S T A T E O F N E W Y O R K

S. 7664--A A. 10916--A
Cal. No. 604

S E N A T E - A S S E M B L Y

April 29, 2010

IN SENATE -- Introduced by Sens. STACHOWSKI, THOMPSON, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

IN ASSEMBLY -- Introduced by M. of A. PEOPLES-STOKES -- read once and referred to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to deeming the objects or purposes for which certain bonds were issued by the city of Buffalo to be for site improvements adjacent to All High Stadium in said city and authorizing the expenditure of the proceeds from such bonds for such objects or purposes

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

Section 1. Legislative findings. It is hereby found and determined that:

(a) Pursuant to a bond resolution dated February 7, 2006, adopted by the common council of the city of Buffalo, county of Erie (the "common council" and the "city," respectively) the city issued on April 26, 2006 bonds in the aggregate principal amount of $995,196.16 to finance the cost of land acquisition to expand the existing site for P.S. 307, East High School at 820 Northampton Street, in the city, including parcels listed in the Exhibit A attached to such bond resolution, together with site acquisition and infrastructure improvements.

(b) The common council of the city has adopted a resolution stating that expenditure of a portion of the proceeds from such bonds was not needed to finance such cost of land acquisition because the city acquired certain of such parcels through in rem foreclosures and auctions and transferred jurisdiction for school purposes to the Buffalo city school district; and therefore pursuant to such resolution the common council has requested the enactment of special state legislation

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

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to authorize the expenditure of a $598,000 portion of the proceeds of such bonds for site improvements adjacent to All High Stadium in the city to expand parking facilities and create a buffer zone between the parking facilities and adjacent residences.

S 2. Notwithstanding any other provision of law to the contrary, the objects or purposes for which said bonds were issued are hereby deemed to be site improvements adjacent to All High Stadium in the city to expand parking facilities and create a buffer zone between the parking facilities and adjacent residences and the expenditure of the $598,000 proceeds of such bonds for such objects or purposes is hereby authorized, validated, confirmed and ratified.

S 3. The authorization provided in section two of this act shall not take effect until the common council of the city of Buffalo adopts a resolution after the effective date of this act that shall be subject to permissive referendum pursuant to section 23-11 of the charter of the city of Buffalo as if the council had not already created a city debt. In the event a successful petition is filed with the city clerk, the authorization provided in section two of this act shall not take effect unless such resolution is approved by the affirmative vote of a majority of the qualified electors.

S 4. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

S 5. This act shall take effect immediately.