

# Warren County Board of Supervisors

## RESOLUTION NO. 408 OF 2024

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

**HOME RULE REQUEST BY WARREN COUNTY TO AMEND SECTION 261(1)(G) OF THE TAX LAW BASED ON WARREN COUNTY BEING A MEMBER OF THE CAPITAL DISTRICT TRANSPORTATION DISTRICT**

WHEREAS, the New York State Legislature amended section 1302 of the Public Authorities Law to authorize Warren County to become a member of the CDTA, and

WHEREAS, the Warren County Board of Supervisors elected to become a member of the Capital District Transportation Authority (CDTA) effective January 1, 2024, under Resolution 233 of 2023, and

WHEREAS, Warren County has remitted payment to the CDTA of the additional taxes imposed by Tax Law section 253(2) since becoming a member, as directed by Tax Law section 261(1)(d), and

WHEREAS, because Warren County cannot apply the additional taxes imposed by Tax Law 253(2) to community colleges and to the CDTA, and

WHEREAS, the Warren County Clerk has requested, and the Legislative, Rules and Governmental Operations Committee has approved, the home rule request to amend Tax Law section 261(1)(g), and

WHEREAS, the Warren County Board of Supervisors, on behalf of the County of Warren, desires to amend and delete that portion of Tax Law 261(1)(g) which applies to the County of Warren as it is now in conflict with the requirements of Tax Law 261(1)(d), and

WHEREAS, the local government, Warren County, does not have the power to enact such legislation by local law, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors, on behalf of the County of Warren, hereby requests the Legislature to enact a bill amending Tax Law 261(1)(g) to delete the authority provided to the County of Warren therein, and be it further

RESOLVED, that it is hereby declared that a necessity exists for the enactment of such legislation

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in that the local government, Warren County, does not have the power to enact such legislation by local law,  
and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized to complete the Municipal Home Rule Request form, complete the certification contained thereon, and indicate that the Board of Supervisors voted in favor of the Municipal Home Rule Request stated therein, and to transmit the same together with this resolution to the Senate and Assembly.