



New York State Assembly

Sheldon Silver

Speaker



2013

**ANNUAL
REPORT**

Committee on
Local Governments

William B. Magnarelli

Chairman





THE ASSEMBLY
STATE OF NEW YORK
ALBANY

WILLIAM B. MAGNARELLI
Assemblyman 120th District

CHAIR
Local Governments
COMMITTEES
Economic Development, Job Creation,
Commerce and Industry
Education
Oversight, Analysis and Investigation
Steering

December 15, 2013

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 2013 Annual Report of the Assembly Standing Committee on Local Governments.

Throughout the year, the Committee addressed many significant issues, including providing financial flexibility to those communities devastated by Superstorm Sandy, providing additional benefits to volunteer emergency workers, providing mandate relief and other flexibility in municipal finances, 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,

A handwritten signature in black ink that reads "William B. Magnarelli".

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

DISTRICT OFFICE: State Office Building, 333 East Washington Street, Room 840, Syracuse, New York 13202, (315) 428-9651
ALBANY OFFICE: Room 837, Legislative Office Building, Albany, New York, 12248, (518) 455-4826



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**2013 ANNUAL REPORT
OF THE NEW YORK STATE ASSEMBLY
STANDING COMMITTEE ON LOCAL GOVERNMENTS**

William B. Magnarelli, Chairman

Committee Members

David F. Gant
William Magee
Ellen Jaffee
Philip Ramos
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William Boyland Jr.
Addie J. Russell
Dennis Gabryszak
Harry Bronson
Sean Ryan
Anthony Brindisi
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Mark Gjonaj
Frank Skartados

Christopher Friend
Annie Rabbitt
Thomas McKevitt
Tony Jordan
Dan Stec

Staff

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

TABLE OF CONTENTS

I. INTRODUCTION	1
II. PUBLIC HEARINGS	2
III. MAJOR ISSUES AND LEGISLATION OF 2013	3
A. LOCAL GOVERNMENT AID – ENACTED BUDGET	3
B. DISASTER RELIEF	4
C. MANDATE RELIEF	6
D. FINANCIAL RESTRUCTURING BOARD	6
E. MUNICIPAL OFFICERS AND EMPLOYEES	7
F. MUNICIPAL FINANCES	8
G. MUNICIPAL CORPORATIONS	9
H. EMERGENCY SERVICES.....	11
IV. OTHER ENACTED LEGISLATION.....	13
V. OUTLOOK FOR 2014.....	16
APPENDIX A	17
APPENDIX B	18
APPENDIX C	22

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

Risk Mitigation after Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee

The Local Governments Committee, in conjunction with the Governmental Operations committee hosted a hearing to examine the risk mitigation practices that have developed after three recent intense and devastating natural disasters hit New York State: Superstorm Sandy, Hurricane Irene and Tropical Storm Lee. Testimony was heard from a diverse group of witnesses including the Deputy Commissioner of Special Programs for the New York State Division of Homeland Security and Emergency Services, a Service Professor of Oceanography from Stony Brook University, and the Executive Vice President for the Home Care Association of New York State.

Discussions at the hearing focused on the changing climate and increased frequency and intensity of natural disasters. Risk mitigation is a top priority for the New York State Assembly and the testimony presented reinforced this important function of New York State government. Other testimony included hearing that 120 officials from 56 counties have completed the first ever comprehensive Emergency Management Certification program. Recommendations were given that no new structures should be built in flood plains. The importance of developing regional protection by constructing storm surge barriers was also discussed. Testimony was also presented that recommended further education for local response agencies and incident commanders regarding home care and hospice services in order to better assist some of the most vulnerable people during a natural disaster.

The hearing revealed that New York State needs to continue to devise a risk mitigation plan that will prepare the State for the next natural disasters.

III. MAJOR ISSUES AND LEGISLATION OF 2013

A. LOCAL GOVERNMENT AID – ENACTED BUDGET

New York State continued to face economic challenges when adopting the 2013-2014 State Budget. Fortunately, allocations were made to local governments for unrestricted aid, for grants to help municipalities achieve efficiencies and share services, and for aid to four villages that had previously not received such State aid.

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 2013-2014 included a total of approximately \$714.7 million. Eligible towns and villages received approximately \$67.6 million and cities approximately \$647 million.

Per Capita Aid to Villages

The 2013-2014 Budget included a new source of aid to four villages that would not otherwise be eligible for AIM because they were incorporated after the AIM program was established. The villages of Sagaponack, Mastic Beach, South Blooming Grove, and Woodbury will receive per capita aid totaling \$1.5 million.

Local Government Grant Programs

The 2013-2014 Budget contained funding to continue grant programs administered by the Department of State to provide assistance and incentives for local governments to consolidate, dissolve, share services, and find other efficiencies. These programs include: Citizen Empowerment Tax Credits, Citizens Re-organization Empowerment Grants, Local Government Performance and Efficiency Program, and Local Government Efficiency Grant Program.

The enacted Budget also included modifications to the Local Government Citizens Re-Organization Empowerment Grant Program (CREG) and the Local Government Efficiency Grant Program (LGEG) to require a greater match of local funds, from ten percent to at least fifty percent. This increase will be refunded or credited if the associated plan is implemented. In addition, CREG grants related to study projects will now be required to examine legal issues and impediments surrounding a proposed local government

reorganization and to recommend steps to complete the reorganization. Other changes included lowering the maximum LGEG awards for planning grants. The maximum award per municipality is \$12,500 and the maximum award per grant is \$100,000.

The Department of State is also now required to review CREG and LGEG applications within one week of receipt to ensure that the correct application was submitted and that there are no portions of the application that contain no information. The Department of State must notify such applicant of any such application details within one day. The applicant now has the opportunity to correct the error before the application deadline. In addition, the Department of State is now required to notify each applicant in writing of their approval or denial.

Industrial Development Agency Projects

The 2013-2014 Budget included changes to the types of projects Industrial Development Agencies (IDAs) are permitted to finance. IDAs are now prohibited from financing retail projects, other than retail projects that are considered to be a “tourism destination,” are located in a highly distressed area, or would make goods or services reasonably accessible where they otherwise are not. This ban on retail is essentially the same ban on retail that expired in 2008.

Other changes include requiring IDAs to report all state sales tax exemptions for each project it supports to the commissioner of taxation and finance and requiring IDAs to turnover any state sales tax that it recaptures to the commissioner of taxation and finance. In addition, IDAs are now required to prepare an annual compliance report to the commissioner of taxation and finance on efforts to recapture state sales taxes, and the commissioner of taxation and finance now has the authority to audit IDAs related to state sales tax exemptions.

B. DISASTER RELIEF

Inter-fund Advances

(A.5549 Magnarelli; Chapter 421 of the Laws of 2013)

This legislation was requested by the Office of the State Comptroller and allows for the repayment of inter-fund advances for costs attributed to Hurricane Sandy to be made by the close of the fiscal year next succeeding the fiscal year in which such advance was made. Municipalities will have one additional year to repay any inter-fund advances made for Hurricane Sandy costs.

Reserve Funds

(A.5550 Magnarelli; Chapter 422 of the Laws of 2013)

This legislation was requested by the Office of the State Comptroller and allows the governing board of a town, village, county, city, water improvement district, sewer improvement district, fire district or school district to adopt a resolution that authorizes expenditures from capital reserve funds for capital costs attributable to Hurricane Sandy. Additionally, such local governments are authorized to temporarily transfer moneys from reserve funds to pay for operating costs attributable to Hurricane Sandy.

Extraordinary Storm Relief Expenses

(A.5551 Magnarelli; Chapter 476 of the Laws of 2013)

This legislation was requested by the Office of the State Comptroller and provides additional options to pay for extraordinary storm relief expenses by authorizing municipalities, school districts and district corporations to issue serial bonds in order to finance expenses incurred for storm relief projects necessitated by damage caused by Hurricane Sandy. In addition, this legislation allows such extraordinary expenses to include any interest payments on revenue anticipation notes issued in anticipation of the receipt of moneys from the state or federal government due to such storm pursuant to any state or federal disaster relief act.

