

**Authorizing The Chairman Of The Ulster County Legislature To Execute An Extension Of The Sales Tax Agreement With The City Of Kingston**

Referred to: The Government Efficiency and Review Committee (Chairman J. Parete and Legislators Belfiglio, Briggs, Greene, and R. Parete), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Bartels, Belfiglio, Briggs, Maio, and Maloney)

Chairman Kenneth J. Ronk, Jr., Minority Leader Hector Rodriguez, and Legislators Belfiglio, Fabiano, Gerentine, Lapp, Litts, Lopez, Maio, Maloney, R. Parete, Roberts, and Wawro offer the following:

WHEREAS, Articles 28 and 29 of the Tax Law of the State of New York authorize municipalities to impose certain taxes on retail sales and other similar transactions and compensating use taxes; and

WHEREAS, there have been negotiations between Ulster County and the City of Kingston regarding an agreement pertaining to sales tax distribution; and

WHEREAS, there most recently existed an agreement, dated October 29, 2010, between the County and the City which expired by its terms on February 29, 2016; and

WHEREAS, an agreement for the term March 1, 2016 through February 28, 2021 has been proposed and is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the proposed agreement is subject to the final approval of the New York State Comptroller; now, therefore, it is

RESOLVED, that the Ulster County Legislature hereby approves the agreement between the County of Ulster and the City of Kingston providing for the distribution and allocation of sales tax to the municipalities for a term of five years, commencing March 1, 2016 and ending February 28, 2021, in the form attached hereto as Exhibit A and incorporated herein by reference, or as modified with the approval of the County Attorney; and, be it further

RESOLVED, the Ulster County Commissioner of Finance shall allocate and disburse to the City of Kingston its proportionate share of sales tax within seven (7) business days after receipt of each net sales tax collection received by the County; and, be it further

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RESOLVED, that in accordance with Section 1262 (c) of New York State Tax Law, the Ulster County Commissioner of Finance shall allocate and disburse to the towns within Ulster County their proportionate share of sales tax on a quarterly basis; and, be it further

RESOLVED, that the Chairman of the Ulster County Legislature is hereby authorized and directed to execute the above-mentioned agreement and any other documents necessary for implementation on behalf of Ulster County,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 18              NOES: 4  
(Noes: Legislators Berky, Briggs, Donaldson, and  
J. Parete)  
(Absent: Legislator Gerentine)

Passed Committee: Ways and Means on May 10, 2016

Passed Committee: Government Efficiency and Review as amended on May 16, 2016

FINANCIAL IMPACT:

\$15,945,076.00 – 2016 BUDGETED SALES TAX FOR CITY AND TOWNS

\$94,020,965.00 – 2016 BUDGETED SALES TAX FOR COUNTY

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 17<sup>th</sup> Day of May in the year Two Thousand and Sixteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 18<sup>th</sup> Day of May in the year Two Thousand and Sixteen.

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

Submitted to the County Executive this  
18<sup>th</sup> Day of May, 2016.

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

Approved by the County Executive this  
18<sup>th</sup> Day of May, 2016.

|s| Michael P. Hein  
Michael P. Hein, County Executive