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

S. 6419 A. 9484

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

(PREFILED)

January 6, 2010

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

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

AN ACT to amend the town law, in relation to properties included in the Westerlo Water District No. 1

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

Section 1. Section 202-c of the town law is amended by adding a new subdivision 2-g to read as follows:

2-G. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISIONS ONE AND TWO OF THIS SECTION, AS WELL AS ANY OTHER PROVISION OF GENERAL, SPECIAL OR LOCAL LAW, RULE OR REGULATION TO THE CONTRARY, WHENEVER THE TOWN BOARD OF THE TOWN OF WESTERLO, COUNTY OF ALBANY, SHALL DETERMINE IT TO BE IN THE PUBLIC INTEREST, SUCH TOWN BOARD MAY, UPON ITS OWN MOTION AND WITHOUT A PETITION, BUT AFTER A PUBLIC HEARING HELD IN THE MANNER AND UPON THE NOTICE SPECIFIED IN SUBDIVISION ONE OF THIS SECTION, DIMINISH THE WESTERLO WATER DISTRICT NO. 1 BY DELETING THEREFROM THE PROPERTIES THAT WERE INADVERTENTLY AND MISTAKENLY INCLUDED IN THE GEOGRAPHICAL BOUNDARIES OF THE WATER DISTRICT, DUE TO THE SCRIBNER'S AND/OR SURVEYING ERRORS, WHEN THE SAME WAS CREATED, PROVIDED THAT SAID PROPERTIES HAVE NOT RECEIVED ANY BENEFIT FROM THE WATER DISTRICT SINCE ITS INCEPTION.

S 2. This act shall take effect immediately.

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

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