

# Warren County Board of Supervisors

**AGENDA  
FRIDAY OCTOBER 13, 2023  
SPECIAL BOARD MEETING**



**10:00 a.m. Call Meeting to Order**

**Pledge of Allegiance - Supervisor Beaty**

**Moment of Silence recognizing the passing of:**

**Patricia Auer, former Director, Warren County Health Services; and**

**Joseph Menaldino, former Commissioner, Warren County Department of Social Services**

**Roll Call**

**Privilege of the Floor and Public Comment**

**Reading of Resolutions**

**Discussion and Public Comment on Proposed Resolutions**

**Requests for Roll Call Votes**

**Vote on Resolutions**

**Privilege of the Floor and Public Comment**

**Announcements**

**Motion to Adjourn**

# Warren County Board of Supervisors

**OCTOBER 13, 2023**  
**SPECIAL BOARD MEETING**  
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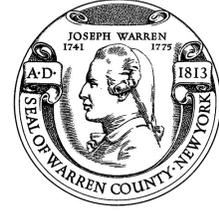


<b><u>RES. NO.</u></b>	<b><u>VOTE</u></b>	<b><u>DESCRIPTION</u></b>
444		<b>LEGISLATIVE, RULES &amp; GOVERNMENTAL OPERATIONS (COUNTY CLERK) - INTRODUCING PROPOSED LOCAL LAW 6 OF 2023, ENTITLED "A LOCAL LAW IMPOSING AN ADDITIONAL MORTGAGE RECORDING TAX IN WARREN COUNTY" AND AUTHORIZING PUBLIC HEARING THEREON</b>

*RESOLUTION NO. 444 WAS DISTRIBUTED TO THE MEMBERS OF THE BOARD OF SUPERVISORS AND POSTED TO THE WARREN COUNTY WEBSITE OCTOBER 6, 2023*

# Warren County Board of Supervisors

WARREN COUNTY MUNICIPAL CENTER  
1340 STATE ROUTE 9  
LAKE GEORGE, NEW YORK 12845-9803



Telephone 518-761-6535  
Fax 518-761-7652

*Kevin B. Geraghty, Chairman*

*Amanda Allen, Clerk of the Board*

## NOTICE OF SPECIAL MEETING

### **TO THE MEMBERS OF THE BOARD OF SUPERVISORS OF WARREN COUNTY:**

You are hereby notified that I, KEVIN B. GERAGHTY, Chairman of the Board of Supervisors of the County of Warren, pursuant to the power vested in me by Section (B) of the Rules of the Board of Supervisors, hereby call and convene a special meeting of the Board of Supervisors of Warren County to be held in the Supervisors' Room in the Warren County Municipal Center, Town of Queensbury, New York, on **OCTOBER 13, 2023 AT 10:00 A.M.**, for the purpose of:

1. Introducing Proposed Local Law No. 6 of 2023, Entitled "A Local Law Imposing an Additional Mortgage Recording Tax in Warren County", and Authorizing Public Hearing Thereon; and
2. Any other such business which may appropriately be brought before the Board of Supervisors.

The Clerk of the Board of Supervisors is hereby directed to call for the meeting and give written notice to all members of the Board of Supervisors of such meeting.

Dated: October 5, 2023

KEVIN B. GERAGHTY, CHAIRMAN  
Warren County Board of Supervisors

To the Members of the Board of Supervisors: At the direction of the Chairman of the Board, I am notifying you of the Special Meeting called for the time, place and purposes set forth above.

AMANDA ALLEN, CLERK  
Warren County Board of Supervisors

# Warren County Board of Supervisors

**SPECIAL BOARD MEETING  
FRIDAY OCTOBER 13, 2023**



*Please note that the following is a summarization of the Board Meeting; the meeting, in its entirety, can be viewed using the following links on the Warren County website:*

<https://warrencountyny.gov/mma>

<https://www.youtube.com/watch?v=cz0JRcQ8P20&t=5s>

**NOTICE OF SPECIAL MEETING  
TO THE MEMBERS OF THE BOARD OF SUPERVISORS OF WARREN COUNTY:**

You are hereby notified that I, KEVIN B. GERAGHTY, Chairman of the Board of Supervisors of the County of Warren, pursuant to the power vested in me by Section (B) of the Rules of the Board of Supervisors, hereby call and convene a special meeting of the Board of Supervisors of Warren County to be held in the Supervisors' Room in the Warren County Municipal Center, Town of Queensbury, New York, on **OCTOBER 13, 2023 AT 10:00 A.M.**, for the purpose of:

1. Introducing Proposed Local Law No. 6 of 2023, Entitled "A Local Law Imposing an Additional Mortgage Recording Tax in Warren County", and Authorizing Public Hearing Thereon; and
2. Any other such business which may appropriately be brought before the Board of Supervisors.

