

Legislative, Rules & Governmental Operations  
County Clerk/DMV Agenda  
October 29, 2024

COMMITTEE MEMBERS: Supervisors STROUGH, Conover, Wild, Driscoll, Maday, Geraci and Thomas.

- Chair of the Board shall serve as an Ex-Officio member when needed in accordance with Section C (4) of the Rules of the Board.

- I. Committee meeting called to order by Chair
- II. Approval of minutes of prior Committee Meeting
- III. Privilege of the Floor and public comment
- IV. Action Agenda/New Business Items:
  1. Request: Seeking a Home Rule request to amend Tax Law section 261(1)(g); to delete Warren County from the requirement to pay the tax to the community college, as we are already paying the tax to the CDTA.  
  
Rationale: Tax law section 261(1)(d) requires the County to pay the additional tax on mortgages to the CDTA. However, section 261(g) was not amended, and was in fact, extended effective December 1, 2024. This section authorized Washington & Warren counties to pay the additional tax to the community college. Technically, the statute now requires the County to pay the tax to the CDTA and then to pay the tax to ACC.
  2. Request: Seeking a Home Rule request for an extension to the law authorizing Warren County to impose an additional mortgage recording tax.  
  
Rationale: The current extension expires in December of 2025, and the Home Rule request needs to put forth in the 2025 Legislative Session for Warren County to continue to impose an additional mortgage tax in 2026.
- V. Discussion Items:
- VI. Referrals/Pending Items: None.
- VII. Privilege of the floor and public comment
- VIII. Motion to adjourn

# **RESOLUTION REQUEST FORM NO. 20**

## **MISCELLANEOUS**

***\*Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.  
Please attach any backup information available and be as detailed as possible.***

**DEPARTMENT NAME: County Clerk**

**DATE: 10/22/2024**

- (a) Purpose of Request: **Home Rule request to amend Tax law section 261(1)(g); to delete Warren County from the requirement to pay the additional mortgage tax to the community college, as Warren County is already paying the tax to the CDTA.**
- (b) Details: **Tax law section 261(1)(d) requires the County to pay the additional tax on mortgages to the CDTA. However, section 261(g) was not amended, and was in fact, extended effective December 1, 2024. This section authorized Washington & Warren counties to pay the additional tax to the community college. Technically, the statute now requires the County to pay the tax to the CDTA and then to pay the tax to ACC.**
- (c) Previous Resolution Number: **N/A**
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount: **None**

**Sample: A.8021 470 Planning & Community Development – Contract**

**\* as listed in budget and LOGOS**

# Warren County Board of Supervisors

RESOLUTION NO. \_\_\_\_ OF 2024

## RESOLUTION INTRODUCED BY

### 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 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, 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, 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, Warren County no longer requires legislative authority to apply the additional taxes imposed by Tax Law 253(2) for the support of community colleges, 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 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

*RESOLUTION No. \_\_\_\_ OF 2024*

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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.

# **RESOLUTION REQUEST FORM NO. 20**

## **MISCELLANEOUS**

***\*Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.  
Please attach any backup information available and be as detailed as possible.***

**DEPARTMENT NAME: County Clerk**

**DATE: 10/22/2024**

- (a) Purpose of Request: **Home Rule request by Warren County for an extension of the law authorizing and empowering the County of Warren to impose an additional mortgage recording tax.**
- (b) Details: **The current extension expires in December of 2025, and the Home Rule request needs to put forth in the 2025 Legislative Session for Warren County to continue to impose an additional mortgage tax in 2026.**
- (c) Previous Resolution Number: **N/A**
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount: **None**

**Sample: A.8021 470 Planning & Community Development – Contract**

\* as listed in budget and LOGOS

# Warren County Board of Supervisors

## RESOLUTION NO. OF 2024

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

**HOME RULE REQUEST BY WARREN COUNTY FOR AN EXTENSION TO THE LAW  
AUTHORIZING AND EMPOWERING THE COUNTY OF WARREN TO IMPOSE AN  
ADDITIONAL MORTGAGE RECORDING TAX**

WHEREAS, the Warren County Board of Supervisors, on behalf of the County of Warren, desires to request enactment of an extension to section 253-w of the Tax Law authorizing and empowering the County of Warren to continue to impose an additional mortgage recording tax on and after December 1, 2025, 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, pursuant to Article 11 of the Constitution, hereby requests the Legislature to enact a bill extending section 253-w of the Tax Law from December 1, 2025 through an additional period of two years to authorize the County of Warren to continue to impose the additional mortgage recording tax provided therein, and be it further

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