DECLARATION OF INTENT.

In accordance with subparagraph (2) of paragraph 4 of subdivision (a) of Section 8021 of the Civil Practice Law and Rules, as amended by Chapter 78 of the Laws of 1989, the Greene County Legislature authorizes the County of Greene County Clerk to increase the fees charged for certain documents recorded with the County Clerk's Office.

SECTION 3. FEES FOR RECORDING DOCUMENTS.

For recording, entering, indexing and endorsing a certificate on any instrument, the fee is increased from five dollars to twenty dollars, and in addition thereto, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth. To the extent that the County of Greene County

Clerk has placed an image of such cover page online, the County Clerk shall make a good faith effort to redact such information.

SECTION 4. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE.

This local law shall take effect thirty days after filing in the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

June 17, 2009

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 2009

Motion by Legislator Valentine

Seconded by Legislators Deyo and Prest

ROLL CALL VOTE:

(9,106)				(894)		
Ayes 13	Noes	0	Absent	1 Hitchcock		CARRIED.

June 17, 2009

LOCAL LAW NUMBER 1 OF 2009

A LOCAL LAW PROHIBITING THE USE OF WIRELESS HANDSETS TO COMPOSE, READ OR SEND TEXT MESSAGES WHILE OPERATING A MOTOR VEHICLE IN THE COUNTY OF GREENE

BE IT ENACTED, by the Legislature of the County of Greene, New York, as follows:

SECTION 1: TITLE. This Local Law shall be titled "Driving While Texting Law" in Greene County.

SECTION 2: LEGISLATIVE FINDINGS AND INTENT.

A. The use of mobile phones also known as "cellular phones" has increased in popularity during the last several years.

B. According to studies conducted by the American Automobile Association (AAA), any activity that takes a driver's attention off the road for more than two seconds can double a driver's risk of crash.

C. The Federal Government estimates that 30% of all crashes in the United States result from driver distraction. Statistics from the 2006 New York State Department of Motor Vehicles also indicated that nearly 30% of accidents in New York State involve driver distraction or inattention. According to a 2006 joint report issued by the National Highway Traffic Safety Administration and the Virginia Tech Transportation Institute, nearly 80% of crashes and 65% of near-crashes observed in their study involved a driver distracted in the three seconds prior to the accident.

D. When New York State banned motorists from talking on hand-held cellular phones in 2001, text messaging was fairly uncommon. However, since that time text messaging has become an increasingly popular form of communication. Indeed, according to a trade group

FILED WITH SECRETARY OF STATE 6-22-2009

for the cell phone industry, the Cellular Telecommunications and Internet Association-The Wireless Association, in 2006, United States wireless subscribers, of which there are currently 251.45 million, sent 158 billion text messages, an increase of 95% from 2005, which translates into approximately 300,000 text messages per minute.

E. Text messaging is now one of the latest electronic obsessions and driving dangers. In fact, a January 2007 survey conducted by Nationwide Mutual Insurance Company found that 19% of motorists between the ages of 18 and 60 admitted to text messaging while driving, and that 37% of drivers between the ages of 18 and 27 indicated that they do text messaging while operating a motor vehicle (and text messaging is especially dangerous since text messaging requires drivers to take their eyes and minds off the road, as well as their hands off the steering wheel, while operating a motor vehicle).

F. The States of Washington and New Jersey passed laws banning text messaging while driving. Since July 2008, California drivers under the age of 18 are prohibited from using all cell phones and other electronic devices while driving, while older drivers may only use hands-free devices. There are also several bills pending in the New York State Legislature to ban the use of such devices. However, in the absence of a State law addressing text messaging while driving, and until such time as the New York State Legislature does take action, this proposed Local Law is warranted in order to protect motorists and pedestrians in Greene County.

G. This local law would ban motorists from using wireless handsets to compose, read or send text messages while operating a motor vehicle on any public street or public highway within the County of Greene. Use of hands-free wireless handsets would be permitted under the proposed law. Notably, the proposed law exempts from its coverage the use of wireless handsets by law enforcement, emergency and fire personnel in the performance of their duties and motorists using such devices to contact law enforcement, emergency and fire personnel. The proposed law also exempts motorists using such devices while their motor vehicle is parked, standing or stopped and is removed from the flow of traffic, in accordance with applicable laws, rules or ordinances, or is stopped due to the inoperability of such motor vehicle. A vehicle is inoperable when such vehicle is incapable of being operated or being operated in a safe and prudent manner due to mechanical failure, including but not limited to, engine overheating or tire failure.

<u>SECTION 3. DEFINITIONS.</u> As used in this Chapter, the following terms shall have the meanings indicated:

A. "Hand-free" shall mean the manner in which a wireless handset is operated for the purpose of composing, reading or sending text messages, by using an internal feature or function, or through an attachment or addition, including but not limited to an ear piece, headset, remote microphone or short-range wireless connection, thereby allowing the user to operate said device without use of hands.

B. "Inoperability" shall mean a motor vehicle that is incapable of being operated or incapable of being operated in a safe and prudent manner due to mechanical failure, including but not limited to engine overheating, non-functioning brakes or tire failure.

C. "Motor vehicle" shall mean any vehicle that is self-propelled by a motor, including but not limited to, automobiles, trucks, vans, construction vehicles, etc.

D. "Person" shall mean any natural person, corporation, unincorporated association, firm, partnership, joint venture, joint stock association or other entity, or business organization of any kind.

E. "Stopped" shall mean not in motion.

F. "Text message" also referred to as "short messaging service (sms)" shall mean the process by which users send, read or receive messages on a wireless handset, including but not limited to, text messages, instant messages, electronic messages or e-mails, in order to communicate with any person or device.

G. "Use" shall mean to hold a wireless handset in one's hand or read or touch one within arm's length of the driver.

H. "Wireless handset" shall mean a portable electronic or computing device, including but not limited to cellular telephones, portable computers and personal digital assistants (PDAs), capable of transmitting data in the form of a text message.

SECTION 4. BAN THE USE OF WIRELESS HANDSETS TO COMPOSE, READ OR SEND TEXT MESSAGES WHILE OPERATING A MOTOR VEHICLE.

A. No person shall use a wireless handset to compose, read or send text messages while operating a motor vehicle on any public street or public highway within the County of Greene.

B. Notwithstanding Section 3A, this law shall not be construed to prohibit the use of any wireless handset by:

a. Any law enforcement, public safety or police officers, emergency services officials, first aid, emergency medical technicians and personnel, and fire safety officials in the performance of duties arising out of and in the course of their employment as such;

b. A person using a wireless handset to contact an individual listed in subsection (a) in furtherance of obtaining or giving assistance to first responders, or addressing emergency service

or public safety matters, except as may be prohibited by other laws; or

c. A person using a wireless handset inside a motor vehicle while such motor vehicle is parked, standing or stopped and is removed from the flow of traffic, in accordance with applicable laws, rules or ordinances, or is stopped due to the inoperability of such motor vehicle.

C. Notwithstanding subsection "A", this law shall not be construed to prohibit a person operating a motor vehicle from utilizing a hands-free wireless handset other than as prohibited above.

SECTION 5. ENFORCEMENT AND PENALTIES.

A. A violation of any provision of this chapter shall constitute an offense and be punishable by a fine not exceeding $150.00 for each single violation. Each such violation shall constitute a separate and distinct offense.

B. This law shall be enforced by the Greene County Sheriff's Department and may be enforced by any other law enforcement agency having jurisdiction to act in the County of Greene who may enforce the provisions of this law by the issuance of a summons to a party violating the provisions of this act.

SECTION 6. REVERSE PREEMPTION. This law shall be null and void on the day that statewide legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Greene. The County Legislature may determine by resolution whether or not identical or substantially similar statewide legislation or pertinent preempting state or federal regulations have been enacted for the purpose of triggering the provision of this section.

SECTION 7. SEVERABILITY. If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 8. EFFECTIVE DATE. This local law shall take effect immediately upon filing with the New York State Secretary of State.

July 15, 2009

MOTION TO ADOPT

LOCAL LAW NUMBER 2 OF 2009

Motion by Legislator Martinez

Seconded by Legislator Dudley

ROLL CALL VOTE:

	(8,124)		(652)		(1,224)	
Ayes	11	Noes	1	Absent	2	CARRIED.
			Cotten		Frey & Prest	

LOCAL LAW NUMBER 2 OF 2009

A LOCAL LAW PROVIDING FOR PLACING THE GREENE COUNTY DEPUTY BUDGET OFFICER POSITION IN THE EXEMPT CLASS SERVICE PURSUANT TO SECTION 41 OF THE CIVIL SERVICE LAW

BE IT ENACTED, by the County Legislature of the County of Greene as follows:

WHEREAS, Section 41 of the Civil Service Law of the State of New York provides that the deputies of principal executive officers of the government who are empowered to act as authorized by law when and where the Officer is absent or unable to act may be classified as exempt; and

WHEREAS, the County of Greene desires to have the Greene County Deputy Budget Officer status changed from the competitive class to an exempt class service pursuant to the Civil Service Law;

SECTION 1. Pursuant to Section 41 of the Civil Service Law, the Deputy Budget Officer is authorized by law to act generally for and in place of his/her principal.

SECTION 2. The Legislature does hereby place the Greene County Deputy Budget Officer in the exempt class service as such is defined by the Civil Service Law of the State of New York.

SECTION 3. This Local Law shall take effect immediately upon its filing with the Secretary of State.

FILED with SECRETARY OF STATE 7-20-2009

July 30, 2009

MOTION TO ADOPT

LOCAL LAW NUMBER 3 OF 2009

Motion by Legislator Dudley

Seconded by Legislator Martinez

ROLL CALL VOTE:

	(5,737)		(1,224)		(3,039)		
Ayes	8	Noes	2	Absent	4	Brooks,	CARRIED.
		Cotten & Frey				Lawrence, Lennon & Van Slyke	

July 30, 2009

LOCAL LAW NUMBER 3 OF 2009
COUNTY OF GREENE

A LOCAL LAW IMPOSING AN ADDITIONAL MORTGAGE RECORDING TAX IN GREENE COUNTY

BE IT ENACTED, by the Legislature of the County of Greene, New York as follows:

SECTION 1: TITLE. This Local Law shall be titled "A Local Law Imposing An Additional Mortgage Recording Tax in Greene County."

SECTION 2. PURPOSE AND INTENT. The purpose of this law is to authorize Greene County, pursuant to the provisions of Section 253x of the Tax Law of the State of New York, to impose an Additional Mortgage Recording Tax.

SECTION 3. IMPOSITION OF TAX. There is hereby imposed, in the County of Greene, a tax of fifty cents ($0.50) for each one hundred dollars ($100.00), and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the County of Greene and recorded on or after October 1, 2009, and a tax of fifty cents ($0.50) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars ($100.00).

SECTION 4. ADMINISTRATION AND COLLECTION OF TAX. The taxes imposed pursuant to this Local Law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 of the Tax Law and paragraph (b) of subdivision one of Section 255 of the Tax Law. All the provisions of Article 11 of the Tax Law relating to or applicable to the administration and collection of the taxes

FILED with SECRETARY OF STATE 8-3-2009

imposed by such subdivisions shall apply to the taxes imposed by this Local Law.

