

2154

2011-2012 Regular Sessions

I N   S E N A T E

January 18, 2011

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

AN ACT to authorize the town of Malta to form the Technology Park Special Improvement District

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1     Section 1. 1. Notwithstanding any other provision of law to the  
2     contrary, the town of Malta in the county of Saratoga shall be author-  
3     ized and enabled to form a special improvement district to be known as  
4     the "Technology Park Special Improvement District" (hereinafter the  
5     "district"). The district shall be established in accordance with the  
6     procedural provisions for the establishment of special improvement  
7     districts as provided in articles 12 and 12-A of the town law, and the  
8     district shall be authorized and enabled to provide the services set  
9     forth in this act.
- 10    2. The district shall be comprised of all real property encompassing  
11    the Luther Forest Technology Campus Planned Development District estab-  
12    lished by Local Law No. 6 of 2004 by the town of Malta, as such local  
13    law has been and may be from time-to-time amended.
- 14    3. Upon the establishment of the district, the town board of the town  
15    of Malta shall provide maintenance, repair and replacement of any road-  
16    ways and rights-of-way owned by the town of Malta within the district.
- 17    4. Upon resolution by the town board of the town of Malta, the  
18    district may repair, construct, operate, maintain, monitor and/or  
19    replace:
- 20    a. multi-use trails and sidewalks;  
21    b. street, trail and sidewalk lighting;  
22    c. landscaping;  
23    d. stormwater management systems; and  
24    e. wetland mitigation areas.

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

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1 The town of Malta may also terminate one or more of such benefits or  
2 services by a resolution of its town board.

3 5. The costs and expenses of the operation of the district shall be  
4 paid through the levy of special assessments upon all lots or parcels of  
5 land within the district in proportion to the benefit derived therefrom  
6 as determined by the town board of the town of Malta annually.

7 6. The town board of the town of Malta shall be assisted in this  
8 regard by an advisory board consisting in part of the town highway  
9 superintendent, the town comptroller, and a representative of the Luther  
10 Forest Technology Campus Landowner's Association. The board shall be  
11 advisory only, and shall have no authority to compel any action on the  
12 part of the town of Malta.

13 7. No landowner within the district, whether municipal or otherwise,  
14 shall be exempt from full assessment for the benefits and services  
15 provided by the district authorized by this act, other than roads and  
16 rights-of-way owned or maintained by the town of Malta.

17 8. The town of Malta may terminate the district by resolution,  
18 provided however, no less than sixty days written notice shall be given  
19 to all real property owners within the district.

20 S 2. Severability. If any provision of this act or the application  
21 thereof to any person or circumstance is adjudged invalid by a court of  
22 competent jurisdiction, such judgment shall not affect or impair any  
23 other provisions or applications of this act which can be effected with-  
24 out the invalid provision or application, and to this end the provisions  
25 of this act are severable.

26 S 3. This act shall take effect immediately.