

4223

2011-2012 Regular Sessions

I N S E N A T E

March 23, 2011

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

AN ACT to amend the general municipal law, in relation to consolidating the village of Woodbury with the town of Woodbury

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

1 Section 1. Legislative intent. It was and is the intent of the New
2 N.Y. Government Reorganization and Citizen Empowerment Act to provide
3 opportunities for local governments and electors to adopt consolidated
4 forms of local governments, and this act provides that opportunity to
5 the village and town of Woodbury upon certain terms.
6 S 2. Sections 792 and 793 of the general municipal law are renumbered
7 sections 793 and 794 and a new section 792 is added to read as follows:
8 S 792. CONSOLIDATION OF THE VILLAGE OF WOODBURY AND THE TOWN OF WOOD-
9 BURY. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, OR ARTICLE
10 TWO OF THE VILLAGE LAW, THE VILLAGE AND TOWN OF WOODBURY, NEW YORK, MAY
11 FORM A CONSOLIDATED LOCAL GOVERNMENT ENTITY BY A JOINT CONSOLIDATION
12 AGREEMENT IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE, EXCEPT THAT
13 THE NEW GOVERNMENTAL ENTITY TO SURVIVE SHALL BE THE TOWN (INCLUDING THE
14 EXISTING PORTION OF THE INCORPORATED VILLAGE OF HARRIMAN PRESENTLY WITH-
15 IN THE BOUNDARIES OF THE TOWN OF WOODBURY) THAT SHALL HAVE ALL OF THE
16 POWERS, DUTIES AND OBLIGATIONS OF A GOVERNMENTAL ENTITY UNDER THE TOWN
17 LAW, BUT SHALL NOT BE ELIGIBLE FOR THE FORMATION OF ANY ADDITIONAL
18 VILLAGES WITHIN ITS LIMITS. THE NEW GOVERNMENTAL ENTITY TO SURVIVE SHALL
19 BE GOVERNED INITIALLY BY THE THEN-EXISTING TOWN OF WOODBURY SUPERVISOR
20 AND THE TOWN OF WOODBURY TOWN BOARD MEMBERS.
21 S 3. Savings clause. If any portion, clause, sentence, paragraph,
22 section, word, or part of this act shall be adjudged by any court of
23 competent jurisdiction to be invalid, such judgment shall not affect,
24 impair or invalidate the remainder thereof but shall be confined in its
25 operation to the portion, clause, sentence, paragraph, word, section or

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

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1 part thereof directly involved in the controversy in which such judgment
2 shall have been rendered. The town and village of Woodbury respectively
3 reserve the right, upon a joint resolution and compliance with state
4 law, to revert to their previous status in the event any subsequent
5 change to this act, as a result of any judgment, renders it ineffective
6 as to its legislative intent.

7 S 4. This act shall take effect immediately.