

# IN SESSION

Association Of Towns' Legislative Newsletter



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At the beginning of March last year, sensible shoes were one of the keys to AOT's advocacy as we walked the hallways of the Legislative Office Building and Capital Building meeting with legislators. Shortly thereafter, *Everything Changed*, and this year, making sure to have good lighting on Zoom and creating a fortress so that a cat doesn't wander on screen offer a new dimension to lobbying.

As we all know, things can change on a dime in Albany. The information in this newsletter is up to date as of March 3, 2021, and we wanted to give an update on some of the balls currently in the air:

**Renewable Energy Regulations.** On Wednesday March 3, 2021, ORES released the final regulations under the new renewable energy siting law that was adopted last year. More details be forthcoming as AOT staff reviews the new regs. In November 2020, AOT submitted joint comments with NYCOM and NYSAC on the then-draft regulations to offer suggestions on how to improve them for local governments.

**New York State Budget.** In late February, Governor Cuomo released his 30-Day Amendments to the Executive Budget. Notable changes include:

1. PPGG Part L - includes a provision that gives Division of Budget authorization to withhold state **and federal** funds for failure to comply with the requirements of Executive



Order 203 (which directs police reform panels)

2. TED Part OO – clarifies that the moratorium on terminating utility services does not apply during short-term, weather-related disaster emergencies
3. Revenue Part X – requires assessors to use a discounted cash flow method of assessment for renewable energy projects using figures set forth by the state (under original proposal more options were available as a valuation methodology)

### **New Legislation in 30 Day Amendments**

1. COVID-19 Extraordinary Relief Fund (PPGG Part UU) – creates a new COVID-19 Extraordinary Relief fund under the joint custody of the state comptroller and the commissioner of the NYS Department of Tax and Finance. Funding comes from the state, and revenues derived from any chapter law enacted between April 1, 2021 and March 31, 2022 that (i) imposes a new tax, (ii) imposes a new rate of tax or (iii) diminishes or eliminates any tax deduction or credit in effect as of March 31, 2021.

Funds may be provided to local governments pursuant to a plan approved by the state budget director to “support the necessary and urgent expenses related to resolving extraordinary hardships of the COVID-19 public health emergency.” However, these funds may be transferred to the state general fund in the event of an economic downturn.

2. Emergency rental assistance local government allocation fund (ELFA Part BB) – creates an emergency rental assistance fund under state control, which will be funded by money that is supposed to go to local governments under the federal Emergency Rental Assistance Program. **Please note:** that not all towns received federal money under this program; it is limited to those with population of 200,000 or more.

### Standalone Legislation

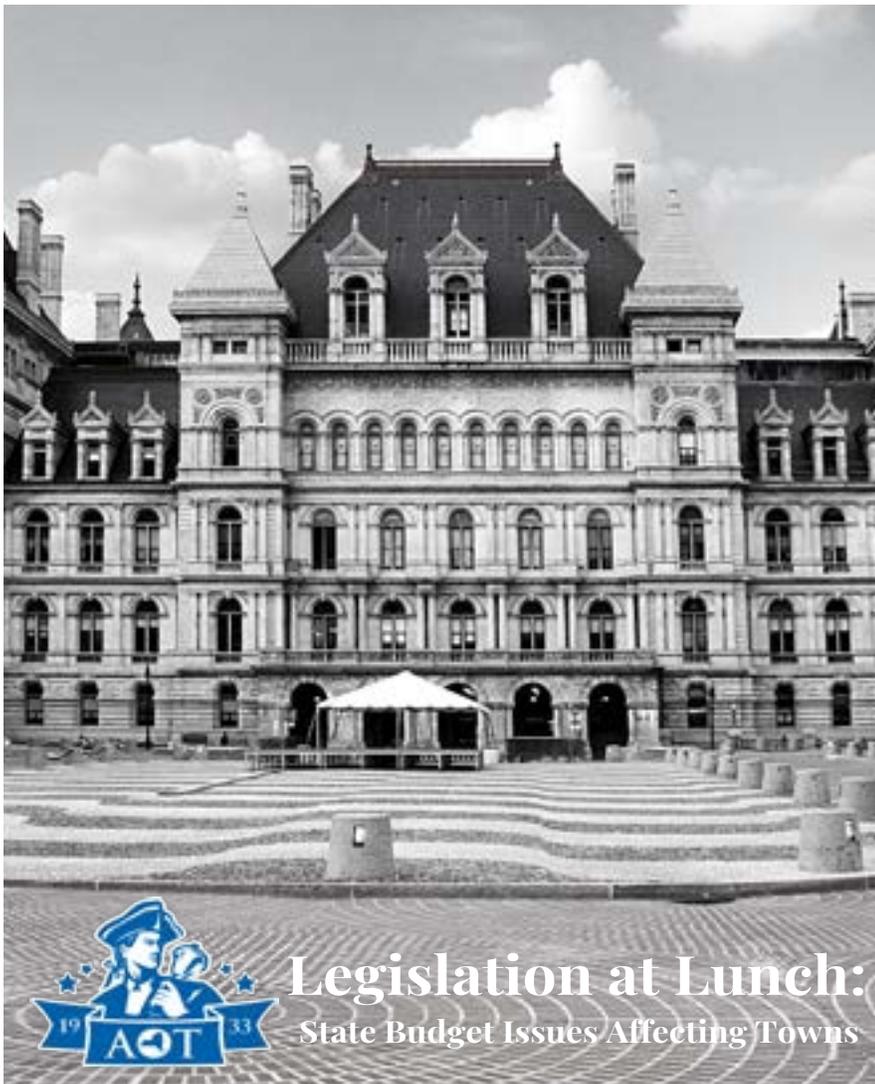
Every year, thousands of pieces of legislation are introduced that have the potential to impact town governments. AOT tracks this legislation, and when appropriate, will issue a formal memo of support or opposition. We also routinely provide feedback to individual legislators in various meetings and conversations. Here are a few notable standalone pieces of legislation, and we encourage our members to reach out to their representatives on any issues they deem important.

A4854/S4547: This bill mandates towns to allow accessory dwelling units (such as an in-law apartment or a carriage house) in residential areas and places SIGNIFICANT limitations on a municipality's ability to regulate them. For example, a town would not be allowed to impose parking requirements. Furthermore, any local law would be subject to state review.

A443/S391: Requires towns and villages to accommodate certain alternative energy sources when designing zoning and planning regulations. AOT is not opposed to the policy of encouraging clean energy; however, we are concerned about infringing on home rule principles.

### Upcoming Webinars

Legislation at Lunch – State Budget Issues Affecting Towns. Join us on Tuesday, March 9, 2021 at noon for a webinar designed to give our members a quick rundown (no more than 30 minutes) of state budget issues. Upon conclusion of this webinar, attendees will have been provided a series of talking points, as well as sample letters and resolutions to use when talking with or contacting your state representatives. The webinar is free, but registration is required. See below and click link to register.



## FREE WEBINAR

*AOT members are invited to join our Legislative Director Sarah Brancatella next Tuesday, March 9 for a FREE lunchtime session. We're calling it Legislation at Lunch, and after the 30 minute session, you will have a working understanding of the major budget issues affecting NYS towns, talking points to use in discussions with your representatives and sample resolutions or letters you can use. Click [here](#) to register.*