

Approving Home Rule Request For Bill No. A9359 And S6480 To Amend Article 31 Of The Tax Law That Would Permit The County Of Ulster To Adopt A Local Law To Impose, Collect And Retain A Tax On Real Estate Transfers Of Two Dollars For Each Five Hundred Dollars On Real Property Transactions

The Ways and Means Committee (Chairman Lomita and Legislators Bartels, Berardi, Gregorius, Provenzano, Zimet, Cummings, Gerentine and Noonan) offers the following:

WHEREAS, increases in the costs of required county services make it necessary for Ulster County to acquire additional revenue for these services in order to avoid significant increases in property taxes, and

WHEREAS, Ulster County, by Resolution No. 274 dated August 8, 2007, has requested that the New York State Legislature and the Governor pass State Legislation pursuant to Article 31 of the Tax Law that would permit the County of Ulster to adopt a Local Law to impose, collect and retain a tax on real estate transfers of two dollars for each five hundred dollars on real property transactions, and

WHEREAS, it is critical to protect affordable housing in Ulster County and therefore all homes sold at or below the median value will be exempt from the Real Estate Transfer Tax, and

WHEREAS, such legislation has now been introduced as Assembly Bill No. A9359 and Senate Bill No. S6480 so that a formal Home Rule Request is now appropriate.

RESOLVED, the New York State Legislature and Governor are requested to pass State Legislation pursuant to Article 31 of the Tax Law that would permit the County of Ulster to adopt a local law to impose, collect and retain in such county a tax on each conveyance of real property or interests therein when the consideration exceeds five hundred dollars at the rate of two dollars for each five hundred dollars or fractional part thereof, and

FURTHER RESOLVED, that such conveyance shall be exempt when the use or occupancy of such property is equal to or below the median sales price of comparable real property within the County, as determined by the Office of Real Property Services pursuant to Section 425 of the Real Property Tax Law and such property was used solely by the grantor as his or her personal residence and consists of a one, two or three family house or condominium, and

FURTHER RESOLVED, that the State legislation further provide that each enactment of a local law may provide for the imposition of this tax on real estate transfers for a period through December 31, 2011, and

Resolution No. 436 December 12, 2007

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FURTHER RESOLVED, that the Chairman and the Clerk of the Ulster County Legislature is hereby authorized to execute and submit a Home Rule Request (Request by a Local Government for Enactment of a Special Law), requesting the enactment of Assembly Bill A9359 and Senate Bill S6480 that would permit the County of Ulster to adopt a local law to impose, collect and retain in such county a tax on each conveyance of real property or interests therein when the consideration exceeds five hundred dollars at the rate of two dollars for each five hundred dollars or fractional part thereof, thru the period ending December 31, 2011,

and moves its adoption.

DEFEATED BY THE FOLLOWING VOTE:

AYES: 14 NOES: 13
(AYES: Legislators Berardi, Bischoff, Cahill, Dart, Donaldson, Gregorius, Liepmann, Lomita, Loughran, R.S. Parete, Provenzano, Rodriguez, Shapiro and Terpening)
(Absent: Legislators Aiello, Every, Fabiano, Felicello, Roberti and Stoeckeler)

FINANCIAL IMPACT:
APPROXIMATELY \$2,000,000.00 ANNUALLY FOR THIRTY-SIX MONTHS