

Ed Premo has extensive experience in litigation at all levels of state and federal courts and in challenging federal, state and local statutes and regulations. His practice focuses on environmental and business litigation.

Representative Experience

- In 2016, obtained a seven-figure judgement for a local municipality enforcing a payment-in-lieu-of-taxes agreement and upholding the termination of future tax abatements.
- In 2016, obtained a multi-million dollar arbitration award for breach of a contract for a large “software as a service” project.
- In 2012, successfully represented a school district in a legal challenge to its environmental determination for field lights.
- In 2012, obtained summary judgment dismissing state and federal constitutional taking claims against a municipality for the designation of a historic property.
- In 2011, obtained all necessary approvals and environmental reviews for the development of a county-wide public safety communications facility with construction in twenty municipalities.
- In 2009, in a case of first impression, obtained a judgment that a town could use an incentive zoning process to offset adverse environmental impacts from wind energy projects pursuant to the State Environmental Quality Review Act and Town Law § 261-b.
- In 2009, successfully affirmed a declaratory judgment that a municipal annexation by default would violate Home Rule Provisions of the New York State Constitution.
- In 2005, defended school district with respect to multi-million dollar capital project and obtained a judgment that the district had adequately considered impacts to historic farm site.
- In 2001, defended a public authority and obtained dismissal of a claim that transfer of water services to the authority was a waste of public assets and funds.
- Obtained all necessary permits and approvals with respect to various facilities including big box retail stores, gravel mines, senior living facilities, industrial facilities, water treatment facilities, school construction and other large public work projects.
- Successfully pursued a challenge by a county before the United States Supreme Court declaring a provision of a federal law for disposal of low-level radioactive waste to be unconstitutional thereby preventing location of the facility in the county.

Professional and Civic Affiliations

- Member, Board of Trustees, Finger Lakes Museum and Aquarium
- Member, Environmental Law Section and Executive Committee, New York State Bar Association



EDWARD F. PREMO, II

PARTNER

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Admissions

New York

U.S. District Court for the Southern, Eastern, Northern, and Western Districts of New York

U.S. Court of Appeals for the Second Circuit

U.S. Supreme Court

Education

Columbia University, J.D.

Hobart and William Smith Colleges, B.A., *magna cum laude*

- Member, Environmental Section, New York State Business Council
- Former Member, Board of Directors, Empire Justice Center
- Former Member, Board of Directors, Executive Committee and Vice President, Finger Lakes Land Trust
- Former Chair, Professional Division, United Way of Greater Rochester
- Former Town Attorney, Town of Brighton (1992-1993)
- Former Chair (Two Terms), Environmental Law Committee, Monroe County Bar Association
- Former *Pro Bono* Coordinator, Harter Secrest & Emery LLP

Honors and Awards

- Named as *Best Lawyers*® 2018 Litigation - Real Estate "Lawyer of the Year" in Rochester, NY
- Named as *Best Lawyers*® 2017 Litigation - Municipal "Lawyer of the Year" in Rochester, NY
- Named as *Best Lawyers*® 2016 Litigation - Real Estate "Lawyer of the Year" in Rochester, NY
- Named as *Best Lawyers*® 2013 Land Use and Zoning Law "Lawyer of the Year" in Rochester, NY
- Named as *Best Lawyers*® 2012 Litigation - Land Use and Zoning "Lawyer of the Year" in Rochester, NY
- Selected by his peers for inclusion in *The Best Lawyers in America*® in the fields of Land Use & Zoning Law, Environmental Litigation, Land Use & Zoning Litigation, Municipal Litigation, and Real Estate Litigation
- AV Preeminent® Peer Review Rated by Martindale-Hubbell
- Selected to the Upstate New York Super Lawyers list, 2007, 2009-2019
- Harlan Fiske Stone Scholar, Columbia University
- Phi Beta Kappa, Hobart and William Smith Colleges

News

- Featured in, "Less formal arbitration not always better than judiciary," *Rochester Business Journal*, June 9, 2017

Presentations

- "Advanced Legal Issues Affecting Local Governments and Municipalities: The Ultimate Guide," National Business Institute, March 22-23, 2017
- "The Most Powerful Anti-Fraud Tool Towns Don't Know About," 2016 New York State Association of Towns Annual Conference and Training School, February 2016
- "Attorney's Guide to Local Government - Zoning Considerations," National Business Institute, March 24, 2015
- "Form Based Zoning - Zoning Framework," Corning, NY, May 14, 2015
- "SEQRA Overview and Upcoming Changes," Air and Waste Management Association, October 16, 2013
- "The New SEQRA Environmental Assessment Forms," NYS Department of Environmental Conservation (Albany, Syracuse, Rochester), June 2013
- "Grace Under Pressure," Eyes on the Future Radio Show WHAM 1180, July 2012

