

RESOLUTION NO. 132 - 2024
RESOLUTION OPPOSING NYS BILL S4040B/A7532B
REQUIRING MANDATED MEMBERSHIP ON IDAs

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Lewis County Board of Legislators.

WHEREAS, NYS S4040B/A7532B is expected to be presented to the Governor for consideration. The Bills proposes to amend GML §§ 854 & 856 by requiring local IDAs to have a local labor organization representative and either a school board member or a superintendent of a school district on its board; and

WHEREAS, IDA boards are comprised of local volunteers, selected and appointed by local government based on the unique economic needs of the communities they represent, whose membership is designed to include community members from various and diverse backgrounds to ensure broad interests of the community; and

WHEREAS, the Lewis County Board of Legislators have always supported and appointed members to the IDA from private business, local government, academia, workforce development, labor and schools, and other interested community representatives to further the purposes of the agency, i.e., promoting and assisting economic development; and

WHEREAS, this proposed legislation, in mandating labor and school district representation on IDA boards usurps home rule and erodes local control over such appointments. Further, by requiring local authorities to appoint particular interest groups to IDA boards there is a clear unfairness to other interest groups while setting up a concerning precedent for other interest groups to advocate for mandated representation on the IDA board. This mandate also causes concern about board size and conflict of interest issues; and

WHEREAS, the Lewis County Board of Legislators prides itself in having created an IDA board with members who represent a broad spectrum of the community, and who are mindful and inclusive in their decision-making by including input from labor and school districts in any PILOTs it negotiates and grants; and

WHEREAS, IDA boards are statutorily capped at seven (7) members, with flexibility on the size of the board being three to seven members, depending upon the size and needs of the communities in which they function. Mandating that two representatives must now be from these interest groups will become a real challenge for smaller IDAs, including potential quorum issues and project/organizational issues. A named school district representative may be forced to recuse on a project that positively benefits their district and not other districts in the County; and

WHEREAS, this proposed legislation fails to take into account how varied and diverse the make up and economies are in counties across New York State. Removing the local control decisions by these mandated appointments are unnecessary and will have an adverse effect on the Lewis County IDA's functioning in determining where to grant assistance in order to encourage business and development in Lewis County communities;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators vehemently opposes NYS 4040B/A7532B in mandating the appointment of particular interest groups to the local IDAs, as a violation of home rule rights and an attempt to override a clearly local control function based on local needs and best interests of the Lewis County communities to whom the IDA is responsible .

Section 2. The Lewis County Board of Legislators calls upon the Governor to veto this Bill if and when presented, and stop such an unnecessary and unfair requirement in mandating what interest groups should be on a local IDA board. It is time for the State to understand how varied and diverse counties across the state are in their economies and communities. The Lewis County IDA functions quite well and is already mindful of various interests and voices who must be heard when it takes on the responsibility of deciding where to grant assistance to encourage business and development in our varied Lewis County communities.

Section 3. This Resolution shall take effect immediately.

Section 4. That the Clerk of the Board is directed to forward copies of this resolution to Governor Hochul, Senator Mark Walczyk, Assemblyperson Kenneth Blankenbush, the Majority and Minority leaders of the State Senate and Assembly, the New York State Economic Development Council, NYSAC, and any others deemed necessary and proper.

Moved by Legislator Frost , seconded by Legislator Osborne .

Legislator Lyndaker stated that he felt new representation on the IDA Board would be a good thing because the current board is made up of the same people repeatedly. Perhaps this would force the legislators to put different people on that board. Legislator Frost disagreed with Legislator Lyndaker because he felt that there is good representation currently with individuals representing all walks of life and experiences. Legislator Lyndaker disagreed reiterating that he sees the same people over and over serving on the IDA Board and feels strongly that there needs to be new people with new ideas.

Legislator Nortz voiced his opinion that by making it compulsory you're not getting people who might want to be there. It may be the same people over and over

again because those are the people who care and have shown they will take the time to do the job. Like the saying goes “You can lead a horse to water but you can’t make him drink.” Well, it’s the same with this too, if you don’t care about the community and you don’t want to do anything you’re not going to.

Legislator Moser agreed with Legislator Nortz. She stated that Legislator Frost and herself are current members of the IDA Board and the members are geographically stationed so there is representation from all over the County. It is currently a board of volunteers and if something is done to place more regulations on it then it becomes more complicated and difficult to fill those areas.

The Resolution was then adopted on the 2nd day of July 2024. Legislator Lyndaker was opposed.

**STATE OF NEW YORK
COUNTY OF LEWIS**

SS:

Office of the Clerk of the
Board of Legislators

This is to certify that I have compared the foregoing copy with the original resolution now on file in this office, which was adopted by the Board of Legislators of said County, on the ... **2nd** ... day of ... **July, 2024**, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of said Board of Legislators this ... **12th**... day of ... **July, 2024**.



Cassandra Moser
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Clerk of the Lewis County Board of Legislators