

Mayor's column

March 21, 2017

With the current discussion of various elections, budgets and taxing entities, I thought it instructive to review the government pyramid that trickles all the way down to our Village Board, truly the end of the line!

Our Albany government is headed by the Governor and Lt. Governor who are elected for four year terms with no term limits. Historically, unlike the office of the Mayor of New York City, the Governorship is a successful launching point for even higher aspirations. Ten governors have been major party candidates for President and four, Martin Van Buren, Grover Cleveland, Theodore Roosevelt and Franklin D. Roosevelt have won the office. Six New York Governors have gone on to serve as Vice-President and two Governors, John Jay and Charles Evan Hughes, served as Chief Justice of the United States.

The Governor presides over a bicameral legislature consisting of 150 Assembly members and currently 63 State Senators. A Senate district varies from two to three times more populous than an Assembly district. Both legislative positions are two year terms with no limit. The Senate alone confirms the Governor's appointment of all non-elected State officials and judges.

Currently holding a slight majority, the Senate is led by Republican leader John Flanigan, a 15 year legislator who represents the Nassau County towns of Smith haven, Brookhaven and Huntington.

The Assembly with a Democratic majority, is led by Carl Heastie a 17 year veteran in office representing the Northeast Bronx including Williamsbridge and Wakefield. He is the first African American to lead the Assembly since its inception in 1777.

When bills are jointly passed by the two houses, the Governor has a veto power that can only be overridden by a two-thirds vote.

Bills passed during the last ten days of a legislative session are subject to a special 30 day rule upon which if the Governor takes no action, it constitutes a veto. That is why so many local officials wait with baited breath during that final month to see the possible effects on local governments.

Next in the hierarchical structure is County Government. Though the largest and most inclusive local government, it is the most limited in the services it can legally provide. Every New Yorker lives within one of our 62 counties. Scarcely resembling their function at their inception in colonial times, County governments now are largely partners with the State to provide many of the state mandated services including Medicaid, other social services and management of jails and prisoner retention.

They may also provide police services, parks and recreation, community colleges, road and transportation infrastructure, economic development assistance and coordinated regional response to issues of commonality.

Coincidentally, there are also 62 city governments in New York State ranging in size from New York City at over 8.1 million residents to the City of Sherrill with a population of just under 3,100. Cities are governed by locally created Charters that address their basic organization including powers, type of legislative bodies, and services rendered directly to its citizens including public safety and infrastructure.

Following down the pyramid is Town Government. Established in the late 1700's - early 1800's to carry out general governmental functions on a more local level rather than as a state service, there are currently 932 New York towns each of which exists in a county. Interestingly, towns in New York are not permitted to provide fire services on a town wide basis. For this function, special fire protection districts or independent fire boards governed by commissioners must be created.

Villages such as our own and our neighbor Tuckahoe must exist within a town. Thus, every citizen of a Village also lives in a town and a county.

There are currently 551 Villages in New York State and their size and services vary so greatly that there is no typical Village.

The government closest to its citizens, villages very much value Article IX of the State Constitution or so called the Municipal Home Rule Law which explicates the constitutional local powers. Home Rule in its broadest sense describes those governmental functions traditionally reserved to or performed by local governments without undue infringement by the State. In its more technical

sense, “home rule” refers to the constitutional and statutory powers given to local governments to enact local legislation in order to carry out local duties.

The above constitutional right is a primary reason why many communities chafe at the imposition of a tax cap and all of its inherent restrictions placed upon local governments by state dicta.

In the same vein, many communities had reservations about the Affordable Housing Decree, not because of its clearly laudable goals, rather because the Federal government wanted to impose a Uniform Zoning Code on all Westchester County communities regardless of community acreage or density.

All of the above layers are the reasons why you receive a Federal, State, County, Town, Village, Fire District and School District tax bill, all with varying due dates, penalties and legal consequences.