



**NEW YORK STATE ASSEMBLY**

**A N N U A L**

**2 0 1 2**

**R E P O R T**



**Committee on  
Local Governments**

**William B. Magnarelli, Chairman**

**SHELDON SILVER, SPEAKER**



WILLIAM B. MAGNARELLI  
Assemblyman 120<sup>th</sup> District

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

CHAIR  
Local Governments  
COMMITTEES  
Economic Development  
Education  
Oversight, Analysis and Investigation  
Steering

December 15, 2012

Honorable Sheldon Silver  
Speaker of the Assembly  
Legislative Office Building, Room 932  
Albany, NY 12248

Dear Speaker Silver:

I am pleased to submit to you the 2012 Annual Report of the Assembly Standing Committee on Local Governments.

Throughout the year, the Committee addressed many significant issues including providing mandate relief, flexibility in municipal finances, dissolving dormant local agencies, and promoting legislation specific to the needs of municipalities across the State. In this report you will find descriptions of legislation and important issues considered by the Committee. Additionally, this report highlights goals of the Committee, which emphasize the ongoing need to support the municipalities of this State.

I share with you an appreciation for the important role local governments play in providing essential services to their residents and commend you for the support and leadership you have provided the Local Governments Committee in its pursuit to address issues facing New York's municipalities. With your assistance, the Committee will continue to focus on the needs of local governments.

Sincerely,

William B. Magnarelli, Chairman  
Assembly Standing Committee on  
Local Governments



**2012 ANNUAL REPORT**  
**OF THE NEW YORK STATE ASSEMBLY**  
**STANDING COMMITTEE ON LOCAL GOVERNMENTS**

**William B. Magnarelli, Chairman**

**Committee Members**

David F. Gantt  
William Magee  
Ellen Jaffee  
Philip Ramos  
Michelle Schimel  
William Boyland Jr.  
Addie J. Russell  
George Latimer  
Dennis Gabryszak  
Harry Bronson  
Sean Ryan  
Anthony Brindisi

Tony Jordan  
Annie Rabbitt  
Michael Fitzpatrick  
Thomas McKeivitt  
Kevin Smardz

**Staff**

Paul Nickson, Senior Legislative Analyst  
Julia Mallalieu, Assistant Secretary for Program and Policy  
Christian Malanga, Associate Counsel  
Meg Abbott, Committee Assistant  
Craig Swiecki, Committee Clerk  
Maegan Lynch, Program and Counsel Executive Secretary

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## **I. INTRODUCTION**

The Assembly Standing Committee on Local Governments considers the legislative needs of New York State's local governments, including counties, cities, towns, villages, school districts, fire districts, and various other special districts and local agencies. The Committee monitors the needs of local governments and strives to develop legislative remedies to those needs. The Committee also explores new proposals and ideas that will enable local governments to better serve the citizens of New York State. The Committee endeavors to see the enactment of laws that will further improve local governments' abilities to address their unique problems. The Committee is also interested in assisting local governments by considering legislation that will provide flexibility in municipal finances and consider other legislative solutions to help local governments remain financially solvent.

The Committee considers legislation that proposes to amend the General Municipal, Municipal Home Rule, Local Finance, County, Town, Village, Volunteer Firefighters' Benefit and Volunteer Ambulance Workers' Benefit Laws. Since the structure, powers and scope of local governments is broad, the Committee's concerns cover a wide range. Home rule legislation is also addressed. These bills deal with issues specific to a certain local government's jurisdiction and are intended to remedy a specific local concern. Through the use of home rule legislation to solve individual local needs, the Committee has helped resolve many unique situations and has enabled local governments all over the State to serve their citizens better.

## II. PUBLIC HEARINGS

### **Budget Implementation Hearing**

The Local Governments Committee, Real Property Taxation Committee and Cities Committee held a joint public hearing on December 5, 2012 to examine the effectiveness and the implementation of the grant programs within the Aid and Incentives for Municipalities (AIM) Program as funded in the 2012-2013 Budget.

The Citizen Empowerment Tax Credits, the Local Government Citizens Re-Organization Empowerment Grant Program, the Local Government Efficiency Grant Program, and the Local Government Performance and Efficiency Program are grants administered by the Department of State and designed to encourage, provide an incentive for and otherwise facilitate local governments considering consolidation, dissolution, mergers, shared services and other efficiencies of government.

