S T A T E O F N E W Y O R K

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

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:

Section 1. 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, is amended to read as follows:

Section 1. Notwithstanding any other provision of law, the city of Gloversville and the town of Johnstown are hereby authorized and empowered to enter into agreements with each other [whereby] *TO ESTABLISH JOINT MUNICIPAL ECONOMIC DEVELOPMENT AREAS, IN WHICH* the city may agree and commit to provide water and other services, *INCLUDING SEWER,* to properties in the town and, in exchange, the city and town may agree and commit to share all or a specified part of the resulting property tax, sales tax and any other specified taxes generated from such properties.

S 2. Any such agreement, or any amendments to the agreement, must be approved by each municipality by a majority vote of the voting strength of its governing body. At least thirty days prior to voting on any such agreement or amendments to the agreement, each municipality shall hold a public hearing on the proposal.

S 3. When any service to be provided involves an independent municipal 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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approval of such municipal corporation by a majority vote of the voting strength of its governing body.

S 4. Any such agreement shall:

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

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

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

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

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

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

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

S 6. This act shall take effect immediately.

S 2. This act shall take effect immediately.