



From: Association for a Better Long Island
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For Immediate Release – February 9, 2021

**AS COVID-19 CONTINUES TO PLAGUE THE ECONOMY, LI
COALITION URGES NEW YORK LEGISLATURE TO PASS BILL THAT
JUMPSTARTS LONG ISLAND ECONOMY**

***Self-Certification Program is Economic Boon for NYC
Same Program Must Be Established for Long Island to speed Pandemic
Economic Recovery***

***Bill Is Zero Cost to NYS
LI Municipalities Ready & Willing to Implement If Passed***

(Hauppauge, New York) – A coalition of Long Island’s economic development advocates is urging New York State (“NYS”) to pass legislation that would establish a self-certification program for building permit applications and construction documents filed with local governments. The program already exists in New York City and the city has benefited for decades.

As the bi-county region begins to develop a post-COVID-19 economic recovery strategy, the coalition is backing legislative bills S1003 and S1004 now being considered in Albany or, as an alternative, include the language in this year’s state budget. In a letter to NYS officials, the group reminded that, aside from the considerable benefits of self-certification, its implementation is at zero cost to New York State and local municipalities.

Economists have determined that self-certification programs spur economic development by reducing red tape, expediting reviews, and thereby increasing financial investment and job creation in the municipality. Recognizing the advantages, several Long Island municipalities strongly support the establishment of self-certification programs and the Town of Huntington recently passed Resolution 2020-609 that places it firmly on record urging the NYS Legislature and Governor to enact such legislation.

“Self-certification is a win-win for Long Island. It creates jobs and economic activity and saves local municipal resources that can be dedicated to far more pressing matters. There is no reason why Long Island shouldn’t have the same economic development advantage as New York City which has been permitting self-certification since 1995,” said **Kyle Strober, Executive Director, Association for a Better Long Island.**

Supervisor Chad A. Lupinacci, Town of Huntington, stated, "In December, the Town of Huntington urged New York State to give the Town the option to accept construction documents based upon their certification by a New York State-licensed architect or professional engineer, which, if implemented, would reduce operating expenses and improve efficiency in the building permit approval process."

“Allowing local governments to implement a professional self-certification program would increase private investment and create new jobs while expediting municipal reviews for landlords and tenants, and thus we support state legislation that authorizes this for Long Island,” said **Kevin Law, CEO & President, Long Island Association.**

“It is clear to all concerned that it is essential that our municipalities make their building permit process more efficient during these very difficult times so that millions of dollars in private investment can be made all across Long Island, thus putting more of our citizens back to work. This legislation would allow each municipality to do so after they have already approved the construction of the project through its entire review process. It has worked extremely well in NYC and there is no reason why it cannot work in all parts of New York State,” said **Mitchell H. Pally, Chief Executive Officer, Long Island Builders Institute.**

“In December 2020, I sponsored a resolution urging the NYS Legislature and Governor to enact legislation put forth by Senator Gaughran that will allow self-certification. When enacted it will be a safe, cost-saving, and more efficient process improving the quality of services to the public,” stated **Councilman Mark Cuthbertson, Town of Huntington.**

The legislation would allow the issuance of a permit based upon a certification by a registered architect or engineer licensed in NYS and that the application meets fire prevention and building codes. The program would reduce the backlog of applications the Long Island development community is facing where, as a result of COVID-19, some building departments have backlogs over 100 days. For the local municipalities to move forward in establishing a self-certification program, it requires the State Legislature and the Governor to grant them the authority.

“In this era of a painful pandemic-induced recession Long Island should be given every tool to rebuild its economy. This legislation would allow significant progress in achieving that goal,” concluded Strober.



February 8, 2021

Hon. James Gaughran, Chairman
NYS Senate Local Government Committee
LOB Room 848
Albany, NY 12247

Re: NYS S1003 & S1004 - Self Certification

Dear Chairman Gaughran:

On behalf of the Association for a Better Long Island, Long Island Association and Long Island Builders Institute, the leading advocates of the region's economic development community, we write in support of NYS S1003 & S1004 bills, that would establish a self-certification program for building permit applications and construction documents filed with local governments.

COVID-19 has had a significant impact on our region's economy, affecting small to large businesses, and has posed a threat to the safety and public health on Long Island. The economic impact of COVID19 is yet to be fully known. Taking the necessary steps to facilitate a speedy post pandemic recovery will be vital to our region's economic viability.

Self-certification programs will be instrumental in our economic recovery. In existence in New York City (since 1995), self-certification programs are used to make the permitting process more efficient for projects, save municipal resources and applicant time, as well as generate increased municipal revenue. As a result, the program spurs economic development by increasing investment in the municipality, creating jobs and economic activity. Several Long Island municipalities strongly support the establishment of self-certification programs. In fact, the Town of Huntington recently passed Resolution 2020-609 that urges the NYS legislature and Governor to enact such legislation.

In these unprecedented times where revenue shortfalls are widespread and employment remains at seven percent, a self-certification program could be critical in the region's post pandemic economic recovery. Therefore, the **Association for a Better Long Island, Long Island Association and Long Island Builders Institute fully support NYS S1003 & NYS S1004.**

Sincerely,

Kyle Strober, Executive Director
Association for a Better Long Island

Kevin Law, President & CEO
Long Island Association

Mitch Pally, CEO
Long Island Builders Institute

cc: Hon. Andrew Cuomo, Governor
Hon. Andrea Stewart-Cousins, Majority Leader, NYS Senate
Hon. Carl Heastie, Speaker, NYS Assembly
NYS Senate LI Delegation

STATE OF NEW YORK

1003

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to building permits

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 125 of the general municipal law, as added by chapter 439 of the laws of 1998, is amended to read as follows:

2 § 125. Issuance of building permits. 1. No city, town or village shall issue a building permit without obtaining from the permit applicant either:

3 ~~[1-]~~ (a) proof duly subscribed that workers' compensation insurance and disability benefits coverage issued by an insurance carrier in a form satisfactory to the chair of the workers' compensation board as provided for in section fifty-seven of the workers' compensation law is effective; or

4 ~~[2-]~~ (b) an affidavit that such permit applicant has not engaged an employer or any employees as those terms are defined in section two of the workers' compensation law to perform work relating to such building permit.