Filing Fees Exemption

(A.6725A Weisenberg; Chapter 350 of the Laws of 2013)

This legislation would allow counties which have been included in the federal disaster declaration for Hurricane Sandy to exempt all county clerk filing fees required pursuant to section 8019 and 8021 of the Civil Practice Law and Rules made between October 28, 2012 and December 31, 2012 related to a U.S. Small Business Administration Disaster Loan.

Industrial Development Agency Retail Project Financing

(A.8025 Weisenberg; Veto Memo 222 of 2013)

This legislation would authorize industrial development agencies (IDAs) to provide financial assistance to retail projects located in a county that contains an area where the governor has declared a disaster emergency pursuant to section 28 of the Executive Law.

C. MANDATE RELIEF

Electronic Aging of Local Legislation **(A.472 Magnarelli; Chapter 426 of Laws of 2013)**

This legislation authorizes proposed local laws to age electronically on the desks of members instead of requiring paper copies to be upon on all the desks. This will afford municipalities an additional mechanism to save money and to keep pace with changing technology.

Electronic Procurement **(A.7212 Magnarelli; Chapter 298 of the Laws of 2013)**

This legislation extends, until June 1, 2018 the provisions of Chapter 62 of the Laws of 2003 authorizing municipalities to accept competitive bids submitted in an electronic format, while still preserving the option for vendors to submit paper bids.

Electronic Bids for Bond Sales **(A.493A Paulin; Chapter 494 of the Laws of 2013)**

This legislation authorizes municipalities, school districts, and district corporations to require the receipt of bids in electronic format as the sole method for submission of bids for bond sales.

D. FINANCIAL RESTRUCTURING BOARD

(A.8086 Farrell, Chapter 67 of the Laws of 2013)

This legislation was at the request of the Governor, and was referred to the Ways and Means Committee. It creates a new entity called the Financial Restructuring Board for Local Governments. Local governments are now able to receive fiscal guidance and support through this board. In addition to the creation of the board, this legislation authorizes the Financial Restructuring Board for Local Governments to award Local Government Performance and Efficiency grants and loans to fiscally eligible municipalities. The board will determine eligibility based on a number of factors described in the legislation. It is completely voluntary for a local government to seek the guidance of the board. However, if a local government accepts a grant or loan, then the local government is obligated to fulfill the recommendations of the board.

The impact of this legislation will hopefully be a model of success to help struggling municipalities improve their fiscal outlook through financial reforms, restructuring, and other efficiencies in service delivery.

E. MUNICIPAL OFFICERS AND EMPLOYEES

Coroner Jurisdiction **(A.3859 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 took place concurrent jurisdiction with the county in which the death occurred during investigations and autopsies.

Residency Requirement Exemptions

It can at times be difficult for municipalities to hire public officers that are also residents of the municipality, as is required by law. The Committee considered several bills that would provide flexibility in filling these offices through an exemption to the residency requirement. The following are public officer residency exemptions granted in 2013:

Village of Macedon Clerk/Treasurer **(A.5007B Oaks; Chapter 45 of the Laws of 2013)**

Town of Kirkwood Building Inspectors and Code Officers **(A.5474 Crouch; Chapter 139 of the Laws of 2013)**

Town of Piercefield Town Justice **(A.5670 Duprey; Chapter 145 of the Laws of 2013)**

Village of Penn Yan Clerk-Treasurer **(A.5682 Palmesano; Chapter 143 of the Laws of 2013)**

Town of Lyndon Justice **(A.6726 Giglio; Chapter 156 of the Laws of 2013)**

F. MUNICIPAL FINANCES

Financing Judgments

(A.7099 Magnarelli; Chapter 77 of the Laws of 2013)

This legislation extends the authorization of Chapter 791 of the Laws of 1980, until June 15, 2018, for municipalities to finance tax judgments through the issuance of debt. These types of judgments will continue to have a period of probable usefulness in the local finance law for an additional five years.

