

**New York State Bar Association**  
Local and State Government Law Section  
**Local and State Government Law Section Fall 2025 Meeting**

Holiday Inn Saratoga Springs  
232 Broadway, Saratoga Springs, NY 12866

**Friday, September 19, 2025 (Day 1)**

12:45 p.m. – 4:50 p.m.

*4.0 MCLE Credits (2.0 Areas of Professional Practice / 1.0 Skills / 1.0 Ethics)*

**Saturday, September 20, 2025 (Day 2)**

8:45 a.m. – 12:40 p.m.

*4.0 MCLE Credits (3.0 Areas of Professional Practice / 1.0 Credit in Cybersecurity,  
Privacy and Data Protection-General)*

**Sunday, September 21, 2025 (Day 3)**

Executive Committee Meeting: 8:00 a.m. – 8:45 a.m.

8:45 a.m. – 11:50 a.m.

*3.0 MCLE Credits (2.0 Areas of Professional Practice / 1.0 Skills)*

**11.0 MCLE Credits**

*(7.0 Areas of Professional Practice; 2.0 Skills; 1.0 Ethics and Professionalism;  
1.0 Cybersecurity, Privacy and Data Protection-General)*

*This program is transitional and is suitable for all attorneys including those  
newly admitted.*

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**Agenda (Day 1)**

**Friday, September 19, 2025**

12:00 p.m.

**Conference Check-in and CLE Registration**

12:45 p.m. – 1:00 p.m.

**Welcome and Opening Remarks**

Adam L. Wekstein, Section Chair  
Hocherman Tortorella and Wekstein, LLP

1:00 p.m. – 1:50 p.m.

### **Freedom of Information Law Update for Municipal Practitioners**

This session begins with a brief overview of FOIL requirements for municipalities, recent legislative proposals to amend FOIL, concerns about misuse of FOIL (harassment, tying up municipal staff, otherwise weaponizing the law) and concerns about a chilling effect on communications between municipalities and their residents fearful of identity theft as personal information is mined.

#### **Speaker:**

Hon. Christopher W. Burdick  
New York State Assembly

Shoshanah V. Bewlay  
Executive Director & General Counsel,  
NYS Committee on Open Government

*1.0 Credit in Areas of Professional Practice*

1:50 p.m. – 2:40 p.m.

### **From Concept to Code: Drafting and Implementing Land Use Laws in New York**

This practical, skills-based session will guide municipal attorneys through the full life cycle of a land use law, from identifying regulatory goals and policy objectives to formulating enforceable code language and facilitating successful adoption at the local level. Using real world examples, attendees will gain tools to navigate local law drafting, SEQRA compliance, county referrals and public hearing challenges with confidence.

#### **Speaker:**

Linda B. Whitehead  
McCullough, Goldberger & Staudt, LLP

*1.0 Credit in Skills*

2:40 p.m. – 3:00 p.m.

**Break**

3:00 p.m. – 3:50 p.m.

**Astride Two Worlds: Ethical Considerations for Government Attorneys**

This program will compare and contrast the ethical obligations of municipal attorneys under statutory and common law principals of government ethics, and the NY Rules of Professional Conduct. Rules pertaining to confidential information, duties to current and former clients, and persons represented by counsel will be examined using hypotheticals.

**Speaker:**

Steven G. Leventhal  
Leventhal, Mullaney & Blinkoff, LLP

*1.0 Credit in Ethics*

3:50 p.m. – 4:00 p.m.

**Break**

4:00 p.m. – 4:50 p.m.

**High Stakes: Cannabis, Enforcement, and Municipal Authority in New York**

This session will provide a comprehensive update on the ever-evolving cannabis industry in New York, with a focus on municipal impacts. Attendees will gain insight into recent legislative and regulatory changes, enforcement trends, and the evolving role of local governments in zoning and public safety oversight. Designed for all municipal attorneys, this course blends legal analysis with on the ground experience to inform practical decision-making.

**Speaker:**

Robert C. Hertman  
Chief of Police, Town of Wallkill, Hertman Law

*1.0 Credit in Areas of Professional Practice*

5:30 p.m. – 6:30 p.m.

**Cocktail Reception and Networking**

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**Agenda (Day 2)**

**Saturday, September 20, 2025**

7:30 a.m. – 8:45 a.m.

**Breakfast**

8:45 a.m. – 9:00 a.m.

**Opening Remarks**

Taa Grays  
NYSBA President-Elect

9:00 a.m. – 9:50 a.m.