SECTION 5. REAL PROPERTY LOCATED IN MORE THAN ONE COUNTY OR STATE. Where the real property covered by the mortgage subject to the tax imposed pursuant to this Local Law is situated in this state but within and without Greene County, the amount of such tax due and payable to Greene County shall be determined in a manner similar to that prescribed in the first undesignated paragraph of Section 260 of the Tax Law which concerns real property situated in two or more counties. Where such property is situated both within Greene County and without the State, the amount due and payable to Greene County shall be determined in the manner prescribed in the second undesignated paragraph of such Section 260 which concerns property situated within and without the State. Where real property is situated within and without Greene County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

SECTION 6. ADDITIONAL MORTGAGE RECORDING TAX. The tax imposed pursuant to this Local Law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

SECTION 7. DISPOSITION OF TAXES. Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all monies paid to the recording officer of the County of Greene during each month upon account of the tax imposed pursuant to this Local Law, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, shall be paid over by such officer on or before the tenth day of each succeeding month to the Treasurer of Greene County and, after the deduction by such Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law, shall be deposited in the general fund of the County of Greene. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, under Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of the New York State Commissioner of Taxation and Finance.

SECTION 8. PAYMENT OF TAXES. The tax imposed pursuant to this Local Law shall be payable on the recording of each mortgage of real property subject to taxes thereunder. Such tax shall be paid to the recording officer of the County in which the real property or any part thereof is situated, except where real property is situated within and without the county, the recording officer of the county in which the mortgage is first recorded shall collect the tax imposed by this Local Law. It shall be the duty of such recording officer to endorse upon each mortgage a receipt for the amount of the tax so paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt of such tax endorsed upon each mortgage shall be recorded therewith. The record of such receipt shall be conclusive proof that the amount of tax stated therein has been paid upon such mortgage.

SECTION 9. EFFECTIVE DATE. This Local Law shall take effect on October 1, 2009 provided that a certified copy thereof is mailed by registered or certified mail to the Commissioner of the New York State Department of Taxation and Finance at the Commissioner's Office in Albany at least 30 days prior to the date this Local Law shall take effect. Certified copies of this Local Law shall also be filed with the Greene County Clerk, the Secretary of State and the State Comptroller within 5 days after the Local Law is duly enacted and this Local Law shall be deemed to be duly enacted upon its date of adoption by the Greene County Legislature.

December 15, 2010

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 2010

Motion by Legislators Frey & Martinez

Seconded by Legislator Cotten

ROLL CALL VOTE:

(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

December 15, 2010

LOCAL LAW NUMBER 1 OF 2010

A LOCAL LAW amending Local Law Number 1 of 2004 relating to exemption from real property taxes of property owned by persons with disabilities and limited incomes.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. The purpose of this Local Law is to amend Local Law Number 1 of 2004 by increasing the maximum income limit from its current amount of $19,500 to $20,500.

SECTION 2. This Local Law shall take effect immediately upon its filing with the Secretary of State.

FILED WITH SECRETARY OF STATE 12-10-2010

April 20, 2011

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 2011

Motion by Legislator Cotten

Seconded by Legislators Martinez, Pfister & Valentine

ROLL CALL VOTE:

(9,298)			(702)	
Ayes 13	Noes 0	Absent	1 Lennon	CARRIED.

April 20, 2011

LOCAL LAW NUMBER 1 OF 2011

A LOCAL LAW ESTABLISHING AN INSTALLMENT AGREEMENT FOR ELIGIBLE REAL PROPERTY OWNERS PURSUANT TO SECTION 1184 OF THE REAL PROPERTY TAX LAW

BE IT ENACTED by the County Legislature of the County of Greene as follows:

SECTION 1 – Legislative Declaration

It is declared that the establishment of an installment agreement pursuant to Section 1184 of the Real Property Tax Law, which would allow eligible real property owners to pay their eligible delinquent taxes in installments over a two (2) year period, is desirable and acceptable to a majority of the Greene County Legislature. All terms used herein are as defined in Section 1184 of the Real Property Tax Law.

SECTION 2 – Purpose

The purpose of this local law is to allow eligible owners of real property in Greene County to pay their eligible delinquent taxes by entering into an installment agreement with the County to pay these taxes over a two (2) year period. This local law enables eligible owners to mail uniform payments to the County rather than the County demanding the entire tax be paid up front and then foreclosing on the property if the owner is not able to pay the entire amount due upon request.

SECTION 3 – Terms of Installment Agreement

The following terms will apply to the installment agreement executed between all eligible property owners and the tax enforcing officer:

FILED WITH SECRETARY OF STATE 5-5-2011

1. All delinquent taxes on all parcels owned by the taxpayer requesting the payment plan will be added together to get a total amount due.
2. Only one (1) payment plan is allowed per person or business.
3. No additional parcels or tax years may be added at a later date.
4. No re-negotiation of the payment terms will be allowed at a later date.
5. Twenty-five percent (25%) of the total amount due must be paid as a down payment immediately upon commencing the agreement.
6. The balance of the amount due is to be paid in quarterly payments, over a two (2) year or a one (1) year period as desired by the person(s) entering into structured payment plan agreement. All owners of the parcel(s) in the payment plan must sign the agreement for it to be valid. A corporate officer may sign for a corporation and an executor for an estate.
7. Interest at the rate set forth in Section 924-a of the Real Property Tax Law, penalties, handling, advertising, title and legal fees, etc. will be added to all tax bills for the length of the agreement. Such will be calculated from the date of the down payment for the length of the payment plan.
8. Payments will be made on a quarterly basis for the term of the agreement. There will be no monthly payments. The balance may be paid off at any time in a lump sum, and interest will be charged only to the date (month) of the payment. There is no prepayment penalty. Payments will be applied starting with the most recent tax and working back to the oldest.
9. Late Payments: Any payment that is fifteen (15) days late is subject to a five percent (5%) late payment penalty on the amount of the payment due. Any payment that is thirty (30) days or more late constitutes default under the payment agreement.
10. Any and all tax bills, including school district tax bills and Village tax bills which come due during the period of this agreement, must be paid before they are returned to the County Treasurer for collection. If a current tax is allowed to become delinquent, this will constitute default under the payment agreement. In this case, all taxes must be paid in full immediately or the file will be turned over to the Director of Taxes for legal action, specifically foreclosure.
11. In the event of a default, the taxpayer is not eligible for another installment payment plan for a period of two (2) years.
12. Upon default, the installment payment agreement terminates and may not be reinstated.

