

5024

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. BRODSKY, SPANO -- read once and referred to the  
Committee on Transportation

AN ACT to amend the transportation law, in relation to reestablishing  
the Westchester parkway commission

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

1 Section 1. The transportation law is amended by adding a new article  
2 14 to read as follows:

3 ARTICLE 14

4 WESTCHESTER PARKWAY COMMISSION

5 SECTION 310. WESTCHESTER PARKWAY COMMISSION.

6 311. GENERAL POWERS AND DUTIES OF THE COMMISSION.

7 312. MEETINGS OF THE COMMISSION.

8 S 310. WESTCHESTER PARKWAY COMMISSION. 1. THERE IS HEREBY CREATED THE  
9 WESTCHESTER PARKWAY COMMISSION. THE COMMISSION SHALL BE AN ADVISORY  
10 COUNCIL TO THE COMMISSIONER WITH RESPECT TO THE OPERATION AND MAINTE-  
11 NANCE OF THE SPECIAL PARKWAYS WITHIN THE COUNTY OF WESTCHESTER DESIG-  
12 NATED IN SECTION SEVENTY OF THIS CHAPTER AND WITH RESPECT TO CAPITAL  
13 PROJECTS TO BE UNDERTAKEN.

14 2. THE COMMISSION SHALL BE COMPOSED OF FIVE MEMBERS. THE MEMBERS SHALL  
15 BE RESIDENTS OF THE COUNTY OF WESTCHESTER. THE MEMBERS SHALL BE  
16 APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE AND,  
17 EXCEPT FOR THE INITIAL APPOINTMENT TERMS, SHALL SERVE FOR A TERM OF FOUR  
18 YEARS. THE GOVERNOR SHALL MAKE SUCH APPOINTMENTS, ONE UPON THE RECOMMEN-  
19 DATION OF THE TEMPORARY PRESIDENT OF THE SENATE AND ONE UPON THE RECOM-  
20 MENDATION OF THE SPEAKER OF THE ASSEMBLY, EACH INITIAL APPOINTEE TO  
21 SERVE FOR A TERM OF ONE YEAR; ONE FROM A LIST OF NAMES SUBMITTED BY THE  
22 COUNTY EXECUTIVE, WHICH INITIAL APPOINTEE SHALL SERVE A TERM OF THREE  
23 YEARS; ONE FROM A LIST OF NAMES SUBMITTED BY THE CHAIRPERSON OF THE  
24 COUNTY LEGISLATIVE BODY, WHICH INITIAL APPOINTEE SHALL SERVE FOR A TERM  
25 OF TWO YEARS; AND ONE WHO SHALL BE THE CHAIRPERSON AS DESIGNATED BY THE

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

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1 GOVERNOR, WHICH INITIAL APPOINTEE SHALL SERVE FOR A TERM OF FOUR YEARS.  
2 IN THE EVENT OF A VACANCY, THE VACANCY SHALL BE FILLED IN THE SAME  
3 MANNER AS THE ORIGINAL APPOINTMENT. THE COMMISSIONER, OR HIS OR HER  
4 DESIGNEE, SHALL BE AN EX OFFICIO MEMBER OF THE COMMISSION. MEMBERS SHALL  
5 NOT RECEIVE A SALARY OR OTHER COMPENSATION, BUT SHALL BE REIMBURSED  
6 THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR  
7 OFFICIAL DUTIES.

8 S 311. GENERAL POWERS AND DUTIES OF THE COMMISSION. THE WESTCHESTER  
9 PARKWAY COMMISSION SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

10 1. TO ASSIST IN THE DEVELOPMENT OF STANDARDS FOR THE OPERATION AND  
11 MAINTENANCE OF THE SPECIAL PARKWAYS IN WESTCHESTER COUNTY AND TO ADVISE  
12 THE COMMISSIONER WITH REGARD TO SUCH STANDARDS FOR OPERATION AND MAINTENANCE  
13 ON SUCH PARKWAYS.

14 2. TO MONITOR THE PARKWAY OPERATION AND MAINTENANCE ACTIVITIES  
15 PERFORMED ON THE SPECIAL PARKWAYS IN WESTCHESTER COUNTY BY THE DEPARTMENT  
16 AND TO ADVISE AND REPORT TO THE COMMISSIONER WHETHER OR NOT SUCH  
17 STANDARDS AS MAY HAVE BEEN ADOPTED ARE BEING MET.

18 3. TO ACT IN CONJUNCTION WITH THE COMMISSIONER WITH RESPECT TO ASSESSMENT  
19 OF PARKWAY CAPITAL NEEDS AND EVALUATION OF PROJECT ALTERNATIVES,  
20 AND PRIORITIES RELATING THERETO.

21 S 312. MEETINGS OF THE COMMISSION. THE WESTCHESTER PARKWAY COMMISSION  
22 SHALL MEET AT LEAST FOUR TIMES A YEAR AT THE CALL OF THE COMMISSIONER  
23 AND SHALL KEEP A RECORD OF ALL OF ITS PROCEEDINGS AND RECOMMENDATIONS.  
24 STAFF SERVICES FOR THE COMMISSION SHALL BE PERFORMED BY PERSONNEL OF THE  
25 DEPARTMENT. THE COMMISSIONER SHALL DESIGNATE AN EXECUTIVE SECRETARY FROM  
26 AMONG THE STAFF OF THE DEPARTMENT, WHO SHALL ACT AS THE ADMINISTRATIVE  
27 AGENT OF THE COMMISSION AND ASSIST THE COMMISSION IN FULFILLING ITS  
28 DUTIES AND FUNCTIONS.

29 S 2. This act shall take effect on the sixtieth day after it shall  
30 have become a law.