Health Insurance Reserves

(A.2327 Paulin; Passed Assembly)

This legislation would permit municipalities and school districts to establish health insurance reserve funds. This authorization would be particularly useful to municipalities and school districts that self-insure its employees' health insurance because expenditures can be unpredictable for self-insuring municipalities and school districts.

Rockland County Deficit Financing Act

(A.6758 Jaffee; Chapter 468 of the Laws of 2013)

This legislation authorizes Rockland County to issue serials bonds on or before September 20, 2014 in an aggregate principal amount not to exceed \$96 million for the specific purpose of liquidating current deficits in its general fund as of December 31, 2010, December 31, 2011 and December 31, 2012. This legislation will greatly help Rockland County to recover from its financial difficulties.

Town of Ulster Bond Anticipation Notes

(A.7354A Cahill; Chapter 373 of the Laws of 2013)

This legislation would authorize bond anticipation notes originally issued during calendar years 2009 and 2010 by the town of Ulster to not extend more than seven years beyond the original date of issuance, rather than no more than five years pursuant to the local finance law.

Erie County Private Bond Sales

(A.6354 Schimminger; Chapter 89 of the Laws of 2013)

This legislation extends, until June 30, 2014, 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.

Constitutional Sewage Indebtedness
(A.3632 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. This marks the second passage of this Constitutional amendment. The voters of New York State approved this Constitutional Amendment at the November 5, 2013 general election.

G. MUNICIPAL CORPORATIONS

Enterprise Park at Calverton Reuse and Revitalization Area
(A.4678 Thiele; Chapter 434 of the Laws of 2013)

This legislation will allow the town of Riverhead to redevelop the former Calverton Naval Weapons Industrial Reserve Plant, which was previously owned by the United States Navy and leased by the Grumman Corporation, and conveyed to the town after the Grumman Corporation closed its factories at the site in 1988. This legislation creates an expedited permit review process for proposed redevelopment on the property and is designed to serve to promote economic prosperity for the town and region.

Regulating Taxicabs, Limousines, and Livery Vehicles
(A.7043 Magnarelli; Passed Assembly)

This legislation would clarify the general municipal law to provide clear authority for all cities, towns, and villages to regulate and license taxicabs, limousines, and livery vehicles, including limiting the number to be licensed.

Ontario County Foreign Trade Zone
(A.4665A Kolb; Chapter 190 of the Laws of 2013)

This legislation authorizes Ontario County to apply to the federal government to establish, operate, and maintain foreign trade zones within the County and adjacent counties in order to promote commerce and economic development.

Audit Responses
(A.299 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.

Shared Municipal Building Space
(A.7716 Cahill; Passed Assembly)

This legislation would authorize the towns of Marbletown, Rosendale and Rochester to share a building in the town of Rosendale for certain official functions. The town of Marbletown would be authorized to locate their town hall and town justice court, and the town of Rochester would be authorized to locate their town justice court, in the town of Rosendale. This legislation would be a cost savings measure for all three towns.

Auburn Industrial Development Agency
(A.8037 Finch; Chapter 304 of the Laws of 2013)

This legislation prohibits the Auburn IDA, which was established pursuant to the public authorities law, from financing retail projects other than retail projects that are considered to be a “tourism destination”, are located in a highly distressed area, or would make goods or services reasonably accessible where they otherwise are not. This change for the Auburn IDA is the same as the change that was enacted by the 2013-2014 Budget for all IDAs established pursuant to the general municipal law.

Champlain Industrial Development Agency
(A.7523 Duprey; Passed Assembly and Senate, delivered to Governor)

This legislation dissolves the town of Champlain Industrial Development Agency and transfers all of the agency’s interests and obligations to the town of Champlain.