<u>SECTION 4</u> – Default of Installment Agreement

The eligible owners shall be deemed to be in default of the installment agreement upon:

(a) Non-payment of any installment after thirty (30) days from the payment due date;
(b) Non-payment of any tax, special ad valorem levy or special assessment which is levied subsequent to the signing of the

agreement by the tax district, and which is not paid prior to the expiration of the warrant of the collecting officer; or

(c) Default of the eligible owner on another agreement made and executed pursuant to this section.

(d) If the eligible owner defaults under this agreement, the County has the right to demand the owner pay the entire balance in full, including interest and late charges. If the eligible owner then fails to pay the balance requested, then the county shall have the right to continue with or commence a tax foreclosure proceeding.

(e) The lien shall not be foreclosed during the period of the installment payment provided the eligible owner is not in default.

SECTION 5 - NON-WAIVER

If an eligible owner is in default and the tax district does not either require the eligible owner to pay in full the balance of the delinquent taxes or elect to institute foreclosure proceedings, the tax district shall not be deemed to have waived the right to do so.

SECTION 6 – Notification

The enforcing officer shall notify all property owners who are potentially eligible to make installment agreements on such delinquent taxes by first class mail at the address set forth in the Town Assessor's records within forty-five (45) days after receiving the notice of unpaid taxes from the town tax collector or as soon thereafter as is practicable.

The enforcing officer will be allowed to add One Dollar ($1.00) to the amount of the tax lien for this mailing.

The failure of the enforcing officer to mail any notice or the failure of the addressee to receive this notice shall not affect the validity of taxes or interest.

The enforcing officer shall not be required to notify the eligible owner when an installment payment is due.

SECTION 7 – Non-Eligibility

A property owner shall not be eligible to enter into an agreement pursuant to this Section where:

(a) There is a delinquent tax lien on the same property for which the application is made or on another property owned by such person and such delinquent tax lien is not eligible to be made part of the agreement pursuant to this section;

(b) Such person was the owner of another parcel within the tax district on which there is a delinquent tax lien, unless such delinquent tax lien is eligible to be and is made part of the agreement pursuant to this section;

(c) such person was the owner of property on which there existed a

delinquent tax lien and which lien was foreclosed within three (3) years of the date on which an application is made to execute an agreement pursuant to this section; or

(d) such person defaulted on an agreement executed pursuant to this section within three (3) years of the date on which an application is made to execute an agreement pursuant to this section.

SECTION 8 – Effective Date

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

May 18, 2011

MOTION TO ADOPT

LOCAL LAW NUMBER 2 OF 2011
(AS AMENDED BY MOTION)

Motion by Legislator Van Slyke

Seconded by Legislator Cotten

ROLL CALL VOTE:

(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

May 18, 2011

LOCAL LAW NUMBER 2 OF 2011
(AS AMENDED BY MOTION)

A LOCAL LAW RELATING TO A LAW AGAINST THE DISRUPTION OF FUNERAL RELATED EVENTS

BE IT ENACTED by the County Legislature of the County of Greene as follows:

SECTION 1:

This section shall be known and may be cited as "The Law Against the Disruption of Funeral Related Events".

1. The Legislature finds that:

   a. It is generally recognized that families have a substantial interest in organizing and attending funerals for deceased relatives;

   b. The interest of families in privately and peacefully mourning the loss of deceased relatives are violated when funerals are targeted for picketing and other public demonstrations; and

   c. Full opportunity exists under the terms and provisions of this section for the exercise of freedom of speech and other constitutional rights at times other than within one (1) hour prior to, during and one (1) hour following the conclusion of funerals.

2. The purposes of this section are to:

   a. Protect the privacy of grieving families within one (1) hour prior to, and one (1) hour following the conclusion of funerals; and

FILED WITH SECRETARY OF STATE 5-31-2011

b. Preserve the peaceful character of cemeteries, mortuaries and churches within one (1) hour prior to, during and one (1) hour following the conclusion of funerals.

c. Protect the First Amendment rights of individuals by placing only restrictions that are content neutral and contain a reasonable time and place limitation.

3. As used in this section:

a. "Funeral" means the ceremonies, processions and memorial services held in connection with the burial or cremation of the dead;

b. "Picketing" means protest activities engaged in by a person or persons within seven hundred and fifty (750) feet of a cemetery, mortuary or church within one (1) hour prior to, during and one (1) hour following the conclusion of a funeral;

c. It is unlawful for any person to engage in picketing within seven hundred fifty (750) feet of any cemetery, mortuary or church within one (1) hour prior to, during and one (1) hour following the conclusion of a funeral;

d. Any person knowingly violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than One Thousand Dollars ($1,000.00), and/or by imprisonment of up to one (1) year.

e. Severability: If any clause, sentence, paragraph, subdivision, section or part of this local law or application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment 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 of this law or its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which order or judgment shall be rendered.

SECTION 2:

It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

SECTION 3:

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

February 15, 2012

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 2012

Motion by Legislator Van Slyke

Seconded by Legislator Lawrence

ROLL CALL VOTE:

Ayes 12 (8,650) Noes 0 Absent 2 (1,350) Cotten & Lennon CARRIED.

