

SPECIAL SESSION – WEDNESDAY, MAY 31, 2017

The Yates County Legislature convened in special session Wednesday, May 31, 2017 at 7:00pm in the Legislative Chambers with Chairman Dennis presiding and Legislator Percy absent.

RESOLUTION NO. 157-17

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Fitch.

DISCUSSION:

County Administrator Lawton had written a memo on recruitment challenges, the term of office and the certifications that are needed and who the Real Property Tax Director reports to. Mr. Lawton stated that there are several counties recruiting at this time for this position. The decision was to continue to have the position report to the County Administrator and the person would be appointed to fill the unexpired term of Patricia Brede and then would be reappointed for a 6 year term.

**AUTHORIZE THE COUNTY ADMINISTRATOR TO INITIATE RECRUITMENT FOR
A VACANCY IN THE POSITION OF DIRECTOR OF REAL PROPERTY TAX
SERVICES**

WHEREAS, the position of Real Property Tax Services Director will be vacated effective July 5, 2017, and

WHEREAS, Article 14A of the New York State Real Property Tax Law requires the establishment of a Real Property Tax Service Agency and the appointment, for a six year term, of a Real Property Tax Service Director to lead that agency, and

WHEREAS, the Legislature deems it necessary to fulfill, in a timely and professional manner, the various mandated functions assigned to the Real Property Tax Service Agency;

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is authorized to initiate recruitment to fill the vacancy in the position of Director of Real Property Tax Services within the appropriations set forth in the FY2017 Adopted Budget, and advised to pursue all appropriate alternative strategies under which Yates County may execute the duties of said office and be it

RESOLVED, that copies of this resolution be given to the County Administrator and the Yates County Assessors Association.

VOTE: Unanimous

RESOLUTION NO. 158-17

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Fitch.

DISCUSSION:

Mr. Paddock explained that this resolution, along with the next one, require legislation at the state level for home rule, in order to be able to continue the quarter percent mortgage tax and the one percent sales tax. It's a fairly long process, there has to be senate and assembly bills. There is a requirement that there be a resolution with the bill numbers in it sent to our members of the senate and assembly. They will then organize it through the legislature and once it is passed the Governor then has to sign it. However, the legislature will not be in session much after the end of this month and all of this has to be done by September 2nd. This came to Connie today and she would like us to pass this so they can get back to the representative from the assembly in

time to be included with legislation and not have to do multiple extensions and put the continuation of these at risk.

REQUEST HOME RULE LEGISLATION TO RENEW THE 1% SALES TAX INCREASE IMPOSED IN 2003

WHEREAS, in 2003 Yates County increased the county portion of the sales tax rate by 1% in order to generate approximately \$2 million per year in additional county revenue without imposing an additional burden to property owners through the property tax, and

WHEREAS, the authorization from the State Legislature to impose this additional sales tax expires on November 30, 2017,

NOW, THEREFORE, BE IT RESOLVED, that the Yates County Legislature hereby requests home rule legislation be passed by the Assembly in bill A6357 and the Senate in bill S5034 to amend the tax law in relation to the imposition by the County of the additional 1% on the county portion of the sales tax rate through November 30, 2017, and be it further

RESOLVED, that copies of this resolution be given to Senator O'Mara, Assemblyman Palmesano, the Yates County Administrator and the Yates County Treasurer.

VOTE: Unanimous

RESOLUTION NO. 159-17

Mr. Paddock offered the following resolution and moved its adoption, seconded by Mr. Morris.

DISCUSSION:

Mr. Paddock explain that the process for this is slightly different than the sales tax renewal in that once the legislation is signed a public hearing will need to be held.

REQUEST HOME RULE LEGISLATION TO RENEW THE ADDITIONAL COUNTY RECORDING TAX ON MORTGAGES

WHEREAS, Yates County has identified a 0.25% increase in the County portion of the recording tax on obligations secured by a mortgage on real property as a method for obtaining approximately \$200,000 per year in additional county revenue without imposing an additional burden on property owners through the property tax,

NOW, THEREFORE, BE IT RESOLVED that the Yates County Legislature hereby requests home rule legislation be passed by the Assembly in bill A6815 and by the Senate in bill S5328 to amend the tax law in relation to authorizing Yates County to impose the additional county recording tax on obligations secured by a mortgage on real property, and be it further

RESOLVED, that copies of this resolution be given to Senator O'Mara, Assemblyman Palmesano, the Yates County Administrator and the Yates County Treasurer.

VOTE: Unanimous

Mr. Paddock moved to enter executive session to discuss the sale of real property with the County Attorney, County Administrator, County Treasurer and Legislature present, seconded by Mr. Bronson.

VOTE: Unanimous

Meeting adjourned at 9:20pm.