

**LOCAL LAW NO. 1 OF 2010  
COUNTY OF ROCKLAND  
STATE OF NEW YORK**

(Introduced by: Hon. Alden H. Wolfe, Hon. Ilan S. Schoenberger, Hon. Philip Soskin,  
Hon. Harriet D. Cornell) (Co-Sponsor: Hon. Joseph L. Meyers)

Mr. Wolfe offered the following Local Law, which was seconded by Mr. Soskin and unanimously adopted by a vote of 16 ayes and one additional aye by Mr. Michel:

A local law amending Section 355 of the Laws of Rockland County, exemption for cold war veterans, adopted by the Rockland county legislature on November 20, 2007 by local law number 15-2007 and in accordance with real property tax law section 458-b extending cold war veterans exemptions to include cooperative units as authorized and other amendments authorized by the State of New York.

Section 1.

Amend 355-102 definition of Latest State Equalization Rate as follows:

**355-102 Latest State Equalization Rate** means the latest final state equalization rate or special equalization rate established by the state board pursuant to article twelve of the real property tax law. The state board shall establish a special equalization rate if it finds that there has been a material change in the level of assessment since the establishment of the latest state equalization rate, but in no event shall such special equalization rate exceed one hundred. In the event that the state equalization rate exceeds one hundred, then the state equalization rate shall be one hundred for the purposes of this section. Where a special equalization rate is established for purposes of this section, the assessor is directed and authorized to recompute the Cold War veterans exemption on the assessment roll by applying such special equalization rate instead of the latest state equalization rate applied in the previous year and to make the appropriate corrections on the assessment roll, notwithstanding the fact that such assessor may receive the special equalization rate after the completion, verification and filing of such final assessment roll. In the event that the assessor does not have custody of the roll when such recomputation is accomplished, the assessor shall certify such recomputation to the local officers having custody and control of such roll, and such local officers are hereby directed and authorized to enter the recomputed Cold War veterans exemption certified by the assessor on such roll.

## Section 2.

Insert new sections 355-108 and 355-109

355-108 - Notwithstanding any other provision of law to the contrary, the provisions of this section shall apply to any real property held in trust solely for the benefit of a person or persons who would otherwise be eligible for a real property tax exemption, pursuant to this section, were such person or persons the owner or owners of such real property.

### 355-109

(a) For the purposes of this section, title to the portion of real property owned by a cooperative apartment corporation in which a tenant-stockholder of such corporation resides and which is represented by his or her share or shares of stock in such corporation as determined by its or their proportional relationship to the total outstanding stock of the corporation, including that owned by the corporation, shall be deemed to be vested in such tenant-stockholder.

(b) Provided that all other eligibility criteria of this section are met, that proportion of the assessment of such real property owned by a cooperative apartment corporation determined by the relationship of such real property vested in such tenant-stockholder to such real property owned by such cooperative apartment corporation in which such tenant-stockholder resides shall be subject to exemption from taxation pursuant to this section and any exemption so granted shall be credited by the appropriate taxing authority against the assessed valuation of such real property; the reduction in real property taxes realized thereby shall be credited by the cooperative apartment corporation against the amount of such taxes otherwise payable by or chargeable to such tenant-stockholder.

(c) Notwithstanding paragraph (b) of this subdivision, a tenant-stockholder who resides in a dwelling that is subject to the provisions of either article two, four, five or eleven of the private housing finance law shall not be eligible for an exemption pursuant to this section.

(d) Notwithstanding paragraph (b) of this subdivision, real property owned by a cooperative corporation may be exempt from taxation pursuant to this section by a municipality in which such property is located only if the governing body of such municipality, after public hearing, adopts a local law, ordinance or resolution providing therefor.

## Section 3. 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 4. Effective date.

This local law and amendments and additions thereto shall take effect January 2, 2010 and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after such date.