



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

KEVIN A. CAHILL  
Assemblymember 101<sup>ST</sup> District

CHAIR  
Assembly Ethics and Guidance Committee

COMMITTEES  
Ways and Means  
Economic Development, Job Creation,  
Commerce & Industry  
Health  
Higher Education

December 28, 2007

Governor Eliot Spitzer  
Executive Chamber  
State Capitol  
Albany, New York 12248

RE: State Reimbursement for Ulster County Charter Creation

Dear Governor Spitzer:

I write regarding Municipal Home Rule, Article 4, Part 3, S38, authorizing the Office of Local Government to allocate grant money to municipalities for charter creation or revision expenditures. This law, administered by the New York State Department of State, is currently unfunded.

Charter revision is consistent with your goal of consolidating and efficiently managing municipal jurisdictions. Ulster County voters adopted a new charter, effective January 1, 2009. Legislative Committees are actively working on a transition plan and are incurring expenses. Under this cited section of municipal home rule law, Ulster County is eligible for up to \$25,000 reimbursement for these costs.

As part of the submission process of the Executive Budget for Fiscal Year 2008-2009, I respectfully request that funding for charter creation or revision be included. Thank you in advance for your consideration.

Together we can assist Ulster County in achieving this critical conversion. Please feel free to contact me if I can be of further assistance.

Sincerely,

Kevin A. Cahill  
Member of Assembly

KAC:jl

§ 38. Provisions for obtaining state reimbursement for county and city charter creation and revision.

1. Legislative Findings and Purpose. The Legislature finds that development of modernized county and city government is necessary and desirable to effectuate state purposes in as much as said governments are called upon to implement state programs to provide for the health and welfare of the citizens of the state, and in many cases are the recipients of substantial state assistance. In order to encourage and promote the development and revision of charter government at both the county and city level as is provided under this article so that county and city government will be more efficient, more effective and more responsive to the needs of the people, state financial aid shall be granted to counties and cities, to particularly reimburse authorized charter expenditures in the manner and subject to the conditions prescribed in this section.

2. Granting authority. The office for local government, by and through its commissioner or his duly authorized officers and employees, shall administer, carry out and approve grants of state funds, within appropriation therefore, for reimbursement of authorized charter expenditures as defined herein, that are conducted by counties or cities. The office for local government shall adopt, amend and rescind such rules, regulations and guidelines as may be necessary to the performance of its functions, powers and duties under this section. The office for local government shall allocate grants under this article among the municipalities that have submitted applications in such a manner as will most nearly provide an equitable distribution of the grants among municipalities, taking into consideration such factors as the size of the population, the urgency of the charter studies, the need for funds to carry out the purposes of this article, and the potential of the municipalities concerned to use the funds most effectively.

3. Authorized charter expenditures. For the purpose of this section "authorized charter expenditures" shall mean those expenditures paid in the first instance by a county or city in the preparation of a proposed charter law or a proposed local law providing for new or revised city charter which has been adopted by the governing body of a county or city, as the case may be, for submission to the electorate at a general or special election as is provided in Section thirty-three and Section thirty-six of this article, and which costs are further deemed necessary and appropriate under regulations promulgated by the office for local government for the creation and development of the proposed charter law. No expenditure which has not been specifically designated by the local governing body for charter study and approved by the office for local government shall be considered an "authorized charter expenditure."

4. Reimbursement limitations. State reimbursement shall be granted under this section for authorized charter expenditures as follows:

(a) Up to forty per centum of the cost of authorized charter expenditures up to a limit of twenty-five thousand dollars in any one state fiscal year for any county or city.

(b) No county or city shall be eligible for reimbursement of an authorized charter expenditure for a period of ten years following receipt of a reimbursement under this section.

# ULSTER COUNTY LEGISLATURE

Gary Bischoff, Legislator  
Chair, Charter Transition Team  
Chair, Laws and Rules



P.O. Box 1800  
KINGSTON, NEW YORK 12402  
Telephone: 845 340-3900  
FAX: 845 340-3651

January 17, 2008

Honorable Kevin A. Cahill  
Governor Clinton Building  
1 Albany Avenue, Suite G-4  
Kingston, New York 12401

**Re: State Reimbursement for Charter Creation**

Dear Assemblyman <sup>Kevin</sup> Cahill,

On behalf of the members of the Charter Transition Team, I sincerely thank you for your extended efforts to secure funding for Ulster County Charter creation in the 2008 State Budget.

We appreciate receiving a copy of your correspondence to Governor Eliot Spitzer to include money for charter expenses as authorized by Municipal Home Rule, Article 4, Part 3, §38. Your point is well stated that charter creation and revision is consistent with the Governor's goal of consolidating and efficiently managing municipal jurisdictions.

We will be writing, for a third time, to the other local state representatives, urging them to join you in support of this historic transition in Ulster County.

Again, thank you for your time and efforts. We look forward to working further with you.

Sincerely,

Gary Bischoff, Chairman  
Charter Transition Team

GB/med

Cc: Charter Transition Team Members

# ULSTER COUNTY LEGISLATURE

Gary Bischoff, Legislator  
Chair, Charter Transition Team  
Chair, Laws and Rules



P.O. Box 1800  
KINGSTON, NEW YORK 12402  
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January 17, 2008

Honorable John J Bonacic  
201 Dolson Avenue, Suite F  
Middletown, New York 10940

**Re: State Reimbursement for Charter Creation**

Dear Senator Bonacic,

Thank you for your response letter to our second request for state reimbursement for charter creation as authorized by Municipal Home Rule, Article 4, Part 3, §38.

Your suggestion that the Charter Transition Team write directly to Governor Eliot Spitzer is an excellent one. In fact, Assemblyman Kevin Cahill wrote to Governor Spitzer on December 28, 2007 to request funds in the upcoming budget for charter expenditures. Enclosed please find a copy of his letter.