The Clerk of the Board of Supervisors is hereby directed to call for the meeting and give written notice to all members of the Board of Supervisors of such meeting.

Dated: October 5, 2023

KEVIN B. GERAGHTY, CHAIRMAN  
Warren County Board of Supervisors

To the Members of the Board of Supervisors: At the direction of the Chairman of the Board, I am notifying you of the Special Meeting called for the time, place and purposes set forth above.

AMANDA ALLEN, CLERK  
Warren County Board of Supervisors

**WARREN COUNTY BOARD OF SUPERVISORS**  
**SPECIAL BOARD MEETING**  
**FRIDAY, OCTOBER 13, 2023**

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The Board of Supervisors of the County of Warren convened at the Supervisors' Room in the Warren County Municipal Center, Lake George, New York, at 10:00 a.m.

Mr. Kevin B. Geraghty presiding. Salute to the flag was led by Chairman Geraghty.

Chairman Geraghty called for a moment of silence to recognize Patricia Auer, *former Director, Warren County Health Services*, and Joseph Menaldino, *former Commissioner, Department of Social Services*, both of whom had recently passed away.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Bruno, Driscoll, Geraci, Dickinson, Merlino, Strough, Wild, Etu, Thomas, Runyon and Geraghty - 15. Supervisors Braymer, Frasier, Smith, Magowan and Beaty absent - 5.

Chairman Geraghty called for public comment, but there was no one wishing to speak.

John Taflan, *County Administrator*, provided a brief overview of the purpose of the meeting today which related to a Local Law concerning the collection of the additional mortgage tax that would now be allocated to the CDTA (*Capital District Transit Authority*) to public transportation services in Warren County.

Reading of resolutions by the Clerk of the Board was announced as follows:

Amanda Allen, *Clerk of the Board*, apprised proposed Resolution No. 444 was distributed to the Board and posted to the Warren County website on October 6, 2023 which met the deadline specified in the Rules of the Board. She noted a roll call vote was not required on the proposed Resolution unless one was requested.

Chairman Geraghty called for discussion and public comment on the proposed resolution, as well as requests for roll call votes, but none were received.

Chairman Geraghty called for a vote on Resolution No. 444, which was approved as presented.

Chairman Geraghty offered privilege of the floor, but no one wished to speak.

Chairman Geraghty called for announcements.

Supervisor Driscoll announced on Sunday October 22<sup>nd</sup> an interfaith meeting would be held calling for peace in the Middle East at Christ Church United Methodist in the City of Glens Falls and he encouraged all to support this effort.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Dickinson, seconded by Supervisor Strough and carried by a unanimous vote of those present (*Supervisors Braymer, Frasier, Smith, Magowan and Beaty absent*), Chairman Geraghty adjourned the meeting at 10:09 a.m.

# Warren County Board of Supervisors

## RESOLUTION NO. 444 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS STROUGH, CONOVER, FRASIER, GERACI, THOMAS, DRISCOLL AND WILD**

**INTRODUCING PROPOSED LOCAL LAW 6 OF 2023, ENTITLED “A LOCAL LAW IMPOSING AN ADDITIONAL MORTGAGE RECORDING TAX IN WARREN COUNTY” AND AUTHORIZING PUBLIC HEARING THEREON**

RESOLVED, that proposed Local Law 6 of 2023 entitled “A Local Law Imposing an Additional Mortgage Recording Tax in Warren County,” attached hereto and made a part hereof, be, and the same is, introduced before the Warren County Board of Supervisors, and in order to give interested members of the public opportunity to be heard thereon, the Board of Supervisors shall hold a public hearing at the Supervisors’ Room in the Warren County Municipal Center on the 20<sup>th</sup> day of October, 2023, at 10:00 a.m. on the matter of the adoption of said proposed Local Law 6 of 2023, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to give notice of such public hearing in the manner provided by law.

