

RESOLUTION ADOPTING A HOME RULE REQUEST FOR THE ENACTION AND ADOPTION BY THE NYS ASSEMBLY OF NYS ASSEMBLY BILL A-11466 AND FOR ENACTION AND ADOPTION BY THE NYS SENATE OF NYS SENATE BILL NO. 8214 AUTHORIZING THE COUNTY OF ESSEX TO IMPOSE AN ADDITIONAL ONE PERCENT RATE OF SALES AND COMPENSATING USE TAXES FOR THE PERIOD BEGINNING DECEMBER 1, 2010, AND ENDING NOVEMBER 30, 2011.

The following resolution was offered by Supervisor Morency, who moved its adoption.

Upon the passage of a motion to consider from the floor, and the same appearing proper and necessary.

WHEREAS, by Resolution No. 160 of May 3, 2010, this Board of Supervisors requested the State Legislature introduce Home Rule Legislation allowing Essex County the option of increasing its local tax sales tax by an additional one quarter of one percent as a means of avoiding an overwhelming property tax increase anticipated due to an expected 30% increase in the tax levy for 2011 resulting from a steady decline in sales tax, loss of revenue from all sources and an increase in health insurance premiums; and

WHEREAS, Assembly Bill A-11466 and Senate Bill No. 8214 have been introduced in the NYS Assembly and NYS State Assembly respectively each entitled "An Act to Amend the Tax Law, in Relation to Authorizing the County of Essex to Impose an Additional Rate of Sales and Compensating Use Taxes"; and

WHEREAS, the purpose of this legislation is to authorize Essex County to impose an additional one percent rate of sales and compensating use taxes (the combination of the existing three quarter percent rate and a new one quarter percent rate) for the period beginning December 1, 2010, and ending November 30, 2011; and

WHEREAS, Essex County needs to adopt a Home Rule Request for such necessary legislation to be considered and enacted.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby adopts a Home Rule Request requesting enactment of Assembly Bill A-11466 and Senate Bill No. 8214 authorizing Essex County to impose an additional one percent rate of sales and compensating use taxes for the period beginning December 1, 2010, and ending November 30, 2011; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby declares that a necessity exists for the enactment of such legislation as the County does

not have the legal authority to enact this legislation by Local Law; and

BE IT FURTHER RESOLVED, that the Clerk of this Board be and is hereby authorized and directed to immediately execute all required Home Rule Request documents and immediately forward the same to Senator Elizabeth O’C. Little and Assemblywoman Teresa R. Sayward.

This resolution was duly seconded by Supervisors Morrow and Politi, and adopted upon a two-thirds roll-call vote as follows:

AYES: **3,154 votes**
NOES: **414 votes (Kosmider, Moses)**
ABSENT: **348 votes (Connell, Lincoln)**