The Committees heard testimony from the City of Syracuse, Onondaga County, and the Department of State. The hearing highlighted that the grant programs are an effective tool in promoting government efficiencies, and ultimately to reduce the property tax burden. However, the hearing also highlighted the fiscal crisis facing many of the state's municipalities, especially upstate cities such as Syracuse. Municipalities across the state are struggling to afford to continue to provide quality services to their residents. Cities such as Syracuse are requesting the Legislature and Governor provide them with more assistance and greater flexibility in dealing with state mandates and with public employee costs.

### **III. MAJOR ISSUES AND LEGISLATION OF 2012**

#### **A. LOCAL GOVERNMENT AID – ENACTED BUDGET**

New York State continued to face economic challenges when adopting the 2012-2013 State Budget. Fortunately, allocations were made to local governments for unrestricted aid and for grants to help municipalities achieve efficiencies and share services.

#### **Aid and Incentives to Municipalities (AIM)**

Aid and Incentives for Municipalities (AIM) funding is direct general purpose aid provided to towns, villages and cities. AIM funding for State Fiscal Year 2012-2013 included a total of approximately \$714.7 million. Eligible towns and villages received approximately \$67.6 million and cities approximately \$647 million.

#### **Local Government Grant Programs**

The 2012-2013 Budget contained funding to continue grant programs administered by the Department of State to provide assistance and incentives for local governments to consolidate, dissolve and share services.

The Citizen Empowerment Tax Credits program provides annual aid to a surviving municipality following a consolidation or dissolution. The aid equals fifteen percent of the new entity's tax levy, up to \$1 million. At least seventy percent of the aid will be required to be used for direct property tax relief.

The Citizens Re-organization Empowerment Grants provides grants, up to \$100,000, to local governments to pay for costs associated with studies and plans related to local government re-organization measures made pursuant to Article 17-A of the General Municipal Law.

The Local Government Performance and Efficiency Program provides grants of \$25 per resident, up to \$5 million, to local governments that have improved the overall efficiency of their operations to reduce property taxes through consolidations, dissolutions, mergers, shared services and other efficiencies.

The 2012-2013 Budget also re-appropriated \$4 million for the Local Government Efficiency Grant Program. This program will continue to provide grants to targeted counties, cities, towns, villages, special improvement

districts, fire districts, library districts, water authorities, sewer authorities, regional planning and development boards, school districts, and, in certain instances, Boards of Cooperative Educational Services (BOCES) that merge or share services. Grants are intended to cover costs associated with mergers, consolidations, cooperative agreements, dissolutions and shared services agreements including legal and consultant services, feasibility studies and capital investments.

## **B. MANDATE RELIEF**

### **Municipal Procurement**

**(A.8034-C Russell; Chapter 308 of the Laws of 2012)**

This legislation expands the opportunity for municipalities to use contracts for goods and services let by another governmental entity across the nation, or “piggyback” onto those contracts. This legislation will provide municipalities and school districts with an increased ability to lower their procurement costs.

### **Local Government Borrowing Flexibility**

**(A.10610 Magnarelli; Chapter 91 of the Laws of 2012)**

This legislation extends, for an additional three years, current provisions of law related to installment bonds, certificates of participation, variable rate bonds and notes, and the suspension of down payment requirements. The provisions contained in this legislation were originally enacted to provide municipalities with expanded debt issuance and management options. The extension of these provisions will ensure that municipalities continue to realize financial flexibility, while at the same time reserving the Legislature’s opportunity to review the implementation in light of changing fiscal conditions.

### **Westchester County Electronic Public Bond Sale Pilot Program**

**(A.9537 Paulin; Chapter 143 of the Laws of 2012)**

This legislation extends, until January 1, 2017, the authorization for an electronic public bond sale program in Westchester County. This program authorizes Westchester County to sell public bonds exclusively through electronic means, thereby increasing the speed and efficiency of the bidding process.

## **C. MUNICIPAL OFFICERS AND PUBLIC EMPLOYEES**

### **Village of West Hampton Dunes Constable**

**(A.9660 Thiele; Chapter 290 of the Laws of 2012)**

This legislation provides a residency exemption for the office of constable for the Village of West Hampton Dunes by authorizing the position be filled by any person who resides within Suffolk County. In some rural areas of New York, it can be difficult to fill local positions with residents. This legislation provides greater flexibility for the village to find an appropriate constable.

### **Town of Cambria Building Inspector**

**(A.10576 Gabryszak; Chapter 338 of the Laws of 2012)**

The town of Cambria requested legislation that provides them greater flexibility when hiring a building inspector. This legislation gives the town such flexibility by removing the requirement that the person fulfilling the duties of building inspector be an elector of such town.

### **Coroner Jurisdiction**

**(A.2688 Pretlow; Passed Assembly)**

The County Law provides that only the coroner or medical examiner of the county where a death has occurred has jurisdiction to investigate that death. In certain instances, crime victims found near death in one county will be rushed by police or ambulance to a hospital in another county because that hospital is the nearest with adequate trauma facilities. In the event of the patient's death, the homicide is prosecuted in the county where the crime occurred. This legislation would provide coroners of the county where the crime occurred with concurrent jurisdiction during investigations and autopsies.

## **D. MUNICIPAL FINANCES**

### **Redeposit Program**

**(A.8971 Magnarelli; Chapter 128 of the Laws of 2012)**

This legislation authorizes local governments, public benefit corporations and the State Comptroller to authorize a designated bank or trust company to arrange for the redeposit of public funds deposited in such designated bank or trust company into one or more other banking institutions, as defined in section nine-r of the Banking Law, throughout the country. Through this redeposit program, public deposits will be FDIC insured for the full amount of the deposit, rather than the current practice which requires collateralization on

any deposit amount in excess of \$250,000. At the same time a redeposit of public funds is made by a banking institution in New York, it receives an equal amount in deposits from other financial institutions participating in the program.

**Municipal Budgets and Finances**  
**(A.9692 Magnarelli; Chapter 255 of the Laws of 2012)**

This legislation was requested by the Office of the Comptroller and it makes permanent the five million dollar cap on the private sale of certain bonds, as well as makes a technical amendment to the local finance law. The technical amendment relates to the timeframe for changes to proposed municipal and school district budgets based on recommendations from the Comptroller or Education Commissioner. It makes clear that these proposed changes would need to be made within five days prior to the adoption of the budget.

**Private Activity Bond Allocation**  
**(A.9693 Magnarelli; Chapter 83 of the Laws of 2012)**

The system for multi-year funding of large development projects has served New York well. Bond issuers around the State are familiar with the existing process. The statutory continuation of this process provides the most efficient approach to the allocation of the State's bond volume cap, which is established by the federal government. One-third of the statewide allocation is distributed to Industrial Development Agencies (IDAs); one-third to State agencies; and one-third to a statewide bond reserve, for use by both State and local agencies and local governments. This legislation's multi-year provision permits projects to proceed by providing funds in the actual year they are needed. This legislation also continues the development of much-needed affordable housing for all New Yorkers, and helps support construction activity and jobs.

**Erie County Private Bond Sales**  
**(A.9355 Schimminger; Chapter 80 of the Laws of 2012)**

This legislation extends, until June 30, 2013, the authority for the underwriting or sale of Erie County bonds or notes at private sale. This legislation provides Erie County with additional fiscal flexibility by permitting the county to determine the timing and nature of bond sales.

### **Bond Anticipation Notes**

**(A.9570-A Latimer; Chapter 264 of the Laws of 2012)**

This legislation extends the “roll over” period for bond anticipation notes issued in the calendar year 2007-2008 to seven years beyond the original issuance. This legislation provides municipalities flexibility in converting short term debt into long term debt.

### **Best Value Procurement**

**(A.8692 Heastie; Chapter 2 of the Laws of 2012)**

This legislation is a chapter amendment to Chapter 608 of the Laws of 2011 and makes technical amendments relating to obtaining the best value when procuring public contracts. It makes clear that local governments are authorized, rather than required, to award contracts based on a best value basis. In addition, this chapter amendment requires local governments, other than the city of New York, to authorize the use of best value procurement through the adoption of a local law.

### **Surety Bonds**

**(A.9676 Morelle; Chapter 416 of the Laws of 2012)**

This legislation authorizes local governments to accept “eligible surety bonds” from an institution rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization. Currently, eligible surety bonds are required to be in the highest rating category by at least two nationally recognized statistical rating organizations.

### **Constitutional Sewage Indebtedness**

**(A.9691 Magnarelli; Passed Assembly and Senate)**

This Constitutional amendment extends, until 2024, the section of the Constitution that provides that any indebtedness incurred from projects related to sewage facility construction or reconstruction is not to be included in a municipality’s constitutional debt limit. The current authorization expires in 2014. This marks the first year of passage for this Constitutional amendment.

## **E. MUNICIPAL CORPORATIONS**

### **Audit Responses**

**(A.3214 Sweeney; Passed Assembly)**

Audit reports are important tools for the efficient management of local governments. They are most effective when local officials promptly focus on

audit findings and recommendations and address any deficiencies. Written responses also help foster greater accountability to the taxpayers of local governments. This legislation would require municipalities, IDAs, and special districts to respond in writing to audits performed by the Office of the State Comptroller or to external audits performed by independent public accountants.