Peconic Bay Community Preservation Fund
(A.5939A Thiele; Chapter 423 of the Laws of 2013)

This legislation allows undeveloped beaches and shorelines that are at risk of flooding due to sea level rise and future storms to receive funds from the Peconic Bay Community Preservation Fund for shoreline improvement projects.

H. EMERGENCY SERVICES

Disability Benefits for Volunteer Emergency Workers

(A.485A Magnarelli; Passed Assembly)

This legislation would increase the benefits for volunteer firefighters and volunteer ambulance workers on temporary or permanent total disability from \$400 per week to \$600 per week. The increase in this benefit would only apply to volunteer firefighters and ambulance workers who were injured in the line of duty on or after July 1, 2013.

Eastchester Fire District Elections

(A.2288A Paulin; Chapter 345 of the Laws of 2013)

In an effort to increase voter turnout at the Eastchester Fire District elections, this legislation moves the date of the fire district's annual election from the second Tuesday in December to the general election day in November, provided that the Westchester County board of elections commissioners agree. This change will not be burdensome for voters because the fire district boundaries encompass the entire corporate limits of the town of Eastchester and each village within such town, and the only eligible electors of the fire district are also the eligible electors of such town and villages. The fire district will have a polling place at every polling location, and for the same hours, as those established by the county board of elections for the general election.

Fire District Audits

(A.1629 Gunther; Chapter 470 of the Laws of 2013)

In an effort to help smaller fire companies and fire districts save money, this legislation increases the threshold for a required annual independent financial audit from \$200,000 of annual revenue or higher to \$300,000 of annual revenue or higher. The State Comptroller could still use his or her discretion to require such an audit for any fire company or fire district.

CPR Training for Police Officers

(A.4974 Ortiz; Passed Assembly)

This legislation would enact "Briana's Law", which would require police officers to be retrained in cardiopulmonary resuscitation (CPR) on a biennial basis.

Hopewell Volunteer Fire Department Residency Exemption
(A.7200 Kolb; Chapter 505 of the Laws of 2013)

This legislation allows the Hopewell Volunteer Fire Company Inc. to be exempt from the residency requirement that no more than forty-five percent of its members are non-residents of the fire district it serves.

IV. OTHER ENACTED LEGISLATION

Publishing Local Laws

(A.937 Kavanagh; Chapter 383 of the Laws of 2013)

This legislation requires the Secretary of State to annually publish local laws on the Department of State website, and in a separate volume as a supplement to the session laws. In addition, the Secretary of State is required to publish at least annually on the Department of State website a complete codification of all local laws in effect that have been adopted by the legislative body of each county. This legislation requires the clerk, or other officer designated by the legislative body of each county, to provide local laws to the Secretary of State to facilitate these publication requirements.

Easthampton Parkland Transfer

(A.3357A Thiele; Chapter 187 of the Laws of 2013)

This legislation amends Chapter 314 of the Laws of 2012 to clarify the metes and bounds of parkland that was transferred from the town of Easthampton to the town of Southampton.

Robb Cemetery Transfer

(A.3779 Johns; Chapter 252 of Laws of 2013)

This legislation authorizes the town of Webster to transfer and convey Robb Cemetery to the village of Webster. The village of Webster will be required to maintain, own and operate the cemetery.

Town of Amherst Parkland

(A.3882A Walter; Chapter 64 of the Laws of 2013)

This legislation authorizes the town of Amherst to discontinue the use of certain parklands. This authorization is only effective on the condition that Amherst acquires and dedicates additional lands as parklands, which are of equal or greater fair market value, and which are identified in the legislation.

Suffolk County Parkland

(A.6138B Ramos; Chapter 407 of the Laws of 2013)

This legislation authorizes Suffolk County to discontinue certain parklands, and to sell and convey such lands to the First Baptist Church of Bay Shore. This authorization is effective only upon the condition that Suffolk County dedicate an amount equal to or greater than fair market value of the parkland

being alienated for the acquisition of additional parklands, which are identified in the legislation.

