LOCAL LAW \f OF 1973
COUNTY OF OTSEGO, NEW YORK

A Local Law to amend Local Law No. 1 of 1967 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 of Local Law No. 1 of 1967 be and the same is hereby amended 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Section 2 of Local Law No. 1 of 1967 is hereby repealed and a new Section 2 is hereby enacted to read as follows:

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 $4,000.00. Income tax year shall mean the 12 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, net rental income, salary or earnings, and net income from self employment, but shall not include gifts or inheritances;

(b) unless the title of the property shall have been vested in the owner or all of the owners of the property for at least 60 consecutive months prior to the date of making application for
exemption, provided, however, that in the event of the death of either a 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 by or 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 60 consecutive months 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 a transferee spouse and such ownership shall be deemed continuous for the purposes of computing such period of 60 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, and further provided that where a residence is sold and replaced with another within 1 year and is in the same assessment unit, 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:

(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 5 of the Local Law No. 1 of 1967 be and the same is
hereby repealed and there is hereby enacted a new Section 5 to read as follows:

Section 5. This Local Law shall take effect on the 16th day of April, 1973.

Note: Matter underlined is new.
WHEREAS, by resolution No. 38 of 1972 the position of Alcoholism Co-ordinator was created in the Otsego County Community Mental Health Services, and
WHEREAS, there is no budgetary appropriation for the salary of the Alcoholism Co-ordinator and the expense of his activities, and
WHEREAS, a budgetary appropriation is necessary, it is
RESOLVED, that the budget of the Otsego County Mental Health Program be and the same is hereby amended as follows:
Increase 510 Estimated Revenues - 3490-A State Aid. Alcoholism under Mental Health Program-Alcoholism by $5,400.00 and appropriate to 4320 - Mental Health Program-Alcoholism $5,400.00 as follows:
4320.1 Personal Service
   Alcoholism Co-ordinator $4,300.00
4320.450 Material and supplies 100.00
4320.480 Other Expense including Travel, etc 1,000.00

Mr. Brenner seconded the resolution.
The roll was called on the adoption of the resolution and resulted as follows:
Total: 12; Ayes: 12; Noes: None; Absent: Messrs. Kinney and Trinkino.
The Chairman declared Resolution No. 76 unanimously adopted.

Messrs. Kenyon and Winsor moved Local Law No. 8 be taken from the table and acted upon at this time. Mr. Higgins seconded the motion of Messrs. Kenyon and Winsor. Motion carried. Mr. Brenner seconded the Local Law.

The roll was called on the adoption of the Local Law and resulted as follows:
Total: 12; Ayes: 12; Noes: None; Absent: Messrs. Kinney and Trinkino.
The Chairman declared Local Law No. 8 unanimously adopted.

A proposed letter to Mr. Edward W. Aponte, Regional Manpower Administrator, concerning the funding of certain portions of Opportunities for Otsego, was read to the Board.
Mr. Tischnechek moved the proposed letter be approved. Mr. Winsor seconded the motion of Mr. Tischnechek.
The roll was called on the motion and resulted as follows:
Total: 12; Ayes: 12; Noes: None; Absent: Messrs. Kinney and Trinkino.
The Chairman declared the motion carried.

All the general business of the Board having been transacted, the Chairman declared the Board adjourned until Wednesday, May 2, 1973, at ten o'clock in the forenoon.