**Ward System Elections**  
**(A.2116 McEneny; Passed Assembly)**

Historically, the phrase “ward system” has been very closely associated with cities. Since towns are governed by town boards made up of elected council members, it would be more consistent to call the system a council district system instead of a ward system. This legislation would amend the Town Law to replace the phrase “ward system” with “council district system.”

**Watershed Protection Improvement Districts**  
**(A.7119A Thiele; Chapter 378 of the Laws of 2012)**

This legislation allows towns to create watershed protection improvement districts in the same manner as the creation of other town special improvement districts. This legislation empowers town boards to create these special districts and to take actions, as may be required, for the protection and restoration of groundwater, surface waters, and drinking water quality including, but not limited, to stormwater treatment projects and wetland construction.

**Dormant Local Agency Dissolution**  
**(A.8823A Magnarelli; Chapter 373 of the Laws of 2012)**

This legislation dissolves various urban renewal agencies and industrial development agencies (IDAs) that are no longer functional or were never established at the local level. The books, records and remaining rights of such agencies will be transferred to the municipality that created it. In addition, this legislation provides that IDAs shall continue to exist if they have current straight lease transactions, despite having no outstanding debt.

**Onondaga County Foreign Trade Zone**  
**(A.9336 Magnarelli; Chapter 26 of the Laws of 2012)**

This bill authorizes Onondaga County to change the boundaries of its foreign trade zone to include the adjacent counties of Cayuga, Oswego and Madison.

### **Annexation**

**(A.5823-A Gunther; Chapter 190 of the Laws of 2012)**

This legislation amends the current annexation process by allowing the governing boards of two or more municipalities to initiate an annexation of territory, by joint resolution, other than for territory that is entirely uninhabited or territory in an agricultural district or territory eligible for an agricultural assessment pursuant to article 25-aa of the agricultural and market law. This legislation provides an additional mechanism for municipalities to accomplish annexation of territory.

## **F. EMERGENCY SERVICES**

### **Volunteer Wilderness/Inland Search and Rescue Team**

**(A.5668-A Magee; Chapter 115 of the Laws of 2012)**

This legislation authorizes municipalities to contract for the assistance of volunteer wilderness/inland search and rescue teams when requiring additional assistance in locating and rescuing people. These official relationships between municipalities and volunteer wilderness/inland search and rescue teams will lead to more positive outcomes when conducting search and rescue operations.

### **Town of Salem Fire Protection District**

**(A.9865 Jordan; Chapter 418 of the Laws of 2012)**

Municipalities consolidating layers of government can bring about efficiencies and be an effective cost saving measure. This legislation allows the town of Salem to extend the town fire protection district into the village of Salem in order to achieve such efficiencies and cost savings. The newly extended fire protection district will encompass the entire corporate limits of the village of Salem.

### **Joint Purchase Contracts**

**(A.10279-A Sweeney; Chapter 407 of the Laws of 2012)**

This legislation provides cost savings opportunities for fire corporations, volunteer fire companies and fire departments by authorizing the joint purchase of goods, supplies and services between and among municipal corporations and fire protection entities.

## **G. DUTIES AND POWERS OF LOCAL GOVERNMENTS**

### **School District Confirmation**

**(A.4580-A Englebright; Passed Assembly)**

An important factor in determining whether to purchase a home is often school district location. For newly-constructed homes, some developers have guessed as to the likely school district the parcels are located in without knowing for sure. This legislation would authorize municipal planning boards to require the developers of a proposed subdivision to apply for and receive notification from a school district as to whether such parcel is located within the school district's boundaries.

### **Accommodating the Use of Renewable Energy Sources**

**(A.314 Paulin; Passed Assembly)**

This legislation would require that when a town or village creates zoning and planning regulations, they consider, in addition to other established factors, the accommodation of renewable energy sources.

### **Yonkers Bureau of Administrative Adjudication**

**(A.10015 Mayer; Chapter 392 of the Laws of 2012)**

This legislation authorizes the city of Yonkers to adopt a local law creating a bureau of administrative adjudication for all code and ordinance violations that present a threat to public health, safety or welfare, other than building code violations. This legislation will help to alleviate the burden these types of cases have placed on the city's court.

### **Urban Development Action Area Waivers**

**(A.10158 Espinal; Chapter 76 of the Laws of 2012)**

Currently, the sale of New York City-owned land is subject to the Uniform Land Use Review Procedure (ULURP), which can take up to 11 months to complete. The lengthy process often has serious consequences for federally-funded housing projects for low income, elderly and disabled people. The United States Department of Housing and Urban Development (HUD) provides a lower cost alternative to traditionally financed projects. Once allocated, the HUD funding timeframes are not negotiable. The length of the ULURP process jeopardizes HUD funding by adding time to the development process and causes costs to rise by leaving the City in the position of having to fill the gap with other funding sources.

This legislation extends, until June 30, 2015, the review process to be conducted pursuant to the streamlined Urban Development Action Area Procedure (UDAAP), which will take a maximum of 150 days, thereby reducing the approval timeframe by six to nine months. The City Council will retain its full land use review authority. This ability to accelerate the land use approval process may apply to up to six Urban Development Action Area Projects in any calendar year for the development of 90 housing units or less that will be occupied by the elderly or persons with disabilities.

## **IV. OTHER ENACTED LEGISLATION**

### **Town of Cheektowaga Lease of Parkland**

**(A.2583-B Gabryszak; Chapter 301 of the Laws of 2012)**

This legislation extends a previously authorized lease of parkland in the town of Cheektowaga for an additional ten years beyond the expiration of the original lease.

### **Town of Islip Lease of Parkland**

**(A.6092-B Fitzpatrick; Chapter 303 of the Laws of 2012)**

In 1996 the town of Islip was authorized to lease parkland to a business corporation for a term not to exceed thirty years. This legislation authorizes the town of Islip to extend the terms of the lease of this parkland for up to ten additional years from the date of its expiration.

### **Mount Kisco Urban Renewal Agency**

**(A.8880 Castelli; Chapter 282 of the Laws of 2012)**

This legislation dissolves the Mount Kisco Urban Renewal Agency and requires that all records, property, rights, titles and interests of the agency vest with the Village of Mount Kisco.

### **Orange and Sullivan County Boundary Lines**

**(A.9160 Gunther; Chapter 212 of the Laws of 2012)**

Orange County and Sullivan County have been trying to determine the exact boundary between the counties for many years. This legislation clarifies the exact and precise boundary line between Orange County and Sullivan County. Additionally, this legislation prohibits any adjustments of monies be made for taxes which may have been collected or which may have accrued prior to the enactment of this legislation.

### **Town of Southampton Parkland**

**(A.9237-A Thiele; Chapter 314 of the Laws of 2012)**

This bill authorizes the town of East Hampton to alienate, transfer and convey at fair market value its interest in certain parklands jointly owned by the towns of East Hampton and Southampton to the town of Southampton for continued use as park and recreational purposes.

**Village of Patchogue Infrastructure Improvements**  
**(A.7837-C Murray; Chapter 121 of the Laws of 2012)**

This legislation authorizes the village of Patchogue to use certain surplus sewer rent revenues for general village infrastructure improvements, or be placed in a capital reserve fund, not to exceed forty percent of the surplus. Additionally, this legislation requires Patchogue to adjust its sewer rents, and take other actions as may be necessary, to avoid future sewer rent surpluses.

**Village of Sherburne Infrastructure Improvements**  
**(A.9641-C Magee; Chapter 222 of the Laws of 2012)**

This legislation authorizes the village of Sherburne to use certain surplus sewer rent revenues for general village infrastructure improvements, or be placed in a capital reserve fund, not to exceed forty percent of the surplus. Additionally, this legislation requires Sherburne to adjust its sewer rents, and take other actions as may be necessary, to avoid future sewer rent surpluses.

**Nassau County Parkland**  
**(A.9739-B Montesano; Chapter 417 of the Laws of 2012)**

This legislation authorizes Nassau County to convey a parcel of parkland to the Oyster Bay Water District. Additionally, this legislation authorizes and empowers Nassau County to convey to the Oyster Bay Water District an easement encompassing a radius of 200 feet surrounding the well head to be installed on the parkland. The county has identified lands to be acquired and dedicated as parkland as replacement land for the parkland being conveyed.

**Onondaga County Parkland Lease**  
**(A.9760-A Magnarelli; Chapter 322 of the Laws of 2012)**

This legislation authorizes Onondaga County to enter into a lease of waterfront parklands with Syracuse University for up to twenty-five years and upon such terms, conditions and provisions agreed upon by the county and university for boating and recreational purposes. The legislation requires the county to dedicate an amount equal to or greater than the fair market value of the lease for the capital improvement of Onondaga Lake Park and/or for capital improvements of existing park and recreational facilities and/or for the acquisition of additional waterfront park and recreational facilities.

**Saratoga County Reforestation Lands**  
**(A.9800 Sayward; Chapter 293 of the Laws of 2012)**

This legislation authorizes Saratoga County to discontinue certain lands as reforestation lands that were previously acquired for reforestations purposes in order to effectuate the construction of a water pump station. The county has identified land to acquire and dedicate as reforestation lands as replacement reforestation land.

