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

9246

I N A S S E M B L Y

April 2, 2014

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

AN ACT to amend chapter 439 of the laws of 2008 relating to authorizing the town of Riga to establish the Host Benefit Agreement reserve fund, in relation to improvements for highways in such town and in relation to making such provisions permanent

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

Section 1. Subdivision 6 of section 1 of chapter 439 of the laws of 2008 relating to authorizing the town of Riga to establish the Host Benefit Agreement reserve fund, is amended to read as follows:

6. An expenditure may be made from such fund only by a resolution of the town board for (a) capital improvements or equipment for water, drainage or fire protection improvements that would benefit the entire town, the area of the town outside the village or the area of the town served by a water, drainage or fire protection district or an area of the town located in a water or drainage improvement benefit area [or], (b) to pay debt service on obligations issued for capital purposes related to a water improvement benefit area or water district. Any such resolution shall set forth the estimated maximum cost thereof, OR (C) FOR THE REPAIR AND IMPROVEMENT OF HIGHWAYS, INCLUDING SLUICES, CULVERTS AND BRIDGES HAVING A SPAN OF FIVE FEET OR LESS, IN ANY AREA OF THE TOWN. Any expenditure from the fund authorizing an expenditure for such capital improvement or equipment shall be subject to permissive referendum as governed by article 7 of the town law. Nothing in this act shall be construed to authorize the transfer to the credit of another reserve fund; provided however, that transfers may be made to the townwide general fund without a permissive referendum.

S 2. Section 3 of chapter 439 of the laws of 2008 relating to authorizing the town of Riga to establish the Host Benefit Agreement reserve fund, is amended to read as follows:

S 3. This act shall take effect immediately [and shall expire and be deemed repealed on December 31, 2014; provided, however, that upon the expiration and repeal of this act, the town may only transfer any

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

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remaining balance to pay debt service on any outstanding bonds or obligations issued for capital improvement or equipment, as defined in section one of this act, related to a water improvemnt benefit area or water district].

S 3. This act shall take effect immediately.