February 15, 2012

LOCAL LAW NUMBER 1 OF 2012

A LOCAL LAW AMENDING LOCAL LAW NO. 13
OF THE YEAR 1982, CONCERNING SELF-INSURANCE
WORKERS' COMPENSATION LAW

BE IT ENACTED by the County Legislature of the County of Greene as follows:

WHEREAS, On December 29, 1982, Local Law No. 13 of the year 1982 was adopted by the Greene County Legislature, which said Local Law established the Greene County Self-Insurance Plan provided for in Article 5 of the Workers' Compensation Law; and

WHEREAS, Greene County now wishes to amend said Local Law No. 13 of the year 1982;

SECTION 1: Article III Section 3 is amended to direct that every new employee of any participant in the Plan, specifically including towns and villages, but excepting volunteer firemen and civil defense volunteers, shall be required to undergo a physical examination before undertaking any of the duties of employment and it is further amended to add that Greene County may require a physical examination and/or a pre-employment drug screening of new employees. All other provisions of Article III Section 3 remain the same.

SECTION 2: Article IV Section 2 is amended to delete the words "not to exceed Twenty-Five Thousand ($25,000.00) Dollars."

SECTION 3: All other provisions of Local Law No. 13 of the year 1982 remain unchanged.

SECTION 4: This local law shall take effect upon filing with the Office of the Secretary of State.

FILED with SECRETARY OF STATE 2-27-12

August 15, 2012

MOTION TO ADOPT
LOCAL LAW NUMBER 2 OF 2012

Motion by Legislator Gardner

Seconded by Legislators Martinez & Pfister

ROLL CALL VOTE:

(8650)		(1350)	
Ayes 12	Noes 0	Absent 2 Lawrence & Valentine	CARRIED.

August 15, 2012

LOCAL LAW NUMBER 2 OF 2012

A LOCAL LAW IMPOSING AND EXTENDING AN ADDITIONAL MORTGAGE RECORDING TAX IN GREENE COUNTY

BE IT ENACTED, by the Legislature of the County of Greene, New York as follows:

SECTION 1. TITLE. This Local Law shall be titled "A Local Law Imposing and Extending an Additional Mortgage Recording Tax in Greene County".

SECTION 2. PURPOSE AND INTENT. The purpose of this law is to authorize Greene County, pursuant to the provisions of Section 253x of the Tax Law of the State of New York, to impose and extend an Additional Mortgage Recording Tax.

SECTION 3. IMPOSITION OF TAX. There is hereby imposed and extended, in the County of Greene, a tax of fifty cents ($0.50) for each one hundred dollars ($100.00) , and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the County of Greene and recorded on or after December 1, 2012, and a tax of fifty cents ($0.50) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars ($100.00).

SECTION 4. ADMINISTRATION AND COLLECTION OF TAX. The taxes imposed pursuant to this Local Law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 of the Tax Law and paragraph (b) of subdivision one of Section 255 of the Tax Law. All the provisions of Article 11 of the Tax Law

relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed by this Local Law.

SECTION 5. REAL PROPERTY LOCATED IN MORE THAN ONE COUNTY OR STATE. Where the real property covered by the mortgage subject to the tax imposed pursuant to this Local Law is situated in this State but within and without Greene County, the amount of such tax due and payable to Greene County shall be determined in a manner similar to that prescribed in the first undesignated paragraph of Section 260 of the Tax Law which concerns real property situated in two or more counties. Where such property is situated both within Greene County and without the state, the amount due and payable to Greene County shall be determined in the manner prescribed in the second undesignated paragraph of such Section 260 which concerns property situated within and without the State. Where real property is situated within and without Greene County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

SECTION 6. ADDITIONAL MORTGAGE RECORDING TAX. The tax imposed pursuant to this Local Law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

SECTION 7. DISPOSITION OF TAXES. Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all monies paid to the recording officer of the County of Greene during each month upon account of the tax imposed pursuant to this Local Law, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, shall be paid over by such officer on or before the tenth day of each succeeding month to the Treasurer of Greene County and, after the deduction by such Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law, shall be deposited in the general fund of the County of Greene. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, under Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of the New York State Commissioner of Taxation and Finance.

SECTION 8. PAYMENT OF TAXES. The tax imposed pursuant to this Local Law shall be payable on the recording of each mortgage of real property subject to taxes thereunder. Such tax shall be paid to the recording officer of the County in which the real property or any part thereof is situated, except where real property is situated within and without the county, the recording officer of the county in which the mortgage is first recorded shall collect the tax imposed by this Local Law. It shall be the duty of such recording officer to endorse upon each mortgage a receipt for the amount of the tax so paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt of such tax endorsed upon each mortgage shall be recorded therewith. The record of such receipt shall be conclusive proof that the amount of tax stated therein has been paid upon such mortgage.

SECTION 9. EFFECTIVE DATE. This Local Law shall take effect on December 1, 2012, provided that a certified copy thereof is mailed by registered or certified mail to the Commissioner of the New York State Department of Taxation and Finance at the Commissioner's Office in Albany at least 30 days prior to the date this Local Law shall take effect. Certified copies of this Local Law shall also be filed with the Greene County Clerk, the Secretary of State, and the State Comptroller within 5 days after the Local Law is duly enacted and this Local Law shall be deemed to be duly enacted upon its date of adoption by the Greene County Legislature.

SECTION 10. EXPIRATION DATE. This Local Law expires December 1, 2014.

filed with
sec. of State
8/29/12

December 19, 2012

MOTION TO ADOPT

LOCAL LAW NUMBER 3 OF 2012

Motion by Legislator Martinez

Seconded by Legislator Cotten

ROLL CALL VOTE:

(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

December 19, 2012

LOCAL LAW NUMBER 3 OF 2012

A LOCAL LAW amending Local Law Number 1 of 2004 relating to exemption from real property taxes of property owned by persons with disabilities and limited incomes.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. The purpose of this Local Law is to amend Local Law Number 1 of 2004 by increasing the maximum income limit from its current amount of $20,500 to $22,500.

SECTION 2. This Local Law shall take effect immediately upon its filing with the Secretary of State.

FILED WITH
SEC. OF STATE
1-17-2013

MARCH 19, 2014

MOTION TO ADOPT

LOCAL LAW NUMBER 1 OF 2014

Motion by Legislator Martinez

Seconded by Legislator Overbaugh

ROLL CALL VOTE:

(9,337.5)		(662.5)	
Ayes 13	Noes 0	Absent 1 Speenburgh	CARRIED.

March 19, 2014

LOCAL LAW NUMBER 1 OF 2014

A LOCAL LAW AUTHORIZING THE AWARD OF PURCHASE AND SERVICE CONTRACTS ON THE BASIS OF BEST VALUE CRITERIA PURSUANT TO NEW YORK STATE GENERAL MUNICIPAL LAW AND STATE FINANCE LAW

BE IT ENACTED, by the Greene County Legislature, State of New York, as follows:

Section 1. **Short Title and Statement of Intent**

This Local Law shall be known as the "Greene County Best Value Contract Award Law."

The intent of this Local Law shall be to authorize the use of Best Value criteria when awarding purchase and service contracts consistent with Section 103 of the General Municipal Law and Section 163 of the New York State Finance Law. Use of Best Value Criteria is intended to provide the County greater flexibility in awarding contracts and ensure that the County obtains the highest quality goods and services at a low cost. Awarding contracts on the basis of Best Value standards is further intended to promote competition, foster fairness among vendors and competitors, expedite contract awards, optimize quality, control costs and enhance efficiency among responsive and responsible offerors.

Section 2. **Definitions**

Whenever used in this Local Law, the following terms shall mean:

a. **County.** Greene County, New York

b. **Procuring Agency.** The unit of County government procuring a commodity, technology or service.

c. **Purchase Contracts.** Contracts for goods, commodities and equipment, including technology.

d. **Service or Services.** The performance of a task or tasks and may include a material good or a quantity of material goods, and which is the subject of any purchase or other exchange.

e. **Best Value.** The basis for awarding contracts for purchases and/or services to a responsive and responsible offeror and/or bidder who optimizes quality, cost and efficiency for the County based upon objective and quantifiable analysis whenever possible. Such basis may also identify a quantitative factor for offerors that are small businesses or certified minority or women-owned business enterprises as defined in Executive Law Section 310(1), (7), (15) and (20) and as may be amended.

Section 3. **Requirements**

1. When the basis for award is based upon a Best Value offer, the Procuring Agency shall document the evaluation criteria and the process used to make such determination.

2. Whenever possible, the evaluation shall be based upon objective and quantifiable factors and shall not be based solely on cost. Whenever possible and applicable, factors including, but not limited to, quality, reliability, maintenance, useful lifespan and performance shall be evaluated.

3. The process for procurements based upon Best Value and general evaluation criteria shall be identified in the County's Procurement Policy, a copy of which shall be maintained in the office of the Clerk of the Legislature and be made available to the public.

4. The solicitation documents shall state the minimum requirements and specifications that must be met in order for the vendor and/or offeror to be deemed responsive and responsible and shall identify the general procedure and manner in which the evaluation and selection shall be conducted. All such requirements shall remain consistent with the County's procurement policy.

5. The Procuring Agency shall make every effort to ensure that the solicitation documents, evaluation criteria and procedure for awarding purchase and service contracts on the basis of Best Value complies with the County's procurement policy, local, state and/or federal rules, regulations and/or laws.

Section 4. **Effective Date**

This Local Law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Filed with Sec. of State 3/28/14

Greene County Legislature
411 Main Street
Catskill, NY 12414

Meeting: 09/17/14 06:30 PM
Department: Clerk of the Legislature
Category: Motion to Adopt

MOTION TO ADOPT

DOC ID: 1284 A

Motion to Adopt Local Law Number 2 of 2014 A Local Law Imposing and Extending An Additional Mortgage Recording Tax In Greene County

September 17, 2014

MOTION TO ADOPT
LOCAL LAW NUMBER 2 OF 2014

Motion was made by Legislator Martinez

Seconded by Legislator K. Lennon

ROLL CALL VOTE:

(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

LOCAL LAW NUMBER 2 OF 2014

A LOCAL LAW IMPOSING AND EXTENDING AN ADDITIONAL MORTGAGE RECORDING TAX IN GREENE COUNTY

BE IT ENACTED, by the Legislature of the County of Greene, New York as follows:

SECTION 1: TITLE. This Local Law shall be titled "A Local Law Imposing and Extending An Additional Mortgage Recording Tax in Greene County".

SECTION 2. PURPOSE AND INTENT. The purpose of this law is to authorize Greene County, pursuant to the provisions of Section 253-x of the Tax Law of the State of New York, to impose and extend an Additional Mortgage Recording Tax.

SECTION 3. IMPOSITION OF TAX. There is hereby imposed and extended, in the County of Greene, a tax of fifty cents ($0.50) for each one hundred dollars ($100.00), and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the County of Greene and recorded on or after December 1, 2014, and a tax of fifty cents ($0.50) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars ($100.00).

SECTION 4. ADMINISTRATION AND COLLECTION OF TAX. The taxes imposed

pursuant to this Local Law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 of the Tax Law and paragraph (b) of subdivision one of Section 255 of the Tax Law. All the provisions of Article 11 of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed by this Local Law.

SECTION 5. REAL PROPERTY LOCATED IN MORE THAN ONE COUNTY OR STATE. Where the real property covered by the mortgage subject to the tax imposed pursuant to this Local Law is situated in this state but within and without Greene County, the amount of such tax due and payable to Greene County shall be determined in a manner similar to that prescribed in the first undesignated paragraph of Section 260 of the Tax Law which concerns real property situated in two or more counties. Where such property is situated both within Greene County and without the state, the amount due and payable to Greene County shall be determined in the manner prescribed in the second undesignated paragraph of such Section 260 which concerns property situated within and without the State. Where real property is situated within and without Greene County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

SECTION 6. ADDITIONAL MORTGAGE RECORDING TAX. The tax imposed pursuant to this Local Law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

SECTION 7. DISPOSITION OF TAXES. Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all monies paid to the recording officer of the County of Greene during each month upon account of the tax imposed pursuant to this Local Law, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, shall be paid over by such officer on or before the tenth day of each succeeding month to the Treasurer of Greene County and, after the deduction by such Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law, shall be deposited in the general fund of the County of Greene. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, under Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of the New York State Commissioner of Taxation and Finance.

SECTION 8. PAYMENT OF TAXES. The tax imposed pursuant to this Local Law shall be payable on the recording of each mortgage of real property subject to taxes thereunder. Such tax shall be paid to the recording officer of the County in which the real property or any part thereof is situated, except where real property is situated within and without the county, the recording officer of the county in which the mortgage is first recorded shall collect the tax imposed by this Local Law. It shall be the duty of such recording officer to endorse upon each mortgage a receipt for the amount of the tax so paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt of such tax endorsed upon each mortgage shall be recorded therewith. The record of such receipt shall be conclusive proof that the amount of tax stated therein has been paid upon such mortgage.

SECTION 9. EFFECTIVE DATE. This Local Law shall take effect on December 1, 2014, provided that a certified copy thereof is mailed by registered or certified mail to the Commissioner of the New York State Department of Taxation and Finance at the Commissioner's Office in Albany at least 30 days prior to the date this Local Law shall take effect. Certified copies of this Local Law shall also be filed with the Greene County Clerk, the Secretary of State, and the State Comptroller within 5 days after the Local Law is duly enacted and this Local Law shall be deemed to be duly enacted upon its date of adoption by the Greene County Legislature.

SECTION 10. EXPIRATION DATE. This Local Law expires December 1, 2016.

filed with Sec. of State 9/25/14

Greene County Legislature
411 Main Street
Catskill, NY 12414

Meeting: 10/15/14 06:30 PM
Department: Clerk of the Legislature
Category: Motion to Adopt

MOTION TO ADOPT

DOC ID: 1315

Motion To Adopt Local Law Number 3 Of 2014, A Local Law Authorizing The Greene County Legislature To Override The Tax Levy Limit Established In General Municipal Law Section 3-c (The New York State Real Property Tax Cap) For 2015

October 15, 2014

MOTION TO ADOPT
LOCAL LAW NUMBER 3 OF 2014

Motion was made by Legislator Martinez

Seconded by Legislator Van Slyke

ROLL CALL VOTE:

(8738) (1262)
Ayes 12 Noes 0 Absent 2 . CARRIED.
K. Lennon, Seeley

A LOCAL LAW AUTHORIZING THE GREENE COUNTY LEGISLATURE TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C (The New York State Real Property Tax Cap) FOR 2015

BE IT ENACTED, by the Legislature of the County of Greene, New York, as follows:

SECTION 1. BACKGROUND. The Greene County Legislature, in anticipation that it may be required to adopt a budget which imposes a tax levy increase greater than the limit set forth in the General Municipal Law Section 3-c for the fiscal year 2015, desires to enact a Local Law granting it such authority.

SECTION 2. LEGISLATIVE INTENT. It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by Greene County pursuant to General Municipal Law Section 3-c, and to allow the Greene County Legislature to adopt a budget for the fiscal year 2015 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Section 3-c.

SECTION 3. AUTHORITY. This local law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes a local government's governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

SECTION 4. TAX LEVY LIMIT OVERRIDE. The Greene County Legislature is hereby authorized to adopt a budget for the fiscal year 2015 that requires a real property

tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c.

SECTION 5. SEVERABILITY. If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section 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 6. EFFECTIVE DATE. This local law shall take effect immediately upon filing with the Secretary of State.

filed with Sec. of State 10/22/14

Greene County Legislature
411 Main Street
Catskill, NY 12414

Meeting: 11/19/14 06:30 PM
Department: County Administrator
Category: Motion to Adopt

MOTION TO ADOPT

DOC ID: 1396 B

Motion To Adopt Local Law Number 4 of 2014

November 19, 2014

MOTION TO ADOPT
LOCAL LAW NUMBER 4 OF 2014

Motion was made by Legislator Martinez

Seconded by Legislator Seeley

ROLL CALL VOTE:
(9,369) (631)
Ayes 13 Noes 0 Absent 1 CARRIED.
K. Lennon

LOCAL LAW NUMBER 4 OF 2014
(A Local Law Rescinding Local Law Number 3 of 2014 -
Overriding Tax Levy Limit For 2015)

BE IT ENACTED, by the Legislature of the County of Greene, New York, as follows:

SECTION 1. BACKGROUND. The Greene County Legislature, in anticipation that it may have been required to adopt a 2015 budget which imposes a tax levy increase greater than the limit set forth in the General Municipal Law Section 3-c, enacted Local Law Number 3 of 2014, granting it such authority.

SECTION 2. LEGISLATIVE INTENT. It is the intent of this local law to rescind Local Law Number 3 of 2014, which authorized Greene County to adopt a budget for fiscal year 2015 overriding the tax cap, as it has now been determined that the 2015 Greene County Budget will not impose a tax levy increase greater than the limit set forth in the General Municipal Law Section 3-C.

SECTION 3. RESCIND. The Greene County Legislature hereby rescinds Local Law Number 3 of 2014 in its entirety.