**Onondaga County Parkland Lease**  
**(A.9945 Magharelli; Chapter 296 of the Laws of 2012)**

Onondaga County has been leasing a marina and surrounding land in Onondaga County Lake Park to the Onondaga Yacht Club since 1937 to promote boating on the lake. This legislation authorizes the county to continue to lease such waterfront parklands and improvements for up to twenty-five years upon such terms, conditions and provisions mutually agreed upon by the county and the yacht club for boating and related recreational activities. The legislation requires the county to dedicate an amount equal to or greater than the fair market value of the lease for the capital improvement of Onondaga Lake Park and/or for the capital improvement of existing park and recreational facilities and/or for the acquisition of additional waterfront park and recreational facilities.

**Town of Alden Parkland**  
**(A.10006 Corwin; Chapter 84 of the Laws of 2012)**

This legislation authorizes the town of Alden to grant an easement on town parkland to the village of Alden for the construction, and for repairs when necessary, of a water supply transmission main. After the completion of construction, this legislation requires the village to restore the surface of the lands and for the lands to continue to be used for park and recreational purposes.

**Clifton Park Parkland Lease**  
**(A.10217-A Reilly; Chapter 168 of the Laws of 2012)**

This legislation authorizes the town of Clifton Park to lease, and to grant an easement on, town parklands to Independent Towers, LLC for up to twenty-five years for the operation of a wireless telecommunications facility.

**Town of Greenburgh Parkland Lease**  
**(A.10454 Abinanti; Chapter 334 of the Laws of 2012)**

This legislation authorizes the town of Greenburgh to lease, for up to thirty years, town parkland for the operation of seasonal tennis facilities.

**Town of Amherst Parkland Alienation**  
**(A.10526 Walter; Chapter 356 of the Laws of 2012)**

This legislation authorizes the town of Amherst to discontinue and convey certain town parklands. The legislation requires the town of Amherst to acquire and dedicate as parklands replacement lands which are of equal or greater fair market value than the parkland to be discontinued, and which are identified by the legislation.

## **V. OUTLOOK FOR 2013**

The Committee recognizes the difficult economic outlook that the municipalities and citizens of New York have faced and will continue to face in the year to come. The State will likely be confronted with many budgetary challenges. The Committee will build on the successes of the 2012 legislative session and continue to find ways to achieve savings for local governments, as well as explore other ways to reduce the cost of government in New York State.

In addition, the Committee will take an active role in examining the immediate need for meaningful mandate relief for our struggling municipalities, including participating in and monitoring the work of the Mandate Relief Council. The rising costs of public pensions, Medicaid, education, Early Intervention, correctional services, public safety, highway and transportation services, and social services, to name a few, must be addressed and the Committee will try to help lessen the burden placed on the backs of local governments.

The Committee will also continue to advocate for the fair and equitable distribution of local government aid. Local governments rely on a stable and predictable revenue stream from the State.

The Committee also plans to examine the role that industrial development agencies, and other local economic development agencies, play in New York State's economic development. The Committee is interested in ensuring that these local agencies are transparent and accountable, with records that are easy to obtain and to understand, that they are creating good jobs, and that they are providing a decent return on the taxpayer funded investments being made. The Committee will examine legislative options to address these concerns.

The Assembly Standing Committee on Local Governments will also continue to address the needs of municipalities by examining home rule legislation in 2013 and strive to see the enactment of home rule bills that provide communities with a remedy to their locally specific situations.

## APPENDIX A

### 2012 SUMMARY OF ACTION ON ALL BILLS REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENTS

| <u>Final Disposition</u>                    | <u>Assembly<br/>Bills</u> | <u>Senate<br/>Bills</u> | <u>Total</u> |
|---|---------------------------|-------------------------|--------------|
| Bills Reported                              | <b>80</b>                 | <b>0</b>                | <b>80</b>    |
| To Floor                                    | 5                         | 0                       | 5            |
| To Ways and Means                           | 58                        | 0                       | 58           |
| To Codes                                    | 11                        | 0                       | 11           |
| To Rules                                    | 6                         | 0                       | 6            |
| To Judiciary                                | 0                         | 0                       | 0            |
| <br>  |                           |                         |              |
| Bills Having Enacting<br>Clauses Stricken   | <b>15</b>                 | <b>0</b>                | <b>15</b>    |
| <br>  |                           |                         |              |
| Bills Having Committee<br>Reference Changed | <b>9</b>                  | <b>0</b>                | <b>9</b>     |
| <br>  |                           |                         |              |
| Senate Bills Substituted<br>Or Recalled     |                           | <b>15</b>               | <b>15</b>    |
| <br>  |                           |                         |              |
| Bills Never Reported, Held<br>In Committee  | <b>28</b>                 | <b>0</b>                | <b>28</b>    |
| <br>  |                           |                         |              |
| Bills Never Reported, Died in Committee     | <b>191</b>                | <b>21</b>               | <b>212</b>   |
| <br>  |                           |                         |              |
| <b>Total in Committee</b>                   | <b>323</b>                | <b>36</b>               | <b>359</b>   |
| <br>  |                           |                         |              |
| <b>TOTAL NUMBER OF MEETINGS HELD</b>        | <b>10</b>                 |                         | <b>10</b>    |

