



STATE OF NEW YORK  
DEPARTMENT OF STATE  
ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001

ANDREW M. CUOMO  
GOVERNOR

CESAR A. PERALES  
SECRETARY OF STATE

July 5, 2013

David M DiMatteo  
Law Office  
87 North Main Street  
Post Office Box 190  
Warsaw NY 14569-0190

**RECEIVED**  
JUL 15 2013  
DIMATTEO LAW OFFICE

**RE: Town of Sheldon, Local Law 2 2013, filed on July 1, 2013**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 474-2755

**Local Law Filing**

New York State Department of State  
41 State Street, Albany, NY 12231

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(Use this form to file local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

**County**  
**City** of Sheldon  
**Town**  
**Village**

**Local Law No. 2 of the year 2013**

**A local law entitled, Amending Local Law No. 2 of 1995 – Change of Grievance Day**

**Be it enacted by the Town Board of the**

**County**  
**City** of Sheldon as follows:  
**Town**  
**Village**

**As set forth in the attached page(s).**

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

DOS-239 (Rev. 11/99)

(Complete the certification in the paragraph that applies to the filing of this local law and

Be it enacted by the Town Board of the Town of Sheldon as follows:

**SECTION I. STATUTORY AUTHORITY, TITLE**

This local law is adopted pursuant to the authority granted by Real Property Tax Law of the State of New York, specifically § 512 (1-a), which allows a governing body of an assessing unit to adopt a local law establishing a date for the meetings of the Board of Assessment Review other than the fourth Tuesday of May when the governing body of an assessing unit employs an Assessor who is at the same time employed by another assessing unit.

**SECTION II. SHORT TITLE**

This Local Law shall be known as "Amending Local Law No. 2 of 1995 – Change of Grievance Day".

**SECTION III. PURPOSE**

The attention of the Town Board of the Town of Sheldon has been directed to an error in Local Law No. 2 of 1995. Said law was adopted to change grievance day for the Town of Sheldon from the fourth Tuesday in May to the fourth Wednesday in May each and every year thereafter until changed by local law. However, as the law is currently worded, sometimes a fourth Wednesday of a month actually comes before the statutory fourth Tuesday which is in contravention of New York State Real Property Tax Law.

**SECTION IV. ENACTMENT**

The Town Board of the Town of Sheldon hereby amends Section II of Local Law No. 2 of 1995 to read as follows:

Grievance Day for the Town of Sheldon shall be changed from the fourth Tuesday in May to the first Thursday after the fourth Tuesday in May each and every year hereafter until changed by local law.

**SECTION V. REPEAL**

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed, including but not limited to, Section II of Local Law No. 2 of 1995.

**SECTION VI. SEVERABILITY/VALIDITY**

In the event that any word, phrase or part of this local law shall be declared unconstitutional, the same shall be severed and separated from the remainder of this local law and shall not impact the remainder of said local law which shall remain in full force and effect.

**SECTION VII. EFFECTIVE DATE**

This local law shall take effect immediately upon filing in the office of the Secretary of State of New York as provided in section 27 of the Municipal Home Rule Law.

strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law no. 2 of 2013 of the ~~(County)(City)(Town)(Village)~~ Sheldon was duly passed by the Town Board on June 18, 2013, in accordance with the applicable provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law no. \_\_\_\_ of 20\_\_ of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law no. \_\_\_\_ of 20\_\_ of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, as was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum)**

I hereby certify that the local law annexed hereto, designated as local law no. \_\_\_\_ of \_\_\_\_ of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_, was duly passed by the \_\_\_\_\_, on \_\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_, on \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_, in accordance with the applicable provisions of law.

**\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.**

(2)

**5. (City local law concerning Charter revisions proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law no. \_\_\_\_\_ of 20\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of majority of the qualified elector of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_, became operative.

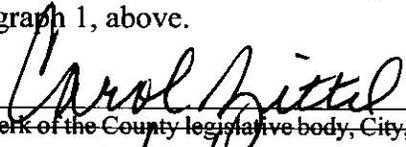
**6. County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law no. \_\_\_\_\_ of 20\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_, 20\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as unit voting as said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, as was finally adopted in the manner indicated in paragraph 1, above.

(SEAL)

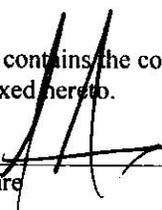
  
\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk

Date: 6/19/2013

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

**STATE OF NEW YORK  
COUNTY OF WYOMING**

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or take for the enactment of the local law annexed hereto.

  
\_\_\_\_\_  
Signature

Attorney  
County  
City of Sheldon  
Town  
Village

Date: 6/24/13