

S. 5253

A. 7866

2009-2010 Regular Sessions

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

April 27, 2009

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

IN ASSEMBLY -- Introduced by M. of A. JORDAN -- read once and referred to the Committee on Local Governments

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;

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

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- 1 c. landscaping;
- 2 d. stormwater management systems; and
- 3 e. wetland mitigation areas.

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

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

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

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

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

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

29 S 3. This act shall take effect immediately.