SECTION 4. SEVERABILITY. If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section 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 5. EFFECTIVE DATE. This local law shall take effect immediately upon filing with the Secretary of State.

filed with Sec. of State 12/2/14

Greene County Legislature
411 Main Street
Catskill, NY 12414

Meeting: 12/17/14 06:30 PM
Department: Real Property Tax Service
Category: Local Law, Motion To Adopt

MOTION TO ADOPT

DOC ID: 1379 I

Motion To Adopt Local Law Number 5 Of 2014 (A Local Law Amending Local Law Number 1 Of 2004 Relating To Exemption From Real Property Taxes Of Property Owned By Persons With Disabilities And Limited Incomes)

December 17, 2014

MOTION TO ADOPT
LOCAL LAW NUMBER 5 OF 2014

Motion was made by Legislator Martinez

Seconded by Legislators K. Lennon and Overbaugh

ROLL CALL VOTE:
(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

LOCAL LAW NUMBER 5 OF 2014

A LOCAL LAW amending Local Law Number 1 of 2004 relating to exemption from real property taxes of property owned by persons with disabilities and limited incomes.

BE IT ENACTED by the County Legislature of the County of Greene, as follows:

SECTION 1. The purpose of this Local Law is to amend Local Law Number 1 of 2004 by increasing the maximum income limit from its current amount of $22,500 to $24,500.

SECTION 2. This Local Law shall take effect immediately upon its filing with the Secretary of State.

filed w/ sec. of State 12/29/14

Greene County Legislature
411 Main Street
Catskill, NY 12414

Meeting: 11/19/14 06:30 PM
Department: County Administrator
Category: Motion to Adopt

MOTION TO ADOPT

DOC ID: 1397 A

Motion To Adopt Local Law Number 1 of 2015

November 19, 2014

MOTION TO ADOPT
LOCAL LAW NUMBER 1 OF 2015

Motion was made by Legislator Martinez

Seconded by Legislator Van Slyke

ROLL CALL VOTE:
(9,369) (631)
Ayes 13 Noes 0 Absent 1 CARRIED.
K. Lennon

LOCAL LAW NUMBER 1 OF 2015

A LOCAL LAW increasing certain salaries of Appointive and/or Elective Officers serving a fixed term.

BE IT ENACTED by the County Legislature of the County of Greene as follows:

SECTION 1. The annual base salaries of the following County Officers shall be increased to the sums set opposite the office and designation of such County Officers in the following schedule, to wit:

	FROM:	TO:
Greene County Sheriff	$75,000.	$85,000.
Greene County Clerk	$59,000.	$69,000.

SECTION 2. This Local Law is subject to referendum on petition under Municipal Home Rule Law Section 24 and shall take effect upon filing with the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

filed w/ Sec. of State 1/13/15

May 20, 2015

MOTION TO ADOPT
LOCAL LAW NUMBER 2 OF 2015

filed with Sec. of State 6/3/15

Motion was made by Legislator K. Lennon

Seconded by Legislator Kozloski

ROLL CALL VOTE:

(10,000)
Ayes 14 Noes 0 Absent 0 CARRIED.

Local Law Number 2 Of 2015

A LOCAL LAW authorizing the sale and use of sparkling devices.

BE IT ENACTED, by the Legislature of the County of Greene, as follows:

SECTION 1. LEGISLATIVE FINDINGS.

The Greene County Legislature finds enacted State Law Chapter 477 of the Laws of 2014 amended the State Penal Law, the Executive Law, and the General Business Law with the intent to modernize the statute dealing with illegal fireworks, provide additional definitions of what constitutes fireworks and dangerous fireworks and remove certain novelty devices, which are not recognized as fireworks by the federal government, out of the definition of fireworks.

The Greene County Legislature finds the law, prior to the recently enacted changes, was not used effectively due to poor definitions and courts had thrown out indictments due to these poor definitions. Through the modernization of the statute and clearly defining the terms fireworks, dangerous fireworks and novelty devices, the new law provides law enforcement with an important tool in reducing the use of illegal fireworks and homemade devices and encourages the use of safe

and legally regulated novelty devices.

The Greene County Legislature finds the new law allows sparkling devices to be sold and used in municipalities that affirmatively enact a local law authorizing the exclusion "sparkling devices" from the definitions of "fireworks" and "dangerous fireworks".

The Greene County Legislature finds that allowing residents and visitors the opportunity to use safe "sparkling devices" will benefit them and local businesses.

The Greene County Legislature finds that only those who 18 years of age or older may purchase sparkling devices and that the sparkling devices shall only be sold between June 1st and July 5th and December 26th and January 2nd of each calendar year.

The Greene County Legislature further finds that all distributors, manufacturers, and retailers of sparkling devices must comply with any and all State laws and regulations regarding registration requirements, including and without limitation, the New York State Office of Fire Prevention and Control.

SECTION 2. AUTHORIZED SALE AND USE OF SPARKLING DEVICES.

1. Pursuant to section 405 (5) (b) of the New York State Penal Law (Penal Law) and Penal Law Section 270 (3)(b)(v) as enacted by Chapter 477 of the Laws of 2014, "sparkling devices" shall be excluded from the definition of "fireworks" and "dangerous fireworks" as those terms are defined by Penal Law Sections 270(1)(a)(i) and 270(1)(b)
respectively.

2. The sale and use of "sparkling devices" as defined in Penal Law Section 270(1)(a)(vi) which is incorporated hereunder shall be lawful in Greene County provided such sale and use are not in violation of Section 270 of the Penal Law or any rules and regulations thereunder.

3. "Sparkling Devices" are defined as follows:

"Sparkling Devices" which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible

crackling-type effect is not considered to be a report). Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

(1) cylindrical fountain: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.

(2) cone fountain: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as is outlined in this subparagraph.

(3) wooden sparkler/dipped stick: these devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.

(4) novelties which do not require approval from the United States department of transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:

(A) party popper: small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy

pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.

(B) snapper: small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

SECTION 3. SEVERABILITY.

If any part of or provisions of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of or provision of, or application directly involved in the controversy in which such the remainder of this law, or the application thereof to other persons or circumstances.

SECTION 4. EFFECTIVE DATE.

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