

2948

2011-2012 Regular Sessions

I N A S S E M B L Y

January 21, 2011

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

AN ACT to deem the objects or purposes for which certain bonds were
issued by the county of Erie to be the Erie canal harbor waterfront
development; the purchase of vehicles and heavy equipment; and bridge
and road reconstruction projects 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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative findings. It is hereby found and determined
2 that:
3 (a) Pursuant to a bond resolution dated September 15, 2005, adopted by
4 the Erie county legislature of the county of Erie, (the "county legisla-
5 ture" and the "county", respectively) the county issued on December 28,
6 2005, bonds in the aggregate principal amount of fourteen million
7 dollars (\$14,000,000) to finance the cost of development including demo-
8 lition of existing structures, construction of parking ramp, streets,
9 sidewalks, installation of utilities, wharfing, dockage, landscaping,
10 pedestrian/bicycle trail and amenities including seating, trash cans and
11 streetscapes in or around the Erie canal harbor.
12 (b) The county legislature of the county has adopted a resolution
13 stating that the intended objects or purposes for which said bonds were
14 issued was partially completed with the use of said bonds and the
15 remainder will be carried out by the Erie canal harbor development
16 corporation; and therefore pursuant to such resolution the county legis-
17 lature has requested the enactment of special state legislation to
18 authorize the expenditure of the seven million dollars (\$7,000,000.00)
19 unexpended proceeds of such bonds for alternative intended objects or
20 purposes.
21 S 2. Notwithstanding any other provision of law to the contrary, the
22 objects or purposes for which said bonds were issued are hereby deemed

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

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1 to be Erie canal harbor waterfront development; the purchase of vehicles
2 and heavy equipment; and bridge and road reconstruction projects. The
3 period of probable usefulness of such objects and purposes is hereby
4 determined to be fifteen years within the limitations of subdivision
5 ninety-one of paragraph a of section 11.00 of the local finance law, and
6 the expenditure of the seven million dollars (\$7,000,000.00) unexpended
7 proceeds of such bonds for such objects or purposes is hereby author-
8 ized, validated, confirmed and ratified.

9 S 3. If any clause, sentence, paragraph, section or part of this act
10 shall be adjudged by any court of competent jurisdiction to be invalid,
11 such judgment shall not affect, impair, or invalidate the remainder
12 thereof, but shall be confined in its operation to the clause, sentence,
13 paragraph, section, or part thereof directly involved in the controversy
14 in which such judgment shall have been rendered.

15 S 4. This act shall take effect immediately.