**Local Regulation of Clean Energy – Commercial Solar and Battery Storage**

This program will provide an overview of New York State policy on renewable energy, model ordinances for solar installations and battery energy storage and their implementation, and recent relevant case law. The focus will be on implications of local zoning review of commercial solar and battery projects, including approval process considerations.

**Speaker:**

Diana Bunin Kolev  
DelBello Donnellan Weingarten Wise & Wiederkehr,  
LLP

*1.0 Credit in Areas of Professional Practice*

9:50 a.m. – 10:40 a.m.

### **Supreme Court Case Law Update**

This course will cover recent precedent from SCOTUS that may have an impact on local governments, including cases that involve employment law, the First Amendment and displays of flags and religious exercise and accommodations. It will also cover decisions that involved homeless encampments, social media, and impact fees.

#### **Speaker:**

Mark A. Cuthbertson  
Law Offices of Mark A. Cuthbertson

*1.0 Credit in Areas of Professional Practice*

10:40 a.m. – 11:00 a.m.

### **Break**

11:00 a.m. – 11:50 a.m.

### **Electronically Stored Information – Best Practices and Tips for Municipalities**

This session explores best practices for managing Electronically Stored Information (ESI) in the municipal context, including retention, disclosure, and litigation readiness. The course will address FOIL obligations, discovery demands, and practical tips for working with IT professionals to develop defensible ESI policies. Attendees will leave with a clearer understanding of how to mitigate risk and maintain compliance in an increasingly digital environment.

#### **Speaker:**

Edward J. Phillips  
Keane & Beane P.C.

*1.0 Credit in Cybersecurity, Privacy and Data Protection-General*

11:50 a.m. – 12:40 p.m.

### **Hot Topics in Municipal Bonds and Public Finance**

This session will provide municipal practitioners with an update regarding “Hot Topics” and current issues affecting the sale and issuance of municipal bonds by local governments. Topics to be discussed include (1) federal tax issues, including arbitrage, rebate and private use of bond-financed facilities, (2) SEC disclosure issues, including the current topics of cybersecurity and climate change disclosure and (3) the nature and significance of the local counsel’s opinion letter which is generally delivered as part of a bond or note issue.

#### **Speakers:**

Philip K. Grommet  
Bond, Schoeneck & King PLLC

Robert P. Smith  
Hawkins Delafield & Wood LLP

*1.0 Credit in Areas of Professional Practice*

12:40 p.m. and on

### **Lunch and Activities**

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## **Agenda (Day 3)** **Sunday, September 21, 2025**

7:30 a.m. – 8:45 a.m.

### **Breakfast**

8:00 a.m. – 8:45 a.m.

### **Executive Committee Meeting**

8:45 a.m. – 9:00 a.m.

### **Opening Remarks**

9:00 a.m. – 9:50 a.m.

### **General Municipal Law § 50-h Hearings: Tips, Tactics, and Traps to Avoid**

The right to take a General Municipal Law § 50-h or similar examination before litigation commences against your municipality is one that is often taken for granted even though it serves an essential purpose. We will review when an examination can be required, why you should almost always do so, how to identify and avoid potential procedural obstacles and how to use the examination process to maximize your ability to avoid surprises and best defend against subsequent litigation.

#### **Speakers:**

Sharon N. Berlin  
Keane & Beane P.C.

Richard K. Zuckerman  
Keane & Beane P.C.

*1.0 Credit in Skills*

9:50 a.m. – 10:40 a.m.

### **Court of Appeals Update**

This session will provide a timely overview of key 2024–2025 decisions from the Court of Appeals that are impactful to local governments. Attendees will gain insight into recent decisions affecting land use, liability, constitutional authority, and statutory interpretation, along with practical guidance on how these decisions may influence municipalities. This course is ideal for municipal attorneys seeking to stay current with developments at the state's highest court.

#### **Speaker:**

Vincent M. Bonventre  
Professor, Albany Law School

*1.0 Credit in Areas of Professional Practice*

10:40 a.m. – 11:00 a.m.

**Break**

11:00 a.m. – 11:50 a.m.

**Artificial Intelligence and Land Use**

This session will address uses for AI in planning and zoning and will also explore ethical issues for lawyers and other stakeholders in the land use game.

**Speaker:**

Patricia E. Salkin  
Senior Vice President of Academic Affairs, Provost,  
Graduate and Professional Divisions and Professor of  
Law, Touro University Jacob D. Fuchsberg Law  
Center

*1.0 Credit in Areas of Professional Practice*

11:50 a.m.

**End of Program**