

Legislative and Research Committee Minutes  
June 4, 2012 – 4:00 p.m.

Present: Chairman Sausville; Supervisors Daly, Lewza, Richardson, Rowland, Yepsen, Wood; Ryan Moore, Mgmt. Analyst; Steve Dorsey, County Attorney; Sam Pitcherale, County Treasurer; Joanne Bosley, Real Property Tax Director; Michelle Madigan, City of Saratoga Springs Finance Commissioner; Press.

Chairman Sausville called the meeting to order and welcomed all in attendance.

On a motion by Ms. Yepsen, seconded by Mr. Lewza the minutes of the May 7, 2012 meeting were unanimously approved.

Mr. Sausville said that there will be a discussion on the Truth in Taxation Law that Mr. Dorsey crafted as well as discussing the Occupancy tax law and the status of that. He said he wanted to start by saying that Fulton County passed a County Law requesting Mandate Relief from the Governor's Office and the Mandate Relief Council which is something similar to what Saratoga County did last month.

Mr. Sausville said that the Committee members should have received a draft of the Truth in Taxation Law and asked Mr. Dorsey to address this law. He said there has been discussion for quite some time about the mandates that have come down from the State government and in Saratoga County we have property tax which allows the County to collect \$51M which covers part of the mandates which are imposed on us from the State. Another \$10M has to be raised from the Sales Tax just to meet the mandates, he said. Mr. Sausville said this proposal would give the County flexibility as to how the mandates are reported out either on the tax bill or in flyer form.

Mr. Dorsey said the tax bill flyer is mandatory as the law reads right now. It does say the County Administrator and County Real Property Tax Director are directed to take necessary steps to cause a flyer to be disseminated. That is in addition to putting on the tax bill some language regarding a break down of the mandates. He said the way the law is written now there is not an option and if the committee would like that change he can amend the wording.

Mr. Sausville said his concern is that the Board members will be concerned with the cost of printing the flyer and mailing it out as opposed to simply printing it on the tax bill. He said he would like to have both options. Mr. Dorsey said the County could comply with the flyer requirement by placing it on the website or having it available at town halls. Mrs. Daly said something in written form would be good for residents to see and understand how much is going towards mandates and she suggested putting copies of the flyer in libraries as well.

**On a motion by Ms. Yepsen, seconded by Mr. Rowland the Truth in Taxation proposed Local Law be forwarded to the Law and Finance Committee and then to the full Board and setting July 11, 2012 at 4:55 p.m. as the date for the public hearing on this law. Unanimous.**

Mr. Sausville said the Occupancy Tax loop hole is a little more complicated with online registration groups buying rooms at a discount, pay the occupancy tax on the purchased price and then resell/repackage those rooms at a higher price. He asked Mr. Dorsey what had to happen to make this loop hole disappear.

Mr. Dorsey cited the County's home rule legislation which allows the County to charge an occupancy tax the same as the State imposes. The State has in the last few years amended its own law to include room re-marketers such as Expedia and Orbitz and more recently made amendments which will take affect in September which have facilitated and cleaned up some problem areas such as calculation of the tax. New York has been very careful to craft a law which allows for the exclusion of any unrelated charges for service fees or amusement to be excluded from the rent calculation. He said the County has adopted all those changes the State has made to date and the proposed local law he drafted wouldn't take effect until October 1<sup>st</sup> at which time the State's will be in effect and will also give the Treasurer enough time to educate the room re-marketers on the law. Mr. Dorsey asked for more time to meet with the Treasurer to consult with him on some of the details and bring it back next month in final form.

Ms. Yepsen asked County Treasurer Pitcherale if at the NYSAC Conference other county's showed interest in this issue. Mr. Pitcherale said that there were other county's that will be addressing this issue.

Mr. Sausville introduced Michelle Madigan, City of Saratoga Springs Finance Commissioner, who said that this is an issue the City will be watching/following.

On a motion by Mr. Richardson, seconded by Mr. Rowland, the meeting was adjourned.

Respectfully submitted,

Pamela Hargrave, Clerk of the Board