

STATE OF NEW YORK

7081

2023-2024 Regular Sessions

IN ASSEMBLY

May 10, 2023

Introduced by M. of A. MAGNARELLI -- read once and referred to the
Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to the board of
directors of the Central New York Regional Market Authority

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Section 827 of the public authorities law, as amended by
2 chapter 55 of the laws of 1992, is amended to read as follows:

3 § 827. Board of directors. The board of directors of the authority,
4 hereinafter in this title referred to as "the board," shall consist of
5 thirteen members, as follows: The commissioner of agriculture and
6 markets or the commissioner's representative shall be a member ex-offi-
7 cio. The board of supervisors of each of the counties in the district
8 shall each name directors as follows: Onondaga, three; Oswego, two;
9 Cayuga, two; Madison, two; Cortland, one; Oneida, one, and Wayne, one.
10 One member from each of the above-named counties may be either a produc-
11 er or non-producer of agricultural products; the other members named by
12 the board of supervisors of the counties in the district entitled to
13 additional directors shall be persons engaged in farming and deriving a
14 greater part of their income therefrom, and all such appointments made
15 after May first, nineteen hundred forty-four, shall be producers who
16 actually sell all or part of their produce on the Central New York
17 Regional Market.

18 Each member shall continue as a member during the pleasure of the body
19 appointing him or her, and upon a vacancy occurring by the filing with
20 the secretary of the authority of a duly certified copy of the resol-
21 ution signifying that an appointment has been terminated, or upon resig-
22 nation of a member, or a vacancy occurring in any other manner, it shall
23 be filled in a manner corresponding to the original appointment. Each
24 member shall, before entering upon the duties of office, take the
25 constitutional oath of office and file the same in the office of the

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

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1 secretary of state. One more than one half of the duly qualified members
2 shall constitute a quorum for the transaction of business and the
3 concurrence of one more than one half of the duly qualified members at a
4 meeting shall be necessary to the validity of any resolution, order or
5 determination. Any member may be removed by the governor for inefficien-
6 cy, neglect of duty or misconduct in office, after a hearing upon charg-
7 es and an opportunity to be heard in person or by counsel upon not less
8 than ten days' notice. The members shall not receive a salary or other
9 compensation, but shall be paid actual expenses incurred in attending
10 meetings of the board and in performing committee work assigned to them
11 by the board. Expenses for travel shall not exceed the per mile rate
12 allowed state employees for use of personal cars. Expenses of a special
13 or extraordinary nature may be allowed by resolution of the board.

14 § 2. Section 826 of the public authorities law, as amended by chapter
15 420 of the laws of 1951, is amended to read as follows:

16 § 826. Central New York Regional Market Authority. 1. There is hereby
17 created and established a district to be known as the "central New York
18 regional market district," hereinafter in this title referred to as "the
19 district," which shall embrace all the territory included within the
20 following named counties: Cayuga, Cortland, Madison, Oneida, Onondaga,
21 Oswego, that territory in Wayne county lying east of the new pre-emption
22 line. For the accomplishment of the purposes hereinafter indicated rela-
23 tive to that district there is hereby created and established a public
24 benefit corporation, to be known as "Central New York Regional Market
25 Authority," hereinafter in this title referred to as "the authority."
26 Such authority shall have perpetual existence and the power to acquire
27 by the exercise of the right of eminent domain or otherwise such real
28 estate within the district and other property as may be necessary, to
29 sue and be sued, to incur debts, liabilities and obligations, to issue
30 bonds and other evidences of indebtedness, to have a seal, and to exer-
31 cise all powers authorized by this title and reasonably necessary for
32 accomplishing its purposes, subject to the provisions herein contained
33 and the constitution and laws of the United States and of New York
34 state. Such powers shall be exercised in the name of the "Central New
35 York Regional Market Authority."

36 2. In fulfilling the authority's mission, the board shall work cooper-
37 atively and in consultation with the department of agriculture and
38 markets to ensure the proper development of agriculture and regional
39 market facilities, in the central New York regional market district. The
40 board and the department of agriculture and markets, hereinafter in this
41 title referred to as "the department," shall jointly develop a plan for
42 the future development and viability of agriculture and regional market
43 facilities in the district. Such plan shall include both short-term and
44 long-term goals and objectives as well as actual and projected revenues
45 and expenditures. Such plan shall annually allocate no less than seven-
46 ty-five percent of the authority's available funds for the creation,
47 development, and enhancement of agriculture and regional market facili-
48 ties, in the district. For purposes of this subdivision, available funds
49 shall mean the net amount available after contractually obligated
50 expenditures are subtracted from, but not be limited to, cash, cash
51 equivalents, certificates of deposit, and other receivables available.
52 The board and department shall meet annually prior to the close of the
53 authority's fiscal year to evaluate the effectiveness of the use of
54 funds for that fiscal year, review the goals and objectives of the plan,
55 and properly prepare for the allocation and use of such funds for the
56 next fiscal year. The plan shall be updated annually to make appropriate

1 modifications to such plan for the next fiscal year. Prior to any such
2 funds being expended, both the board and the department must approve
3 such plan, its goals and objectives as well as the projected revenues
4 and proposed allocations.

5 3. The authority shall furnish an annual real estate report detailing
6 all real estate holdings and detailed property information, including
7 but not limited to the tenants, important lease terms, rents, durations
8 of leases, as well as copies of each lease. Notwithstanding any other
9 provision of law to the contrary, the authority shall furnish all
10 required reports, audits, and reviews, including the annual real estate
11 report, to all parties enumerated in paragraph (a) of subdivision one of
12 section twenty-eight hundred of this chapter. A copy of such report
13 shall be filed with the clerk of the Syracuse common council and the
14 mayor, as well as to the department, within ninety days after the end of
15 its fiscal year.

16 § 3. The public authorities law is amended by adding three new
17 sections 842, 843 and 844 to read as follows:

18 § 842. Moneys of the authority. The state comptroller or his or her
19 legally authorized representatives are hereby authorized and empowered
20 from time to time to examine the accounts and books of the authority,
21 including its receipts, disbursements, contracts, sinking funds, reserve
22 funds, investments and any other matters relating to its financial
23 standing.

24 § 843. Application of local laws and ordinances to Central New York
25 Regional Market Authority real property. The Central New York Regional
26 Market Authority its real property and its facilities shall be subject
27 to all local laws and ordinances in counties and municipalities where it
28 operates and owns real property. Local law enforcement shall have the
29 authority to enter the real property of the authority to enforce all
30 local laws and ordinances. This section shall apply to all lessees of
31 the authority's real property and its facilities.

32 § 844. Code of ethics, conflict of interest policy, hiring policy. The
33 board of directors of the Central New York Regional Market Authority
34 shall adopt and publish on its website the following policies, including
35 but not limited to: a code of ethics applicable to all board members,
36 officers and employees of the authority pursuant to section seventy-four
37 of the public officers law and a conflict of interest policy pursuant to
38 section seventy-four of the public officers law and a hiring policy
39 pursuant to section seventy-three of the public officers law.

40 § 4. This act shall take effect immediately.