



New York State Department of Labor
David A. Paterson, Governor
M. Patricia Smith, Commissioner

April 1, 2009

[REDACTED]

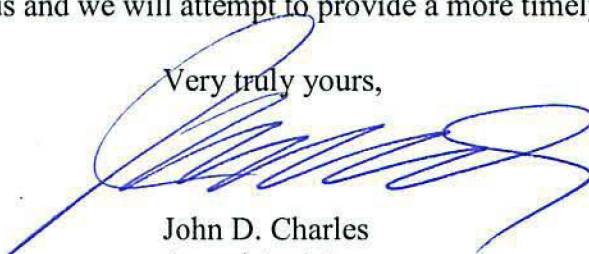
Re: Request for Opinion Re: Chp. 768(sic) of Laws of 2007
Our File No. RO-08-0134

Dear [REDACTED]:

Please accept this letter in response to yours of October 27, 2008, with regard to the application of recent amendments to Labor Law Article 8. As you know, some time ago we discussed this matter by phone, and your question involved the effect of Chp. 678 of the Laws of 2007 in regard to the lease of privately held real property to a municipal entity. Specifically, your client was anticipating the lease of a privately owned building for use as a public high school known as Tech Valley High. Tech Valley High is a regional High School falling under the authority of a partnership of two Capital District BOCES, Questar III and Capital Region BOCES. By the time we were in a position to respond, the time had expired on the project that was being considered. Nevertheless, you asked for some guidance in regard to this issue. Toward that end, I am enclosing four recent opinions on lease issues which may be helpful to you.

We will certainly understand if you have further questions in this regard, and if you do, please feel free to forward them to us and we will attempt to provide a more timely answer.

Very truly yours,


John D. Charles
Associate Attorney

cc: Dayfile
Enclosure

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