

AT A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF PLATTSBURGH, NEW YORK HELD NOVEMBER 30, 1967.

PRESENT: MAYOR STELTZER, ALDERMEN BOOTH, KING, DUKEN SABOURIN, COFFEY AND ROUGEAU

ABSENT: NONE

BY ALDERMAN BOOTH ; SECONDED BY COFFEY

LOCAL LAW NO. 12 OF 1967

A LOCAL LAW AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF PLATTSBURGH AND THE COUNTY OF CLINTON, PROVIDING FOR THE DISTRIBUTION OF SALES TAX REVENUES WHICH ARE TO BE IMPOSED BY THE COUNTY OF CLINTON, EFFECTIVE MARCH 1, 1968, AND SUSPENDING THE PROVISIONS OF LOCAL LAW NO. 6 OF 1965 AND ALL AMENDMENTS THERETO.

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF PLATTSBURGH AS FOLLOWS:

SECTION 1: THE FOLLOWING CONTRACT BETWEEN THE CITY OF PLATTSBURGH, A MUNICIPAL CORPORATION AND THE COUNTY OF CLINTON, A MUNICIPAL CORPORATION IS HEREBY AUTHORIZED AND THE MAYOR DIRECTED TO SIGN THE SAME AND THE CITY CLERK TO ATTEST THE SAME:

A G R E E M E N T

THIS AGREEMENT MADE THE 7TH DAY OF DECEMBER, 1967 BETWEEN THE COUNTY OF CLINTON, A MUNICIPAL CORPORATION HAVING ITS HEAD OFFICE AND PRINCIPAL PLACE OF BUSINESS AT MARGARET STREET, PLATTSBURGH, NEW YORK, HEREINAFTER REFERRED TO AS THE COUNTY, AND THE CITY OF PLATTSBURGH, A MUNICIPAL CORPORATION HAVING ITS HEAD OFFICE AND PRINCIPAL PLACE OF BUSINESS AT CITY HALL PLACE, PLATTSBURGH, NEW YORK, HEREINAFTER REFERRED TO AS THE CITY.

W I T N E S S E T H :

WHEREAS, THE CITY PRESENTLY HAS IN EFFECT CERTAIN NON-PROPERTY TAXES CONSISTING OF SALES TAX, COMPENSATING USE TAX, ROOM OCCUPANCY TAX AND RESTAURANT TAX IMPOSED PURSUANT TO THE LAWS OF THE STATE OF NEW YORK, AND

WHEREAS, THE COUNTY ON NOVEMBER 24, 1967 DID ENACT EFFECTIVE MARCH 1, 1968 THE SAME NON-PROPERTY TAXES CONSISTING OF SALES TAX, COMPENSATING USE TAX, ROOM OCCUPANCY TAX AND RESTAURANT TAX IMPOSED PURSUANT TO THE SAID STATUTES OF THE STATE OF NEW YORK, AND

WHEREAS, CHAPTERS 93 AND 94 OF THE LAWS OF 1965 AUTHORIZED BOTH THE COUNTY AND THE CITY TO IMPOSE CERTAIN TAXES ON RETAIL SALES AND OTHER SIMILAR TRANSACTIONS AND COMPENSATING USE TAXES AS THEREIN SPECIFIED, TO BE ADMINISTERED BY THE STATE TAX COMMISSION, AND PROVIDE CERTAIN PRIORITIES AND PRE-EMPTIVE RIGHTS FOR EACH OF THE PARTIES.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN CONTAINED, THE PARTIES HERETO HEREBY MUTUALLY COVENANT AND AGREE AS FOLLOWS:

1. THE COUNTY SHALL IMPOSE, EFFECTIVE MARCH 1ST, 1968, ALL OF THE TAXES DESCRIBED IN ARTICLE 28 OF THE TAX LAW OF THE STATE OF NEW YORK PURSUANT TO THE PROVISIONS OF SECTION 1210A OF SAID LAW, AT THE RATE OF 3% AND SHALL NOT SET ASIDE ANY PART THEREOF FOR COUNTY PURPOSES OR EDUCATIONAL PURPOSES, EXCEPT AS HEREIN OTHERWISE PROVIDED.

2. DURING THE TERM OF THIS AGREEMENT, THE CITY SHALL REFRAIN FROM IMPOSING ANY OF SAID TAXES ABOVE SPECIFIED.

3. THE NET PROCEEDS OF SAID TAXES IMPOSED BY THE COUNTY AFORESAID SHALL BE ALLOCATED AND DISPOSED OF AS FOLLOWS:

A. 40% OF SUCH MONIES SHALL BE SET ASIDE FOR COUNTY PURPOSES AND SHALL BE AVAILABLE FOR ANY LEGITIMATE COUNTY PURPOSE.

B. 40% OF SUCH MONIES SHALL BE PAID MONTHLY DIRECTLY TO THE CITY TO BE USED BY THE CITY FOR ANY LEGITIMATE CITY PURPOSE AND THE COUNTY SHALL PAY SUCH SHARE OF THE MONIES TO THE CITY WITHIN TWO DAYS AFTER RECEIVING THE SAME FROM THE STATE TAX COMMISSION.

C. 20% OF SUCH MONIES SHALL BE ALLOCATED MONTHLY OR OTHERWISE, AS PROVIDED BY LAW, TO THE AREA OF THE COUNTY OUTSIDE THE CITY, TO BE DISTRIBUTED AMONG THE TOWNS AND VILLAGES THEREIN BASED UPON ASSESSED VALUATION.

4. THIS AGREEMENT SHALL TAKE EFFECT ON MARCH 1, 1968, AND SHALL CONTINUE IN EFFECT FOR A PERIOD OF FIVE YEARS.

5. THIS AGREEMENT MAY BE RENEWED UPON THE SAME OR OTHER TERMS PROVIDED HOWEVER THAT ANY SUCH RENEWAL SHALL BE AGREED UPON PRIOR TO THE 1ST DAY OF DECEMBER PRECEDING THE EXPIRATION DATE OF THIS AGREEMENT.

6. THIS ENTIRE AGREEMENT IS SUBJECT TO THE APPROVAL OF THE STATE COMPTROLLER OF THE STATE OF NEW YORK.

IN WITNESS WHEREOF, THE PARTIES HAVE CAUSED THIS AGREEMENT TO BE EXECUTED BY THEIR DULY AUTHORIZED OFFICERS AND THEIR CORPORATE SEALS AFFIXED, THE DAY AND YEAR FIRST ABOVE WRITTEN.

(SEAL)

COUNTY OF CLINTON

*See attached copies for*

BY:

*signature*

CHAIRMAN, BOARD OF SUPERVISORS

(SEAL)

CITY OF PLATTSBURGH

BY:

*Harold Stetson*  
MAYOR