**SCHEDULE “A”**

**COUNTY OF WARREN  
PROPOSED LOCAL LAW NO. 6 OF 2023**

**A LOCAL LAW IMPOSING AN ADDITIONAL MORTGAGE RECORDING TAX  
IN WARREN COUNTY**

**BE IT ENACTED**, by the Board of Supervisors of the County of Warren, New York, as follows:

SECTION 1: TITLE. This Local Law shall be titled “A Local Law Imposing An Additional Mortgage Recording Tax in Warren County.”

SECTION 2. PURPOSE AND INTENT. The purpose of this law is to authorize Warren County, pursuant to the provisions of Section 253-w of the Tax Law of the State of New York, to impose an Additional Mortgage Recording Tax.

SECTION 3. IMPOSITION OF TAX. For the period commencing December 1, 2023 and ending December 1, 2025, unless further extended by Local Law of the Board of Supervisors, there is hereby imposed, in the County of Warren, a tax of twenty-five cents (\$0.25) for each one hundred dollars (\$100.00), and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the County of Warren and recorded on or after December 1, 2023 (or a subsequent date enacted by State Law), and a tax of twenty-five cents (\$0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00).

SECTION 4. ADMINISTRATION AND COLLECTION OF TAX. The taxes imposed pursuant to this Local Law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 of the Tax Law and paragraph (b) of subdivision one of Section 255 of this Tax Law. Except as otherwise provided in Section 253-w of the Tax Law, all the provisions of Article 11 of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed by this Local Law with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect

as if those provisions had been set forth in full in Section 253-w of the Tax Law, except to the extent that any provision is either inconsistent with a provision of Section 253-w of the Tax Law or not relevant to the tax authorized by Section 253-w of the Tax Law.

SECTION 5. REAL PROPERTY LOCATED IN MORE THAN ONE COUNTY OR STATE.

Where the real property covered by the mortgage subject to the tax imposed pursuant to this Local Law is situated in this State but within and without Warren County, the amount of such tax due and payable to Warren County shall be determined in a manner similar to that prescribed in the first undesignated paragraph of Section 260 of the Tax Law which concerns real property situated in two or more counties. Where such property is situated both within Warren County and without the State, the amount due and payable to Warren County shall be determined in the manner prescribed in the second undesignated paragraph of such Section 260 which concerns property situated within and without the State. Where real property is situated within and without Warren County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

SECTION 6. ADDITIONAL MORTGAGE RECORDING TAX. The tax imposed pursuant to this Local Law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

SECTION 7. DISPOSITION OF TAXES. Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all monies paid to the recording officer of the County of Warren during each month upon account of the tax imposed pursuant to this Local Law, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of Section 253-w of the Tax Law or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such officer on or before the tenth day of each succeeding month to the Treasurer of Warren County and, after the deduction by such Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law, shall be deposited in the general fund of the County of Warren. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, under which the provisions of Section 253-w of the Tax Law or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and

**RESOLUTION NO. 444 OF 2023**

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Finance, shall be paid over by the recording officer receiving the same as provided by the determination of the New York State Commissioner of Taxation and Finance.

SECTION 8. PAYMENT OF TAXES. The tax imposed pursuant to this Local Law shall be payable on the recording of each mortgage of real property subject to taxes thereunder. Such tax shall be paid to the recording officer of the county in which the real property or any part thereof is situated, except where real property is situated within and without the county, the recording officer of the county in which the mortgage is first recorded shall collect the tax imposed by this Local Law. It shall be the duty of such recording officer to endorse upon each mortgage a receipt of the amount of the tax so paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt for such tax endorsed upon each mortgage shall be recorded therewith. The record of such receipt shall be conclusive proof that the amount of tax stated therein has been paid upon such mortgage.

SECTION 9. EFFECTIVE DATE. This Local Law shall take effect December 1, 2023, provided that a certified copy thereof is mailed by registered or certified mail to the Commissioner of the New York State Department of Taxation and Finance at the Commissioner's Office in Albany at least 30 days prior to the date of this Local Law shall take effect. Certified copies of this Local Law shall also be filed with the Warren County Clerk, the Secretary of State, and the State Comptroller within 5 days after the Local Law is duly enacted and this Local Law shall be deemed to be duly enacted upon its date of adoption by the Warren County Board of Supervisors.