As Assemblyman Cahill points out, charter revision is consistent with the Governor's goal of consolidating and efficiently managing municipal jurisdictions. We hope you will actively assist us by urging your Senate colleagues to include funding in this year's budget.

Thank you for your consideration to join us and support this historic transition in Ulster County.

Sincerely,

Gary Bischoff, Chair  
Charter Transition Team

GB/med

Cc: Charter Transition Team Members  
Assemblyman Kevin A. Cahill  
Enclosure

# ULSTER COUNTY LEGISLATURE

Gary Bischoff, Legislator  
Chair, Charter Transition Team  
Chair, Laws and Rules



P.O. Box 1800  
KINGSTON, NEW YORK 12402  
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January 17, 2008

Honorable William Larkin, Jr.  
Legislative Office Building, Room 612  
Albany, New York 12247

**Re: State Reimbursement for Charter Creation**

Dear Senator Larkin:

Thank you for your response letter to our second request for state reimbursement for Ulster County's charter creation as authorized by Municipal Home Rule, Article 4, Part 3, §38.

We understand you cannot guarantee any money for this grant initiative. However, we are disappointed that this historic transition for Ulster County has yet to be funded. As Municipal Home Rule states: "In order to encourage and promote the development and revision of charter government at the county level so that county government will be more efficient, more effective and more responsive to the needs of the people, state aid shall be granted to counties."

We urge you to actively support the efforts of Assemblyman Kevin Cahill with your Senate colleagues. Enclosed please find a copy of Kevin's letter to Governor Spitzer to put money in the Executive Budget for charter expenditures.

We appreciate your continued attention to this matter in the upcoming budget negotiations.

Sincerely,

Gary Bischoff, Chair  
Charter Transition Team

GB/med

Cc: Charter Transition Team  
Assemblyman Kevin A. Cahill  
Enclosure

# ULSTER COUNTY LEGISLATURE

Gary Bischoff, Legislator  
Chair, Charter Transition Team  
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P.O. Box 1800  
KINGSTON, NEW YORK 12402  
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January 17, 2008

Honorable Peter D. Lopez  
Room 429, Legislative Office Building  
Albany, New York 12248

**Re: State Reimbursement for Charter Creation**

Dear Assemblyman Lopez:

Thank you for your response letter to our second request for state reimbursement for Ulster County's charter creation as authorized by Municipal Home Rule, Article 4, part 3, §38.

Although your comments were not overly optimistic, we appreciate your assurance to share our request with your colleagues to see if statewide funding can be made available, or if a regional funding solution can be found.

To this end, we ask you to support the efforts of Assemblyman Kevin Cahill who wrote to Governor Spitzer to request inclusion of charter expenditures in the Executive Budget. Enclosed please find a copy of Kevin's letter.

Again, thank you for your close attention to this matter, especially in the upcoming budget negotiations.

We look forward to continue working with you.

Sincerely,

Gary Bischoff, Chair  
Charter Transition Team

GB/med

Cc: Charter Transition Team  
Assemblyman Kevin A. Cahill  
Enclosure

# ULSTER COUNTY LEGISLATURE

Gary Bischoff, Legislator  
Chair, Charter Transition Team  
Chair, Laws and Rules



P.O. Box 1800  
KINGSTON, NEW YORK 12402  
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January 17, 2008

Honorable Clifford W. Crouch  
Legislative Office Building, Room 450  
Albany, New York 12248

**Re: State Reimbursement for Charter Creation**

Dear Assemblyman Crouch:

Thank you for your response letter to our second request for state reimbursement for Ulster County's charter creation as authorized by Municipal Home Rule, Article 4, part 3, §38.

We appreciate your assurance to do your best to ensure funding is made available in the next budget. Therefore, we ask you to support the efforts of Assemblyman Kevin Cahill who wrote to Governor Spitzer requesting funds in the Executive budget for charter expenditures. Enclosed please find a copy of Kevin's letter. We urge you to share it with your colleagues in the Assembly.

Again, thank you for your attention to this matter, especially in the upcoming budget negotiations.

We look forward to continue working with you.

Sincerely,

Gary Bischoff, Chair  
Charter Transition Team

GB/med

Cc: Charter Transition Team  
Assemblyman Kevin A. Cahill  
Enclosure

# ULSTER COUNTY LEGISLATURE

Gary Bischoff, Legislator  
Chair, Charter Transition Team  
Chair, Laws and Rules



P.O. Box 1800  
KINGSTON, NEW YORK 12402  
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January 17, 2008

Honorable Thomas Kirwan  
Room 725, Legislative Office Building  
Albany, New York 12248

**Re: State Reimbursement for Charter Creation**

Dear Assemblyman Kirwan:

We understand you had surgery recently and we wish you a speedy recovery.

We request your assistance in our efforts to secure funding for Ulster County's Charter creation as authorized by Municipal Home Rule, Article 4, Part 3, §38. Although we have written twice already, we have yet to receive a reply.

As Municipal Home Rule states: "In order to encourage and promote the development and revision of charter government at the county level so that county government will be more efficient, more effective and more responsive to the needs of the people, state aid shall be granted to counties."

We ask you to support the efforts of Assemblyman Kevin Cahill who wrote to Governor Spitzer requesting funds in the upcoming budget for charter expenditures. Enclosed is a copy of Kevin's letter.

Please urge your colleagues in the Assembly to support this historic transition in Ulster County, especially members of counties where adoption of a charter government may be a future consideration.

We hope to hear from you and look forward to working with you on this matter.

Sincerely,

Gary Bischoff, Chair  
Charter Transition Team

Cc: Charter Transition Team  
Assemblyman Kevin A. Cahill  
Enclosure