

6934--A

Cal. No. 610

I N   S E N A T E

April 2, 2014

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Introduced by Sen. MARCHIONE -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public authorities law, in relation to the membership of the Saratoga county water authority

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

1     Section 1. Subdivision 1 of section 1199-ddd of the public authorities  
2 law, as amended by chapter 184 of the laws of 1995, is amended to read  
3 as follows:  
4     1. A public corporation known as the "Saratoga county water authority"  
5 is hereby created for the public purposes and charged with the duties  
6 and having the powers provided in this title. The authority shall be a  
7 corporate governmental agency constituting a public benefit corporation  
8 and shall be a "public district" for the purposes of section eighty-  
9 nine-1 of the public service law. The authority shall be governed by a  
10 board consisting of seven members, who shall be residents of the county  
11 and be appointed by the chairman of the board of supervisors and  
12 confirmed by the board of supervisors. At least four members shall be  
13 elected officials. The first members appointed shall be appointed for  
14 the following terms: four for a term ending on December thirty-first,  
15 nineteen hundred ninety-six; three for a term ending on December thir-  
16 ty-first, nineteen hundred ninety-seven. [Subsequent appointment of  
17 members shall be made in the same manner, except that at least one  
18 member shall be a resident of each municipality with which the authority  
19 has service or distribution contracts, and for terms of two years ending  
20 in each case on December thirty-first of the last year of such term.]  
21 SUBSEQUENT APPOINTMENTS OF BOARD MEMBERS SHALL BE MADE IN THE SAME  
22 MANNER, EXCEPT THAT AT LEAST FIVE OF THE SEVEN MEMBERS SHALL EACH BE A  
23 RESIDENT OF A MUNICIPALITY WITH WHICH THE AUTHORITY HAS A SERVICE OR

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

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1 DISTRIBUTION CONTRACT, EACH OF THE SAID RESIDENT BOARD MEMBERS SHALL NOT  
2 BE A RESIDENT OF THE SAME MUNICIPALITY AS ANY OTHER RESIDENT BOARD  
3 MEMBER AND MAY BE ONE OR MORE OF THE AFOREMENTIONED ELECTED OFFICIALS.  
4 SUBSEQUENT APPOINTMENTS OF BOARD MEMBERS SHALL BE FOR TERMS OF TWO YEARS  
5 AND END, IN EACH CASE, ON DECEMBER THIRTY-FIRST OF THE LAST YEAR OF SUCH  
6 TERM. All members shall continue to hold office until their successors  
7 are appointed and have qualified. Vacancies shall be filled in the  
8 manner provided for original appointment. Vacancies occurring otherwise  
9 than by expiration of terms of office, shall be filled by appointment  
10 for the unexpired terms. Members may be removed from office for the  
11 same reasons and in the same manner as may be provided by law for the  
12 removal of officers of the county. In addition, members may be removed  
13 from office by the board of supervisors for inefficiency, neglect of  
14 duty or misconduct in office, after the board of supervisors has given  
15 such member a copy of the charges against him and opportunity to be  
16 heard in person or by counsel in his defense, upon not less than ten  
17 days notice. If a member fails to attend three consecutive regular meet-  
18 ings of the authority, unless such absence is for good cause and is  
19 excused by the chairperson of the authority or other presiding officer,  
20 or in the case of the chairperson of the authority, by the chairperson  
21 of the board of supervisors, the office may be deemed vacant for the  
22 purposes of the nomination and appointment of a successor. The members  
23 of the authority shall receive no salary from the authority. Members and  
24 officers shall be entitled to reimbursement of their actual and neces-  
25 sary expenses including travel expenses, incurred in the discharge of  
26 their duties.

27 S 2. This act shall take effect immediately.