

Financial Restructuring Board for Local Governments

Meeting Minutes November 19, 2013 11:30 AM

The Blue Room (Room 250)
NYS State Capitol Building
Albany, NY 12224

The Financial Restructuring Board for Local Governments ("the Board") convened at 11:37 A.M. on November 19, 2013 in the New York State Capitol Building in Albany, NY. The following members of the Board were present:

Robert Megna (Chair)
Thomas DiNapoli
Dierdre Scozzafava (representative designated for Cesar Perales)
Jack Martins
Herman Farrell, Jr.
Sydney Cresswell
RoAnn Destito
Matthew Driscoll

The following members of the Board were absent:

Eric Schneiderman
Todd Snyder

Chairman Megna asked the Board to consider the minutes from the meeting on September 23, 2013. Mr. Driscoll motioned to approve the minutes and Ms. Destito seconded the motion. The minutes were unanimously approved.

Timothy Ryan of the Division of the Budget gave a brief presentation to outline the financial condition of the two applicants before the Board (the City of Fulton and the Town of Fishkill).

Chairman Megna discussed how the two municipalities that have applied for a Comprehensive Review from the Board represent two very different types of problems and financial circumstances. He indicated that Board members were welcome to provide comments or questions on the applicants at this time.

Mr. DiNapoli inquired about the review process if both applicants were accepted by the Board. Chairman Megna explained that the Board's acceptance would begin a six month timeframe for completion of a Comprehensive Review, that municipalities would not be required to implement recommendations unless financial assistance is accepted,

and that the Board would have discretion regarding the timing of any potential financial awards and could negotiate with the municipality.

Ms. Destito inquired about the tax rate and recent tax increases in the Town of Fishkill. Chairman Megna and Mr. Ryan explained that the presented tax rate for the Town represents a five year average, and that the rate for 2013 was not readily available but could be provided after the meeting.

Mr. Driscoll expressed that he is familiar with both communities and that he would appreciate the opportunity to meet with the local officials.

Ms. Cresswell discussed the importance of examining social indicators for the City of Fulton and restructuring opportunities in the Town of Fishkill.

Mr. Martins agreed that he would like to meet with the local officials, and discussed how the two communities are reflective of others across the State.

Ms. Scozzafava inquired about the potential for recapturing financial assistance if a local government's administration changes and does not continue to implement the Board's recommendations. Chairman Megna indicated that he believes it is possible to put recapture provisions in place.

Mr. DiNapoli mentioned that his office recently completed an audit of the Town of Fishkill, and is expecting to release an audit of the City of Fulton in the near future.

Mr. Farrell acknowledged that both the Town of Fishkill and the City of Fulton have difficult financial circumstances that warrant review by the Board.

Chairman Megna asked the Board to consider the following Resolutions:

Resolution No. 2013-05: Approving the Request for a Comprehensive Review from the City of Fulton.

Mr. Farrell motioned to adopt the Resolution. Ms. Destito seconded the motion and the Resolution was unanimously adopted.

Resolution No. 2013-06: Approving the Request for a Comprehensive Review from the Town of Fishkill.

Mr. Driscoll motioned to adopt the Resolution. Mr. Farrell seconded the motion and the Resolution was unanimously adopted.

Resolution No. 2013-07: Administrative Action (appointing Timothy Ryan as the Secretary to the Financial Restructuring Board for Local Governments).

Ms. Destito motioned to adopt the Resolution. Mr. Farrell seconded the motion and the Resolution was unanimously adopted.

The Meeting was adjourned at approximately 12:04 P.M.

Respectfully submitted,
Timothy Ryan

Secretary