5 2. Notwithstanding any law, rule or regulation to the contrary a city, town or village may establish a program whereby a building permit may be issued based upon a certification by a registered architect licensed to practice in the state of New York or a professional engineer licensed to practice in the state of New York that the intended work as set forth in the building permit application meets the requirements of the Uniform Fire Prevention and Building Code. Such program shall include a requirement for a random audit of applications for a building permit to ensure compliance.

6 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets ~~[-]~~ is old law to be omitted.

LBD03826-01-1

STATE OF NEW YORK

1004

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the executive law, in relation to acceptance by a municipal building department of professional certification of compliance with the New York state uniform fire prevention and building code and the New York state energy conservation construction code

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraphs h and i of subdivision 1 of section 381 of the
2 executive law, as added by chapter 560 of the laws of 2010, are amended
3 and a new paragraph j is added to read as follows:

4 h. minimum basic training and in-service training requirements for
5 personnel charged with administration and enforcement of the state ener-
6 gy conservation construction code; [~~and~~]

7 i. standards and procedures for measuring the rate of compliance with
8 the state energy conservation construction code, and provisions requir-
9 ing that such rate of compliance be measured on an annual basis[~~-~~]; and

10 j. establish a program where a municipal department of buildings may
11 accept construction documents required to be filed in relation to code
12 compliance prior to issuance of a certificate of occupancy with less
13 than full examination by the municipal department of buildings based on
14 a professional certification of an application who is an architect or
15 engineer registered with the New York state department of education and
16 such applicant provides evidence of insurance coverage with required
17 limits. Such program shall include a requirement that the municipal
18 department of buildings shall audit such submissions on a random basis.
19 For purposes of such program and the code, the acceptance of
20 construction documents, in accordance with this program shall have the
21 same force and effect as the approval of construction documents after

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [~~-~~] is old law to be omitted.

LBD03827-01-1

1 full examination by a municipal department of buildings. Participation
2 in such program shall be at the option of the municipality. The secre-
3 tary shall promulgate any rules and regulations deemed necessary to
4 carry into effect the provisions of this paragraph.

5 § 2. This act shall take effect on the one hundred twentieth day after
6 it shall have become a law.

RESOLUTION URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR TO ENACT PROPOSED LEGISLATION REGARDING BUILDING PERMIT APPLICATIONS AND CONSTRUCTION DOCUMENTS FILED WITH LOCAL GOVERNMENTS

Resolution for Town Board Meeting Dated: December 15, 2020

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**
COUNCILMAN COOK

and seconded by: **SUPERVISOR LUPINACCI**

WHEREAS, one of the Town's core functions is the administration and enforcement of the New York State Uniform Fire Prevention and Building Code ("the Uniform Code"); and

WHEREAS, State Senator James Gaughran has recently introduced a pair of bills which, if enacted, would assist the Town in carrying out this mission; and

WHEREAS, bill S9108 would amend section 125 of the General Municipal Law to allow a city, town, or village to establish a program to issue building permits based upon the certification of a New York State licensed registered architect or professional engineer that the proposed work meets the requirements of the Uniform Code, with such program further to contain a random audit of applications to ensure compliance; and

WHEREAS, bill S9109 would amend section 381 of the Executive Law and authorize a program whereby a municipal building department, at its option, might accept required construction filings based on the certification of a New York State licensed registered architect or professional engineer, as if fully-examined by the municipal building department, with such program further to require adequate proof of insurance and a random audit of submissions to ensure compliance, said program to be pursuant to any necessary rules and regulations promulgated by the New York State Secretary of State; and

WHEREAS, the proposed legislation, and program established thereunder, would provide benefits to the taxpayers and the public, by reducing the Town's administrative costs of reviewing certain building permit applications, and allowing safe projects to be processed more efficiently; and

WHEREAS, urging the State Legislature and Governor to enact legislation is not an action as defined by SEQRA, 6 NYCRR Section 617.2(b), and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD URGES the New York State Legislature and Governor to enact legislation amending section 125 of the General Municipal Law, as set forth in bill S9108, to allow a city, town, or village to establish a program to issue building permits based upon the certification of a New York State licensed registered architect or

2020-609

professional engineer that the proposed work meets the requirements of the Uniform Code, said program to further contain a random audit of applications to ensure compliance; and

THE TOWN BOARD URGES the New York State Legislature and Governor to enact legislation amending section 381 of the Executive Law, as set forth in bill S9109, and authorize a program whereby a municipal building department, at its option, might accept required construction filings based on the certification of a New York State licensed registered architect or professional engineer, as if fully-examined by the municipal building department, with such program further to require adequate proof of insurance and a random audit of submissions to ensure compliance, said program to be pursuant to any necessary rules and regulations promulgated by the New York State Secretary of State; and

THE TOWN BOARD HEREBY DIRECTS the Town Clerk to send certified copies of this resolution to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader Robert G. Ort, Assembly Speaker Carl E. Heastie, Assembly Minority Leader William A. Barclay, Bill Sponsor Senator James Gaughran, Assemblyman-Elect Keith Brown and Assemblyman Steve Stern.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Chad A. Lupinacci	AYE
Councilwoman Joan A. Cergol	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Edmund J. Smyth	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED