

**TOWN OF COPAKE TOWN BOARD RESOLUTION  
TO OPT-OUT OF PROPERTY TAX EXEMPTION ON CERTAIN ENERGY SYSTEMS  
PURSUANT TO N.Y. R.P.T.L. §487**

**WHEREAS**, Real Property Tax Law §487 exempts real property which includes a solar or wind energy system, farm waste energy system, micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment and electric energy storage system, or fuel-flexible linear generator electric generating system, from taxation to the extent of any increase in the value thereof by reason of the inclusion of system for a period of fifteen years; and

**WHEREAS**, Real Property Tax Law §487 further provides the Town of Copake with the option to opt-out of the RPTL §487 tax exemption by enacting a resolution stating that no exemption under RPTL §487 shall be applicable within Copake's jurisdiction with respect to any solar or wind energy system or farm waste energy system which began construction subsequent to the effective date of such resolution, and that no exemption under RPTL §487 shall be applicable within Copake's jurisdiction with respect to any micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, or electric energy storage equipment or electric energy storage system constructed subsequent to the effective date of such resolution; and

**WHEREAS**, the Town Board of the Town of Copake finds that it is in the best interest of the Town to tax property value increases related to a solar or wind energy system, farm waste energy system, micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment and electric energy storage system, or fuel-flexible linear generator electric generating system, at their full assessed value; and

**WHEREAS**, the Town Board of the Town of Copake desires to adopt a resolution opting out of the tax exemption provided under amended Real Property Tax Law §487.

**NOW, THEREFORE, IT IS RESOLVED**, that:

1. The tax exemption made available by Real Property Tax Law §487 shall not be applicable within the boundaries of the Town of Copake with respect to any solar or wind energy system, farm waste energy system, micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment and electric energy storage system, or fuel-flexible linear generator electric generating system, constructed subsequent to the date of the Resolution, or any other energy system eligible for the real property tax exemption pursuant to §487 of the Real Property Tax Law.

2. This Resolution shall take effect immediately.

3. The Town Attorney is directed to serve notice of this resolution on the President of NYSERDA and the Commissioner of the New York State Department of Taxation and Finance

4. The Town Board hereby directs the Town Clerk to enter this resolution and the notices to NYSERDA and the Commissioner of the New York State Department of Taxation and Finance in the minutes of this meeting.

The question of the foregoing resolution was duly put to a vote and said resolution was passed by an affirmative vote of a majority of the Town Board.

Dated: \_\_\_\_\_, 2020

Copake, New York

By order of the Town Board of the Town of Copake, New York.

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Jeanne E. Mettler, Town Supervisor