

**Urging The Governor Or Assembly Speaker To Call A Special Session To Consider Unfinished Business Including The Adoption Of Assembly Bill No. A5130, Authorizing Ulster County To Continue The Additional 1% Rate Of Its Sales And Compensating Use Tax For Two More Years**

Referred to: The Ways and Means Committee (Chairman Gerentine and Legislators Gregorius, Harris, Maio, Maloney, Provenzano and Rodriguez) and The Laws and Rules, Governmental Services Committee (Chairman Roberts and Legislators Donaldson, Fabiano, Loughran, Maio, Robert Parete and Ronk)

Legislators Richard A. Gerentine and Hector S. Rodriguez, and Co-Sponsors Legislators Aiello, Bartels, Belfiglio, Bernardo, Briggs, Donaldson, Fabiano, Gregorius, Harris, Lopez, Loughran, Maio, Maloney, John Parete, Richard Parete, Robert Parete, Provenzano, Roberts, Ronk, Wawro and Wishnick offer the following:

WHEREAS, on January 2, 2013 the Ulster County Legislature requested State legislation allowing the County to extend the additional sales and compensating use tax rate of 1% (one percent) for an additional twenty-four months, from December 1, 2013 to November 30, 2015; and

WHEREAS, A.5130 was introduced on February 20, 2013 by Assemblyman Skartados, and S.4516 was introduced on April 5, 2013 by Senator Larkin and Senator Tkaczyk; and

WHEREAS, a formal Home Rule Request asking for passage and enactment of S.4516/A.5130 was authorized by the Ulster County Legislature on April 16, 2013 and transmitted to the New York State Legislature; and

WHEREAS, the Ulster County Legislature unanimously adopted Resolution No. 180 on June 18, 2013 urging the New York State Legislature to pass the Home Rule Request as proposed; and

WHEREAS, the New York State Senate honored the Home Rule Request by passing Senate Bill No. S4516; and

WHEREAS, the New York State Assembly failed to pass A.5130 prior to adjourning for 2013; and

WHEREAS, approximately \$44,000,000.00 will be lost in revenue to Ulster County for the next two years if A.5130 is not passed by the Assembly and ultimately signed into law; and

**Resolution No. 234      August 20, 2013**

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WHEREAS, this loss in revenue will cause an approximate \$6,000,000.00 deficit for the City of Kingston and the inability to disperse about \$1,500,000.00 to Ulster County towns over the next two years; and

WHEREAS, failure to extend the 1% sales and compensating use tax will have a devastating effect on Ulster County residents, resulting in a projected 29% property tax increase for the County taxpayers and massive cuts to County services; and

WHEREAS, if the 1% sales and compensating use tax is not extended before November 30, 2013, there will be an immediate negative impact with a guaranteed loss of \$5,953,938.00 to the County; and

WHEREAS, the long term effects of the significant loss in revenue, increase in property taxes, and significant reduction in County services will severely impact our economy and the health, safety, and welfare of Ulster County residents; now, therefore, be it

RESOLVED, that the Ulster County Legislature hereby entreats the Governor or Assembly Speaker to call a Special Session to consider unfinished business including honoring Ulster County's Home Rule Request (Request by a Local Government for Enactment of a Special Law), pursuant to Article IX of the Constitution, requesting passage of Assembly Bill No. A5130 entitled "An act to amend the tax law and Chapter 200 of the laws of 2002 amending the tax law relating to certain tax rates imposed by the County of Ulster, to impose an additional 1% sales and compensating use tax," and the expeditious delivery of S.4516/A.5130 to the Governor for enactment; and be it further

RESOLVED, that a copy of this resolution be sent to Governor Andrew Cuomo, Assembly Speaker Sheldon Silver, New York State Senators James Seward, John J. Bonacic, William J. Larkin, Jr. and Cecilia Tkaczyk, New York State Assemblymembers Kevin A. Cahill, Claudia Tenney, Frank K. Skartados, and Peter Lopez, and Assembly Ways and Means Committee Chair Herman Farrell, Jr.,

and move its adoption.

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ADOPTED BY THE FOLLOWING VOTE:

AYES: 22              NOES: 0

(Legislator Briggs left Chambers at 7:28 PM and returned at 7:38PM)

(Absent: Legislator Richard Parete)

Passed Committee: Ways and Means on August 13, 2013

Passed Committee: Laws and Rules, Governmental Services on August 19, 2013

FINANCIAL IMPACT:

\$22,535,275.00 – COUNTY-ANNUALIZED REVENUES FOR 12 MONTHS

\$ 3,031,060.00 – CITY OF KINGSTON-ANNUALIZED REVENUES FOR 12 MONTHS

\$ 790,711.00 – TOWNS-ANNUALIZED REVENUES FOR 12 MONTHS

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 20<sup>th</sup> Day of August, 2013, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 21<sup>st</sup> Day of August in the year Two Thousand and Thirteen.

/s/ Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature