

S. 1655

A. 4421

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

February 4, 2009

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IN SENATE -- Introduced by Sen. FARLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

IN ASSEMBLY -- Introduced by M. of A. BUTLER -- read once and referred to the Committee on Cities

AN ACT to amend chapter 148 of the laws of 2001, relating to authorizing the city of Gloversville and the town of Johnstown to enter into certain cooperative agreements, in relation to joint municipal economic development areas

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Chapter 148 of the laws of 2001, relating to authorizing  
2     the city of Gloversville and the town of Johnstown to enter into certain  
3     cooperative agreements, is amended to read as follows:  
4     Section 1. Notwithstanding any other provision of law, the city of  
5     Gloversville and the town of Johnstown are hereby authorized and  
6     empowered to enter into agreements with each other [whereby] TO ESTAB-  
7     LISH JOINT MUNICIPAL ECONOMIC DEVELOPMENT AREAS, IN WHICH the city may  
8     agree and commit to provide water and other services, INCLUDING SEWER,  
9     to properties in the town and, in exchange, the city and town may agree  
10    and commit to share all or a specified part of the resulting property  
11    tax, sales tax and any other specified taxes generated from such proper-  
12    ties.  
13    S 2. Any such agreement, or any amendments to the agreement, must be  
14    approved by each municipality by a majority vote of the voting strength  
15    of its governing body. At least thirty days prior to voting on any such  
16    agreement or amendments to the agreement, each municipality shall hold a  
17    public hearing on the proposal.  
18    S 3. When any service to be provided involves an independent municipal  
19    corporation, the agreement shall also require the participation and

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 approval of such municipal corporation by a majority vote of the voting  
2 strength of its governing body.

3 S 4. Any such agreement shall:

4 (i) establish a process for ENTERING INTO A BINDING AGREEMENT BETWEEN  
5 THE CITY, TOWN AND A PARTICIPATING PROPERTY OWNER FOR identifying and  
6 determining the affected properties or boundaries THAT WILL BE PART OF A  
7 JOINT MUNICIPAL ECONOMIC DEVELOPMENT AREA;

8 (ii) identify the types of taxes to be shared;

9 (iii) specify the percentage of tax revenues that each municipality  
10 shall receive, or otherwise establish a formula or other means for  
11 determining the amount of tax revenues each municipality shall receive;

12 (iv) SPECIFY THE AMOUNT OF THE PROPERTY TAX RATE, OR THE FORMULA FOR  
13 DETERMINING THE PROPERTY TAX RATE, THAT WILL APPLY TO PROPERTIES WITHIN  
14 THE JOINT MUNICIPAL ECONOMIC DEVELOPMENT AREA; SUCH RATE MAY BE SET AT A  
15 PERCENTAGE OF THE CITY RATE, OR A PERCENTAGE OF THE TOWN RATE, OR SUCH  
16 OTHER METHOD AS AGREED TO BY THE MUNICIPALITIES;

17 (V) specify the process and method of collecting and sharing such tax  
18 revenues; and

19 [(v)] (VI) address any other matters as determined to be necessary or  
20 appropriate by the city and town.

21 S 5. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, WHERE A PROPERTY  
22 OWNER HAS AGREED TO PARTICIPATE IN A JOINT MUNICIPAL ECONOMIC DEVELOP-  
23 MENT AREA, SUCH PROPERTY SHALL BE TAXED AT THE RATE ESTABLISHED BY AN  
24 AGREEMENT ENTERED INTO PURSUANT TO THIS ACT.

25 S 6. This act shall take effect immediately.

26 S 2. This act shall take effect immediately.