## APPENDIX B

### Chapter Laws of 2012

| <u>Bill #</u> | <u>Sponsor</u> | <u>Description</u>   | <u>Chapter</u> |
|---------------|----------------|--|----------------|
| A.2583B       | Gabryszak      | Authorizes the town of Cheektowaga to extend the lease of certain parklands located in such town.  | 301            |
| A.5668A       | Magee          | Authorizes a municipality to contract for the assistance of a volunteer wilderness/inland search and rescue team.                                | 115            |
| A.5823A       | Gunther        | Authorizes two or more municipalities to initiate an annexation of inhabited territory.  | 190            |
| A.6092B       | Fitzpatrick    | Authorizes the town of Islip to extend a lease of certain parklands for ten additional years.  | 303            |
| A.7119A       | Thiele         | Authorizes town boards to establish and extend watershed improvement districts.  | 378            |
| A.7837C       | Murray         | Authorizes the use of surplus sewer rents for infrastructure projects other than sewer projects for the village of Patchogue.                    | 121            |
| A.8034C       | Russell        | Authorizes municipalities and districts to jointly contract for certain goods and services with the state, the United States or any other state. | 308            |
| A.8268A       | Thiele         | Authorizes Suffolk County to regulate taxicabs, limousines, and livery vehicles.   | 382            |
| A.8559A       | Crouch         | Legalizes the dissolution of the offices of fire commissioners by the town of Deposit.   | 413            |
| A.8692        | Heastie        | Authorizes municipalities to obtain the best value for purchase contracts.   | 2              |
| A.8823A       | Magnarelli     | Dissolves certain inactive industrial development agencies and urban renewal agencies.   | 373            |
| A.8847B       | Butler         | Authorizes the town of Frankfort to finance a litigation settlement by the issuance of serial bonds and/or anticipation notes.                   | 194            |
| A.8880        | Castelli       | Repeals the Mount Kisco Urban Renewal Agency.  | 282            |

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| A.8971  | Magnarelli  | Authorizes the state, local governments, and public authorities to arrange for redeposit of moneys through a deposit placement program.   | 128 |
| A.9036A | Gunther     | Authorizes the reestablishment of the Middletown Community Development Agency.  | 200 |
| A.9160  | Gunther     | Defines and fixes the exact and precise boundary line between the county of Orange and the county of Sullivan.  | 212 |
| A.9237A | Thiele      | Authorizes the town of East Hampton to alienate and convey its interest in parkland, jointly owned by the towns of East Hampton and Southampton, to the town of Southampton.        | 314 |
| A.9301  | Jaffee      | Authorizes the county of Rockland to regulate the registration and licensing of taxicabs, limousines, and livery vehicles.  | 385 |
| A.9336  | Magnarelli  | Permits the county of Onondaga to collaborate with other counties with respect to operating and maintaining a foreign trade zone.   | 26  |
| A.9355  | Schimminger | Permits the county of Erie to market serial bonds at private sale through June 30, 2013.  | 80  |
| A.9537  | Paulin      | Extends, until January 1, 2017, the expiration of the electronic public bond sale pilot program for the county of Westchester.  | 143 |
| A.9570A | Latimer     | Provides that bond anticipation notes issued during calendar years 2007 and 2008 may not extend more than 7 years beyond original date of issuance of such bond notes.              | 264 |
| A.9641C | Magee       | Authorizes the use of surplus sewer rents for certain infrastructure projects in the village of Sherburne.  | 222 |
| A.9660  | Thiele      | Provides a residency exemption for the office of constable of the village of West Hampton Dunes.  | 290 |
| A.9676  | Morelle     | Allows eligible surety bonds to be rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.                       | 416 |
| A.9692  | Magnarelli  | Makes a technical change to the local finance law related to the timeframe for changes to proposed budgets based on recommendations from the Comptroller or Education Commissioner. | 255 |