Improvement District Public Hearings

(A.7678 Weisenberg; Chapter 309 of the Laws of 2013)

This legislation requires improvement district commissioners, for the 2013 calendar year, to conduct their public hearings on the estimate of proposed expenditures and revenues on the second Thursday following the first Tuesday of September rather than on the first Thursday following the first Tuesday of September, in order to avoid a conflict with Rosh Hashanah.

Westchester County Parkland

(A.6946C Abinanti; Chapter 370 of the Laws of 2013)

This legislation authorizes Westchester County to discontinue the use of parklands and alienate the parcels of land for the purpose of facilitating proposed roadway safety improvements to a section of Jackson Avenue in the town of Greenburgh. This legislation also authorizes a temporary alienation of certain parklands for construction purposes. Westchester County is required to ensure that the surface of the lands are restored and returned to its previous condition for continued use as parklands after construction is completed.

Town of Hamburg Parkland Easement

(A.7472 Ryan; Chapter 290 of the Laws of 2013)

This legislation authorizes the town of Hamburg to convey an easement to Sharma Development, LLC under certain parkland for the purpose of enabling Sharma Development to install, and repair when necessary, a private sanitary sewer line. Upon the completion of the installation of the sewer line, the town of Hamburg is required to restore the surface of the lands and such lands is required to continue to be used for park purposes. All revenues received by the town related to this easement must be used for the acquisition of additional parklands or for capital improvements to existing parkland.

Repealing Superfluous Sections of Law

(A.7187 Hevesi; Passed Assembly)

This legislation is a result of the research done by the Oversight, Analysis and Investigation Committee. It would repeal various sections of law that are outdated and relate to defunct entities such as the Board of Railroad Commissioners and the temporary state commission on local government Ethics. This legislation is part of a larger undertaking to review all New York State statutes to clean up outdated and unnecessary statutes.

Town of Islip Parkland Transfer
(A.7492A Graf; Chapter 406 of the Laws of 2013)

This legislation authorizes the town of Islip to discontinue the use of certain parkland and convey its interest in the parkland to the village of Islandia upon terms agreed upon by the town of Islip and village of Islandia. The village of Islandia is required to use such parklands for continued park and recreational purposes and provide access to the parklands and/or recreational facilities to all residents of the town of Islip.

Village of Ossining Parkland Easement
(A.7699A Galef; Chapter 237 of the Laws of 2013)

This legislation authorizes the village of Ossining to convey a permanent easement under certain parkland to the county of Westchester for the purpose of enabling such county to re-route and operate a sanitary sewer pipeline. The village is also authorized to temporarily alienate a portion of village parkland for construction purposes. Upon the completion of the construction to re-route such sanitary sewer pipeline, the village is required to ensure that the surface of the lands are restored such that the lands would continue to be used for park purposes.

Onondaga County Parkland Lease
(A.7743 Stirpe; Chapter 377 of the Laws of 2013)

This legislation authorizes Onondaga County to discontinue the use of certain municipally owned waterfront parkland and to lease such waterfront parkland to the Syracuse Chargers Rowing Club for the purpose of conducting rowing activities, for a term not to exceed twenty-five years. The authorization is only effective upon the condition that Onondaga County dedicate an amount equal to or greater than the fair market value of the lease of the waterfront parkland for the acquisition of additional waterfront parkland and/or for capital improvements to existing waterfront parkland and recreational facilities.

Town of Orangetown Parkland
(A.8067 Jaffee; Chapter 420 of the Laws of 2013)

This legislation authorizes the town of Orangetown to discontinue the use of municipally owned parkland. This authorization is effective only upon the condition that Orangetown acquire and dedicate lands as additional parklands of the town, which must be of equal or greater fair market value, approved by the Office of Parks, Recreation and Historic Preservation, and which must be at least thirty acres of the lands identified in the legislation.

V. OUTLOOK FOR 2014

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 continue to be confronted with many budgetary challenges. The Committee will build on the successes of the 2013 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 and Regulatory Relief Council and the Financial Restructuring Board for Local Governments. 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, which is also a critical aspect to forming balanced local budgets.

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 Committee will also continue to address the needs of municipalities by examining home rule legislation in 2014 in order to see the enactment of home rule bills that provide communities with a remedy to their locally specific situations.

The Assembly Standing Committee on Local Governments looks forward to continuing to work with the Governor, the Senate, the State Comptroller, the Attorney General, and all local governments to improve the outlook for municipalities going forward.

APPENDIX A

2013 SUMMARY OF ACTION ON ALL BILLS REFERRED TO THE COMMITTEE ON LOCAL GOVERNMENTS

<u>Final Disposition</u>	Assembly <u>Bills</u>	Senate <u>Bills</u>	Total
Bills Reported	80	0	80
To Floor	7	0	7
To Ways and Means	52	0	52
To Codes	10	0	10
To Rules	11	0	11
To Judiciary	0	0	0
Bills Having Enacting Clauses Stricken	8	0	8
Bills Having Committee Reference Changed	4	0	4
Senate Bills Substituted Or Recalled		20	20
Bills Never Reported, Held In Committee	18	0	18
Bills Never Reported, Died in Committee	173	20	193
Total in Committee	198	40	238
TOTAL NUMBER OF MEETINGS HELD	11		11

APPENDIX B

Chapter Laws of 2013

<u>Bill #</u>	<u>Sponsor</u>	<u>Description</u>	<u>Chapter</u>
A.472	Magnarelli	Authorizes proposed local laws to age electronically.	426
A.493A	Paulin	Authorizes municipalities, school districts and district corporations to require electronic submission of bids for bond sales.	494
A.937	Kavanagh	Requires the Secretary of State to publish local laws on the Department of State website as a supplement to the session laws.	383
A.1091	Magee	Relates to the command and control of volunteer wilderness/inland search and rescue teams contracted for by a municipality by law enforcement.	25
A.1210	Crouch	Amends Chapter 413 of the laws of 2012 relating to the Deposit Fire District in the county of Delaware.	63
A.1221	Thiele	Includes the trustees of the freeholders and commonalty of the towns of Southampton, East Hampton and Southold as municipal corporations for the purposes of section 72-h of the general municipal law.	387
A.1629	Gunther	Increases the revenue threshold for annual independent audits of fire districts and companies from \$200,000 to \$300,000 in revenue.	470
A.2288A	Paulin	Authorizes the Eastchester Fire District to hold their elections on the same day as the general election.	345
A.3357A	Thiele	Describes the new metes and bounds for certain parkland that was the subject of Chapter 314 of the Laws of 2012.	187
A.3779	Johns	Authorizes the town of Webster to transfer and convey the Robb Cemetery to the village of Webster.	252
A.3882A	Walter	Authorizes the town of Amherst to discontinue certain parkland.	64
A.4665A	Kolb	Authorizes the county of Ontario to apply to the federal government to establish, operate and maintain foreign trade zones.	190

A.4673	Weisenberg	Extends, until July 30, 2018, the expiration of payments in lieu of taxes for certain real property in the town of Hempstead.	65
A.4678A	Thiele	Establishes the Enterprise Park at Calverton Reuse and Revitalization Area.	434
A.5007B	Oaks	Authorizes the village of Macedon to hire a clerk/treasurer who resides outside of such village.	45
A.5119A	Russell	Clarifies the use of contracts of other political subdivisions, or “piggybacking”, as it relates to “best value” procurement.	497
A.5474	Crouch	Authorizes building inspectors and code officers in the town of Kirkwood to reside outside of such town.	139
A.5549	Magnarelli	Authorizes the extension of repayment of inter-fund advances made for expenses related to the storm commonly known as Sandy.	421
A.5550	Magnarelli	Authorizes the expenditure and temporary transfer of reserve funds for expenses related to the storm more commonly known as Sandy.	422
A.5551	Magnarelli	Authorizes municipalities, school districts and district corporations to issue serial bonds in order to finance extraordinary storm expenses incurred before January 1, 2014 for storm relief related projects.	476
A.5670	Duprey	Provides that the town justice of the town of Piercefied need not be a resident of such town.	145
A.5682	Palmesano	Provides that the village clerk-treasurer of the village of Penn Yan need not be a resident of such village.	143
A.5939A	Thiele	Includes preservation of undeveloped beachland and shoreline at risk of coastal flooding due to storms and projected sea level rise as part of preservation of community character for the purposes of Peconic bay region community preservation funds.	423
A.6138B	Ramos	Authorizes the county of Suffolk to discontinue use as parkland, and to sell such lands to the First Baptist Church of Bay Shore.	407
A.6354	Schimminger	Relates to the sale of municipal obligations by the county of Erie.	89

A.6429A	Thiele	Authorizes the town of Southampton to establish road improvement districts within substandard road zones designated by the town.	504
A.6500-B	Lopez, P.	Authorizes the town of Stockport to transfer reserve funds to the Water Fund for repayment of a loan from the Town Sewer No. 1 fund.	264
A.6725-A	Weisenberg	Authorizes counties in the Hurricane Sandy federal disaster area to grant exemptions to filing fees related to federal Small Business Administration Disaster Loans.	350
A.6726	Giglio	Changes the residency requirement for the office of town justice for the town of Lyndon.	156
A.6758	Jaffee	Enacts the “Rockland County Deficit Financing Act.”	468
A.6946C	Abinanti	Authorizes the county of Westchester to discontinue the use of certain parkland located in the town of Greenburgh for the purposes of completing certain proposed improvements to Jackson Avenue.	370
A.7099	Magnarelli	Extends, until June 15, 2018, provisions of Chapter 791 of 1980 relating to period of probable usefulness of certain judgments, compromised claims or settled claims.	77
A.7200	Kolb	Exempts the Hopewell Volunteer Fire Department, Inc. from the requirement that the percentage of non-resident members not exceed 45 percent.	505
A.7212	Magnarelli	Extends, until June 1, 2018, certain provisions of the general municipal law and the local finance law relating to electronic bidding.	298
A.7325	Hawley	Authorizes the lease of advertising space on sports field fence in the town of Sweden.	280
A.7354A	Cahill	Provides that bond anticipation notes by the town of Ulster issued during calendar years 2009 and 2010 may not exceed more than seven years beyond original date of issuance of such bond notes.	373
A.7472	Ryan	Authorizes the town of Hamburg to convey an easement over and under parkland for a private sewer line.	290
A.7492A	Graf	Authorizes the town of Islip to transfer certain parklands to the village of Islandia.	406

A.7678	Weisenberg	Changes the date of public hearings required to be held by improvement district commissioners in calendar year 2013.	309
A.7699A	Galef	Authorizes the village of Ossining to convey an easement and temporarily alienate parkland for the purposes of completing and operating certain proposed improvements to a sanitary sewer pipeline in Snowden Park.	237
A.7743	Stirpe	Authorizes Onondaga county to enter into a lease with the Syracuse Chargers Rowing Club for certain waterfront parkland.	377
A.7972	Garbarino	Extends the authorization of the village of Patchogue to use surplus sewer revenues for infrastructure projects.	301
A.8037	Finch	Implements a ban on most retail projects sponsored by the Auburn Industrial Development Authority.	304
A.8067	Jaffee	Authorizes the town of Orangetown, county of Rockland, to discontinue use of certain lands as parklands.	420

APPENDIX C

Vetoes of 2013

<u>Bill #</u>	<u>Sponsor</u>	<u>Description</u>	<u>Veto Memo #</u>
A.8025	Weisenberg	Authorizes industrial development agencies to provide financial assistance to retail projects located in a county that contains an area where the Governor has declared a disaster emergency pursuant to section 28 of the Executive Law.	222
A.400	Magnarelli	Requires active volunteer firefighters and volunteer ambulance workers to be covered under the volunteer firefighters' benefit law and volunteer ambulance workers' law when services are provided by the volunteer outside of their home jurisdiction when a jurisdictional officer in command is not yet present.	250