

Calling On The Ulster County Industrial Development Agency (UCIDA) To Establish A Policy Regarding Incumbent Legislators And Payment In Lieu Of Tax (PILOT) Agreements

Referred to: The Economic Development and Tourism Committee (Chairman Maloney and Legislators Maio, Roberts, Loughran and Wishnick)

Legislators Rodriguez and Loughran offer the following:

WHEREAS, the Ulster County Legislature, by Resolution No. 34, adopted March 11, 1976, requested a special act of the New York State Legislature to create an agency known as the Ulster County Industrial Development Agency (UCIDA), and

WHEREAS, the Ulster County Legislature created the UCIDA to “*promote, encourage, attract and develop job and business opportunities and economically sound commerce and industry in cities, towns and villages of Ulster County*”; and

WHEREAS, the assistance provided by the UCIDA is a substantial benefit to companies who qualify for this assistance and which comes at a cost to local taxpayers either directly or indirectly; and

WHEREAS, the UCIDA has established policies concerning job creation; and

WHEREAS, the UCIDA has several under-performing PILOT agreements with companies that did not deliver on promised job creation; and

WHEREAS, the company of an incumbent Ulster County Legislator was one of those that did not deliver on its promised jobs; and

WHEREAS, the company received a PILOT agreement, sales tax exemption on the materials used to build its facility and an exemption on the mortgage recording tax; and

WHEREAS, the company in question was to create 20-35 jobs, but only created 9 jobs; and

WHEREAS, underperforming PILOT agreements undermine the economy of Ulster County, use valuable tax-breaks provided by our taxpayers and undermines the public trust in the UCIDA; and

WHEREAS, members of the UCIDA must enforce the terms of PILOT agreements and are appointed by the Ulster County Legislature; and

Resolution No. 114 April 16, 2013

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WHEREAS, Ulster County Legislators with PILOT agreements have an inherent conflict of interest with appointing members of the UCIDA; and

WHEREAS, Ulster County Legislators should be held to a higher standard than private individuals when public tax breaks are involved; now, therefore be it

RESOLVED, the Ulster County Legislature requests the UCIDA to establish a policy that would immediately cancel the PILOT agreement of any company, wholly owned or held in partnership, by an Ulster County Legislator whose company failed to meet job creation numbers and/or fails to file its annual report; and, further be it

RESOLVED, such a policy should take into account unforeseen market hardships and should be transparent; and, further be it

RESOLVED, the Ulster County Legislature re-affirms that any Legislator, with a PILOT agreement, must refrain from voting on membership of the UCIDA, and moves its adoption.

DEFEATED BY THE FOLLOWING VOTE:

AYES: 9 NOES: 10
(1 Abstention: Legislator Bernardo)
(AYES: Legislators Bartels, Donaldson, Gregorius, Loughran, John Parete, Robert Parete, Provenzano, Rodriguez, and Wishnick)
(Absent: Legislators Aiello, Briggs and Richard Parete)

Defeated in Committee: Economic Development and Tourism on April 3, 2013

FINANCIAL IMPACT:
NONE