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| A.9693  | Magnarelli | Enacts the private activity bond allocation act of 2012.   | 83  |
| A.9698  | Butler     | Amends chapter 578 of 2011 authorizing the village of Herkimer to finance a litigation settlement by the issuance of serial bonds and/or anticipation notes.                                 | 82  |
| A.9729A | Butler     | Amends chapter 585 of 2011 authorizing the village of Ilion to finance a litigation settlement by the issuance of serial bonds and/or anticipation notes.                                    | 81  |
| A.9735A | Johns      | Validates certain findings and determinations with respect to bond anticipation notes issued by the village of Webster.  | 321 |
| A.9739B | Montesano  | Authorizes the county of Nassau to convey certain parklands to the Oyster Bay Water District.  | 417 |
| A.9760A | Magnarelli | Authorizes Onondaga County to lease certain parkland located within Onondaga Lake Park to Syracuse University for park and recreational purposes.  | 322 |
| A.9795  | Miller, J. | Changes the residency requirement for the office of town comptroller for the town of Fishkill.   | 292 |
| A.9800  | Sayward    | Authorizes Saratoga County to discontinue for reforestation purposes the use of certain lands and to convey such lands.  | 293 |
| A.9865  | Jordan     | Authorizes the town of Salem to extend the Salem Fire Protection District into the village of Salem.   | 418 |
| A.9945  | Magnarelli | Authorizes a lease of parklands between the county of Onondaga and the Onondaga Yacht Club for boating and related recreational purposes.  | 296 |
| A.10006 | Corwin     | Authorizes the town of Alden to convey an easement on parkland to the village of Alden.  | 84  |
| A.10015 | Mayer      | Authorizes the city of Yonkers to adopt a local law creating a bureau of administrative adjudication for certain code and ordinance violations.  | 392 |
| A.10158 | Espinal    | Extends authorization to designate urban development action areas until June 30, 2015.   | 76  |
| A.10200 | Reilich    | Authorizes the village of Brockport, the town of Sweden fire protection district and the town of Clarkson fire protection district to transfer certain funds to the Brockport Fire District. | 428 |

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| A.10217A | Reilly             | Authorizes the town of Clifton Park to discontinue the use of certain parkland and to lease such land for use as a wireless communications facility.   | 168 |
| A.10279A | Sweeney            | Authorizes fire, hose, protective or hook and ladder corporations, volunteer fire companies or fire departments to enter into contracts among themselves and among municipal corporations for the joint purchase of goods, supplies, and services.                         | 407 |
| A.10454  | Abinanti           | Authorizes the town of Greenburgh to lease certain parklands for tennis uses.  | 334 |
| A.10522  | Rules (Burling)    | Validates, ratifies, and confirms certain bonds issued by the village of Dansville, in the county of Livingston, and authorizes issuance of further bonds.   | 353 |
| A.10523  | Rules (Cahill)     | Validates certain actions taken by village of Ellenville related to the adoption of bond resolutions which financed the acquisition, construction and reconstruction of improvements to the village sewer system.  | 335 |
| A.10526  | Rules (Walter)     | Authorizes the town of Amherst to alienate and convey certain parcels of land used as parkland and to acquire other parcels of land to replace such parkland.  | 356 |
| A.10576  | Rules (Gabryszak)  | Authorizes the building inspector of the town of Cambria to reside outside of such town.   | 338 |
| A.10610  | Rules (Magnarelli) | Extends, until July 15, 2015, certain provisions authorizing municipalities and school district to extend the time frame for payment of the first installment on serial bonds and provides increased flexibility in the redemption of installment bonds prior to maturity. | 91  |
| A.10637  | Rules (Giglio)     | Authorizes the town of Ellicotville to transfer funds from an unappropriated fund balance for the construction of a highway garage.  | 432 |

**APPENDIX C**

**Veto of 2012**

| <b><u>Bill #</u></b> | <b><u>Sponsor</u></b> | <b><u>Description</u></b>  | <b><u>Veto<br/>Memo #</u></b> |
|----------------------|-----------------------|--|-------------------------------|
| A.5933               | Weisenberg            | Provides that firefighters who die in the line of duty have their names inscribed on the New York State Fallen Firefighter Memorial.   | 85                            |
| A.9211               | Magnarelli            | Authorizes municipalities and school districts to issue serial bonds in order to finance extraordinary flood relief expenses incurred during their 2011 fiscal year and for related flood expenses incurred before July 1, 2012. | 151                           |