

**RESOLUTION #44 OF 2015  
TOWN OF CLAYTON  
A RESOLUTION TO APPROVE LOCAL LAW #2 OF THE YEAR 2015, A LOCAL LAW TO ESTABLISH  
AN ALTERNATE DATE FOR THE BOARD OF ASSESSMENT REVIEW TO HEAR COMPLAINTS.  
AUGUST 12, 2015**

**Title:** A resolution to approve Local Law #2 of the year 2015, a Local Law to establish an alternate date for the Board of Assessment Review to hear complaints.

At a regular meeting of the Town Board of the Town of Clayton held at the Town Offices, 405 Riverside Drive, Jefferson County, New York, at 5:00 PM on August 12, 2015, there were

**PRESENT:** Justin A. Taylor, Supervisor  
Lance Peterson, Councilman  
Robert W. Cantwell III, Councilman  
Christopher D. Matthews, Councilman  
Mary Zovistoski, Councilwoman

**WHEREAS,** the Town of Clayton and the Town of Cape Vincent participates in the Coordinated Assessment Program, and

**WHEREAS,** as a result of this agreement the assessor has to cover two Board of Assessment Review hearing dates, and

**WHEREAS,** the Town of Cape Vincent holds their Board of Assessment Review grievance hearings on the last Tuesday in May, and

**WHEREAS,** the law established by the State of New York, Department of Tax and Finance (Office of Real Property Services), states that the Board of Assessment Review shall be held on the last Tuesday in May each year, and

**WHEREAS,** the Town of Clayton governing body of their assessing unit employs an assessor who is at the same time employed by another assessing unit (Town of Cape Vincent) may adopt a local law establishing a date for the meetings of the Board of Assessment Review other than that provided, and

**WHEREAS,** the Town of Clayton needs to adopt a local law pursuant to the authority of §512 of the New York Real Property Tax Law and the provisions of the New York Municipal Home rule Law, and

**WHEREAS**, the date or first date so established may be no earlier than the fourth Tuesday in May and no later than the second Tuesday of June, and

**WHEREAS**, the Assessor is statutorily obliged to attend all hearings of the Board of Assessment Review,

**THEREFORE**, the Town Board of the Town of Clayton governing body, does hereby elect to change their Grievance Day to the fourth Wednesday of May, and so many days thereafter as the Board of Assessment Review deems necessary, for such Board to meet to hear complaints in relation to assessments.

**NOW, THEREFORE**, in changing to an alternate Grievance date, the local law shall be filed with the clerk of the town and the Commissioner of the NYS Department of Taxation and Finance and this change will remain in effect, unless the local law is repealed, notwithstanding the fact that the assessor, whose multi-jurisdictional employment provided the rationale and the legal basis for the change, has been replaced by another assessor who serves only the one town.

A motion to adopt the foregoing resolution was made by Councilperson Lance Peterson, and seconded by Councilperson Robert W. Cantwell III, and upon a roll call vote of the Board was duly adopted as follows:

Justin A. Taylor, Supervisor	Yes <u>X</u> No ___
Lance Peterson, Councilman	Yes <u>X</u> No ___
Robert W. Cantwell III, Councilman	Yes <u>X</u> No ___
Christopher D. Matthews, Councilperson	Yes <u>X</u> No ___
Mary Zovistoski, Councilperson	Yes <u>X</u> No ___

Aye 5 Nay 0 Abstain 0 Absent 0

Dated: August 12, 2015

**Certification**

I, Kathleen E. LaClair, Town Clerk of the Town of Clayton, do hereby certify that the above resolution was adopted at a regular meeting of the Town Board of the Town of Clayton held on August 12, 2015 and it's on file and of record, and that said resolution had not been altered, amended or revoked and it's in full force and effect.

(SEAL)

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**Kathleen E. LaClair, Town Clerk**