



Office of the Mayor

Hon. Stephanie A. Miner, Mayor

FOR IMMEDIATE RELEASE

DATE: December 3, 2012

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MAYOR STEPHANIE MINER REJECTS AND DISAPPROVES PLANNING COMMISSION CHARTER REVISION

*Mayor Responds to Planning Commission Legislation Saying
It Violates State Law, City Charter, and is Bad Public Policy*

SYRACUSE, N.Y. – Mayor Stephanie A. Miner disapproved charter amending legislation governing the Planning Commission because it violates state law and threatens the effectiveness of the planning process. She also rejected the local law due to its failure to be delivered pursuant to the Charter’s requirements.

“This legislation is a trifecta of failure,” said Mayor Stephanie A. Miner. “The legislation is unlawful because it takes away the mandatory rights of citizens to address charter changes in the voting booth. Second, the legislation is bad public policy. My administration has worked hard to create a better planning process and put experts in planning and community development in charge of these decisions. Finally, the city clerk did not present this legislation in a timely manner. In violation of the Charter, it was not presented to me until nearly one month after passage.”

The legislation is illegal because it violates New York State municipal home rule law. Reductions in executive branch authority must be decided by a referendum of the voters according to §23 of NYS Municipal Home Rule Law.

Since taking office, Mayor Miner has made better urban planning a major priority. She established the Bureau of Planning and Sustainability, the first city agency with a dedicated

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planning mission in decades. Additionally, she worked to establish the Greater Syracuse Property Development Corporation, commonly known as the Syracuse-Onondaga County Land Bank. Giving the Council the ability to unilaterally override Planning Commissions decisions would harm the progress Syracuse has made in establishing a process to make sound planning choices.

This legislation would allow the Common Council to overturn any decisions by the Planning Commission, including proposals that are incomplete or unanimously denied by the commission. Under current law, decisions in which the Commission shows dissent, the Council already has the power to take action.

“The proposed changes destroy the integrity, effectiveness, professional technical review, and overall comprehensive planning currently performed by the Planning Commission by making these complex matters subject to the whim of the legislative process,” added the Mayor in her rejection letter to the City Clerk.

Additionally, this legislation was not delivered to the Mayor in a timely manner. This does not follow the requirements stated by the Charter in Section 4-104 (1) stating “each ordinance shall be signed by the presiding officer and presented promptly to the Mayor by the City Clerk.” The legislation, which was passed by the council on October 9, 2012, was not delivered to the Mayor until November 1, 2012. The Mayor took the same course of action in response to recent legislation updating existing ethics disclosure reporting requirements which was not delivered promptly following a vote of the Council. That legislation was returned by the Mayor to the City Clerk and the Council leadership acknowledged this procedural flaw in the ethics legislation by reintroducing it on November 5, 2012 and passing it at their November 19, 2012 meeting.

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