

Supporters urge Gov. Cuomo to OK county review of border changes

Friday Posted Sep 23, 2016 at 6:49 PM

Updated Sep 23, 2016 at 6:49 PM

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Times Herald-Record

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Gov. Andrew Cuomo has a week to decide whether to sign a bill he vetoed last year that emerged from the Kiryas Joel annexation controversy and would give county planning departments the authority to review and make recommendations on municipal border changes that could have a regional impact.

Cuomo said the proposal violated the state constitution when he rejected it, but state lawmakers passed it again this June. On Friday, its sponsor - Assemblyman James Skoufis, D-Woodbury - stood with more than a dozen supporters outside his Chester office to urge Cuomo to sign the bill this time, flatly disputing his constitutional objection and arguing that counties should have the same input on annexation requests that they already have on even the smallest development plans.

Applying those same oversight procedures, the bill would allow county planners to render judgment on any annexation requests that would require the county or annexing municipality to provide water or sewer service. The municipalities could ignore the county's advice, but would need a super-majority - four people on a five-member town board - to do so. Skoufis introduced the bill while the Kiryas Joel and Monroe boards were considering two petitions for Kiryas Joel to annex 507 acres or 164 acres.

In his veto message, Cuomo argued the bill violated a constitutional provision that requires the consent of a county's governing board for an annexation only when a county's borders are affected. Skoufis and other speakers pointed out on Friday that his bill doesn't involve a governing board - the county Legislature - or consent, since planners would merely make recommendations that local officials could override.

"This is not an unconstitutional act," said SUNY New Paltz professor Gerald Benjamin, director of the school's Benjamin Center and an expert on New York State government.

Also joining Skoufis at the press conference were the leaders of seven towns and villages that sued in collaboration with the Orange County government last year to overturn the 164-acre annexation that Monroe approved; representatives of the Sierra Club and Preserve Hudson Valley, which also has a pending annexation challenge; and municipal attorneys Joseph McKay and Richard Golden.

Cuomo spokesman Rich Azzopardi said this week that the governor and his staff are reviewing the bill and will decide on it by the Oct. 1 deadline.

Cuomo's veto in July 2015 delighted Kiryas Joel leaders and their supporters and infuriated annexation opponents. Their anger was stoked with the discovery that a Kiryas Joel developer who controlled some of the annexation land had given \$250,000 to the governor's campaign through several limited-liability companies shortly after the veto.

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