RESOLUTION NO. 59

RESOLUTION — CREATING POSITIONS IN THE OFFICE FOR THE AGING
HIGGINS, BATEMAN, WINSOR

RESOLVED, that the following positions be and the same are hereby created in the
Office for the Aging, effective immediately, at the salaries set forth below:

Three (3) positions of Senior Aging Services Aide,
Grade 5, $7,847 — $9,417 ($314)
One (1) position of Aging Services Specialist,
Grade 9, $9,538 — $11,448 ($382);

and be it further

RESOLVED, that the Clerk of this Board be and hereby is authorized and
directed to forward a copy of this resolution to the Otsego County Personnel Office
and to the County Treasurer.


Kinney moved to dispense with the reading of Local Law No. 2. Seconded,
Winsor. Total: 14; Ayes: 14. Motion carried.

LOCAL LAW NO. 2 OF 1983
COUNTY OF OTSEGO, NEW YORK

A LOCAL LAW TO AMEND LOCAL LAW NO. 2 OF 1978 PROVIDING FOR
PARTIAL EXEMPTION FROM TAXATION BY THE COUNTY OF OTSEGO OF
REAL PROPERTY OWNED BY PERSONS WHO ARE 65 YEARS OF AGE OR OVER

BE IT ENACTED by the Board of Representatives of the County of Otsego as
follows:

Section 1. That real property owned by one or more persons, each of whom is 65
years of age or over, or real property owned by husband and wife, one of whom is 65
years of age or over shall be exempt from taxation by the County of Otsego to the
extent of 50 per centum of the assessed valuation thereof.

Section 2. No exemption shall be granted

(a) if the income of the owner or the combined income of the owners of the
property for the income tax year immediately preceding the date of making
application for exemption exceeds the sum of Seven Thousand Dollars ($7,000.00).
Income tax year shall mean the twelve month period for which the owner or owners
filed a Federal personal income tax return, or if no such return is filed, the calendar
year. Where title is vested in either the husband or wife, their combined income may
not exceed such sum. Such income shall include Social Security and retirement
benefits, interest, dividends, total gain from the sale or exchange of a capital asset
which may be offset by a loss from the sale or exchange of a capital asset in the same
income tax year, net rental income, salary or earnings, and net income from
self-employment but shall not include a return of capital, gifts or inheritances. In
computing net rental income and net income from self-employment no depreciation
deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income;

(b) unless the title of the property shall have been vested in the owner or one of the owners of the property for at least twenty-four (24) consecutive months prior to the date of making application for exemption, provided, however, that in the event of the death of either husband or wife in whose name title of the property shall have been vested at the time of death and then becomes vested solely in the survivor by virtue of devise or by descent from the deceased husband or wife, the time of ownership of the property by the deceased husband or wife shall be deemed also a time of ownership by the survivor and such ownership shall be deemed continuous for the purposes of computing such period of twenty-four consecutive months and provided further that in the event of a transfer by either a husband or wife to the other spouse of all or part of the title to the property the time of ownership of the property by the transferor spouse shall be deemed also a time of ownership by the transferee spouse and such ownership shall be deemed continuous for the purposes of computing such period of twenty-four consecutive months and provided further that where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent domain or other involuntary proceeding, except a tax sale, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for exemption and such periods of ownership shall be deemed to be consecutive for the purposes of this local law. Where a residence is sold and replaced with another within one year and is in the County, the period of ownership of the former property shall be combined with the period of ownership of the replacement residence and deemed consecutive for exemption from taxation by the County. Notwithstanding any other provision of law, where a residence is sold and replaced with another within one year and both residences are within the state, the period of ownership of both properties shall be deemed consecutive for the purposes of this exemption from taxation.

(c) unless the property is used exclusively for residential purposes;

(d) unless the real property is the legal residence of and is occupied in whole or in part by the owner or by all of the owners of the property.

Section 3. An application for such exemption must be made by the owner, or all of the owners of the property on forms to be furnished by the assessors of the various assessing units in the County, and shall be executed in the manner required or prescribed in such forms, and they shall be filed in the office of the appropriate assessor at least ninety days before the day for filing the final assessment roll.

Section 4. That this local law is adopted pursuant to provisions of Section 467 of the Real Property Tax Law of the State of New York, and is subject to any revision of that section by act of the legislature of the State of New York by amendment, recission or otherwise. It being intended hereby to have this local law automatically amended by any act of legislature which shall affect the exemption granted hereunder.

Section 5. This Local Law shall take effect on the tax status date for the tax year commencing January 1, 1983.

This Local Law offered by the Real Property Tax Services and Data Processing Committee.

Seconded, Waddington. The Local Law was laid over pending public hearing.
York 12095, for the sum of $350.00, conveying property situate in the Town of Roseboom, formerly assessed to Warren and Sabina Chraistil, described as vacant land 1.00 acre, bounded on the north by Hwy.; east, Hwy; south, Crowley; West, St. Land, as described in a County Treasurer's Deed dated October 24, 1980 and recorded in the Otsego County Clerk's Office on December 9, 1982 in Liber 667 of Deeds at page 1061.

To Mildred Bacon, Box 454, Unadilla, New York 13849, for the sum of $130.00, conveying property situate in the Town of Unadilla, owner unknown, described as vacant land, 1.00 acre, Tax Map No. 334.19-3-22.00, as described in a County Treasurer's Deed dated October 24, 1980 and recorded in the Otsego County Clerk's Office on December 9, 1982 in Liber 667 of Deeds at page 1063; and be it further

RESOLVED, that each of the deeds shall bear the seal of the County, attested over by the seal of the County Clerk, who is hereby authorized and directed to attach a certified copy of this resolution, attested by the seal of the Board of Representatives to each of the deeds; and be it further

RESOLVED, that the parcels of real property to be conveyed, be bounded and described as to adjacent owners thereto as the same are set forth in the County Treasurer's Deed to the County of Otsego or a full and complete description of such parcels may be ascertained and such description given in the deeds as shown by the records in the Otsego County Clerk's Office to which deeds and records reference is hereby made and made a part of this resolution.


RESOLUTION NO. 102

RESOLUTION — ADOPTING A LOCAL LAW OF 1983 AMENDING LOCAL LAW NO. 2 OF 1978 PROVIDING FOR PARTIAL EXEMPTION FROM TAXATION BY THE COUNTY OF OTSEGO OF REAL PROPERTY OWNED BY PERSONS WHO ARE 65 YEARS OF AGE OR OVER

SCHOONOVER, BRAZIE, KENYON

RESOLVED, that a Local Law of 1983 amending Local Law No. 2 of 1978 increasing the partial exemption from taxation by the County of Otsego of real property owned by persons who are sixty-five years of age or over to $7,000.00 be and the same is hereby adopted, effective as provided in such Local Law.


RESOLUTION NO. 103

RESOLUTION — DECLARING CERTAIN EQUIPMENT SURPLUS

HIGGINS, BATEMAN, WINSOR

WHEREAS, the County of Otsego is the owner of certain equipment that is no longer needed for any public purposes, and
WHEREAS, a complete listing of all items will be on file with the Clerk of this Board, before their disposition; now, therefore be it
RESOLVED that the Otsego County Purchasing Department is hereby authorized to dispose of those items herein declared surplus by the sale of the same.