

OPINIONS OF THE ATTORNEY GENERAL

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FORMAL OPINIONS

No. 2014-F1

Not-For-Profit Corporation Law § 1411; General Municipal Law art. 18-A, §§ 852, 854(4), 854(7), 854(14), 854(15), 856(2), 858, 858(4), 858(9), 858(10), 858(11); Public Authorities Law §§ 1020-f(o), 1020-I, 1974(12)

An industrial development agency (IDA) is not authorized to create a subsidiary in order to fulfill its designated function or to provide grants or loans from its own moneys to public or private interests. *September 9, 2014*

No. 2014-F2

Public Authorities Law §§ 1204-e, 1204-e(1), 1204-e(2), 1204-e(3), 1204-e(4), 1204(3-b), 1266-d, 1266-d(1), 1266-d(2), 1266-d(3), 1266-d(4), 1266-e, 1266-e(1), 1266-e(2), 1266-e(3), 1266-e(4), 1266-I, 1266(6), 1279-c(1); Internal Revenue Code § 501(c)(3); Economic Development Law § 241(7); Executive Law § 580(3); Not-For-Profit Corporation Law § 1507-a(e)

The Permanent Citizens Advisory Committee to the MTA may not seek federal designation as a tax exempt organization, solicit donations directly from the public, or apply to state agencies for direct funding. *September 9, 2014*

INFORMAL OPINIONS

No. 2014-2

General Obligations Law §§ 7-103, 7-103(2), 7-103(2-a); Municipal Home Rule Law §§ 2(5), 10(1)(ii), 10(1)(ii)(a)(12); Session Laws 1970 ch. 1009

A county is not authorized to adopt a local law requiring that certain residential landlords deposit security payments into an interest bearing account. *September 3, 2014*

No. 2014-3

County Law §§ 210, 500, 500(1); Public Authorities Law § 5

When county legislators serve staggered four-year terms, the county attorney's term of appointment runs during the two-year term of the appointing county legislature. *September 3, 2014*

No. 2014-4

Village Law §§ 3-301(4), 10-1006(2), 10-1006(12), 10-1010, 10-1012, 10-1014, 10-1018

The battalion chief of a village fire department cannot also serve as village mayor or village trustee. *September 3, 2014*

No. 2014-5

Real Property Law §§ 462, 462(1), 463, 463(4), 463(6), 463(11), 463(13), 465(1); Not-For-Profit Corporation Law art. 16, §§ 1601, 1603, 1603(a), 1603(b), 1603(h), 1605(1), 1607, 1607(a)(12), 1607(a)(13), 1607(a)(15), 1612(a), 1617(b); Public Authorities Law §§ 2(2)(e), 6(1)(a); Public Officers Law §§ 73, 74

The Greater Syracuse Property Development Corporation, a land bank, is a "governmental entity" for the purpose of Article 14 of the Real Property Law and, as such, it need not provide a disclosure statement when it sells residential real property. *September 3, 2014*

No. 2014-6

Agriculture & Markets Law art. 7, §§ 106, 109, 111, 114, 117, 117(7), 117(7-a), 122, 122(1), 377(a), 377-a, 377-a(1), 377-a(2), 377-a(5); Municipal Home Rule Law §§ 10, 10(1)(ii), 10(1)(ii)(a)(12)

A town may adopt a local law that would allow its animal shelter to spay and neuter dogs and cats after the expiration of the applicable redemption period but before they are selected for adoption. *September 10, 2014*

