

9349

I N A S S E M B L Y

April 16, 2014

Introduced by M. of A. JAFFEE -- read once and referred to the Committee
on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to the village
of Suffern parking authority and repealing title 18 of article 7 of
such law relating thereto

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

1 Section 1. Title 18 of article 7 of the public authorities law, as
2 added by chapter 320 of the laws of 1974, is amended by adding a new
3 section 1600-t to read as follows:
4 S 1600-T. TERMINATION OF THE AUTHORITY. 1. NOTWITHSTANDING ANY OTHER
5 PROVISION OF LAW TO THE CONTRARY, THE BOARD SHALL WIND UP THE AFFAIRS OF
6 THE AUTHORITY ON OR BEFORE DECEMBER THIRTY-FIRST, TWO THOUSAND FOURTEEN,
7 ON WHICH DATE THE AUTHORITY SHALL CEASE TO EXIST.
8 2. ALL OF THE FUNCTIONS AND POWERS POSSESSED BY AND ALL OF THE OBLI-
9 GATIONS AND DUTIES OF THE AUTHORITY, INCLUDING THE FUNCTIONS, POWERS,
10 OBLIGATIONS AND DUTIES OF ITS BOARD, SHALL, ON OR BEFORE DECEMBER THIR-
11 TY-FIRST, TWO THOUSAND FOURTEEN, BE TRANSFERRED AND ASSIGNED TO, ASSUMED
12 BY AND DEVOLVED UPON THE VILLAGE OF SUFFERN.
13 3. ON OR BEFORE DECEMBER THIRTY-FIRST, TWO THOUSAND FOURTEEN, THE
14 AUTHORITY AND ITS BOARD SHALL DELIVER TO THE VILLAGE OF SUFFERN ALL OF
15 THE AUTHORITY'S BOOKS, PAPERS, RECORDS AND PROPERTY.
16 4. ANY BUSINESS OR OTHER MATTER UNDERTAKEN OR COMMENCED BY THE AUTHOR-
17 ITY OR ITS BOARD PERTAINING TO OR CONNECTED WITH THE FUNCTIONS, POWERS,
18 OBLIGATIONS AND DUTIES HEREBY TRANSFERRED AND ASSIGNED TO THE VILLAGE OF
19 SUFFERN AND PENDING ON DECEMBER THIRTY-FIRST, TWO THOUSAND FOURTEEN, MAY
20 BE CONDUCTED AND COMPLETED BY THE VILLAGE OF SUFFERN IN THE SAME MANNER
21 AND UNDER THE SAME TERMS AND CONDITIONS AND WITH THE SAME EFFECT AS IF
22 CONDUCTED AND COMPLETED BY THE AUTHORITY OR ITS BOARD.
23 5. ALL RULES, REGULATIONS, ACTS, DETERMINATIONS AND DECISIONS OF THE
24 AUTHORITY OR ITS BOARD PERTAINING TO THE FUNCTIONS HEREIN TRANSFERRED
25 AND ASSIGNED, IN FORCE AT THE TIME OF SUCH TRANSFER, ASSIGNMENT, ASSUMP-
26 TION OR DEVOLUTION SHALL CONTINUE IN FORCE AND EFFECT AS RULES, REGU-

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

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1 LATIONS, ACTS, DETERMINATIONS AND DECISIONS OF THE VILLAGE OF SUFFERN,
2 UNTIL DULY MODIFIED OR ABROGATED BY SUCH VILLAGE.

3 6. WHENEVER THE AUTHORITY OR ITS BOARD ARE REFERRED TO OR DESIGNATED
4 IN ANY LAW, CONTRACT OR DOCUMENT PERTAINING TO THE FUNCTIONS, POWERS,
5 OBLIGATIONS AND DUTIES HEREBY TRANSFERRED TO AND ASSIGNED TO THE VILLAGE
6 OF SUFFERN, SUCH REFERENCE OR DESIGNATION SHALL BE DEEMED TO REFER TO
7 THE VILLAGE OF SUFFERN.

8 7. NO EXISTING RIGHT OR REMEDY OF ANY CHARACTER SHALL BE LOST,
9 IMPAIRED OR AFFECTED BY REASON OF THIS SECTION.

10 8. NO ACTION PENDING AT ANY TIME ON THE EFFECTIVE DATE OF THIS
11 SECTION, BROUGHT BY OR AGAINST THE AUTHORITY OR ITS BOARD SHALL BE
12 AFFECTED BY ANY PROVISION OF THIS SECTION, BUT THE SAME MAY BE PROSE-
13 CUTED OR DEFENDED IN THE NAME OF THE VILLAGE OF SUFFERN AND SUCH VILLAGE
14 SHALL, UPON APPLICATION TO THE COURT, BE SUBSTITUTED AS A PARTY.

15 9. ON OR BEFORE DECEMBER THIRTY-FIRST, TWO THOUSAND FOURTEEN, THE
16 AUTHORITY SHALL REPAY ALL OF ITS OUTSTANDING LIABILITIES, INCLUDING ITS
17 NOTES AND BONDS, IF ANY, AND TRANSFER ALL OF ITS RIGHTS, PROPERTIES AND
18 ASSETS, OF WHATEVER KIND, TO THE VILLAGE OF SUFFERN.

19 S 2. Section 1600-b of the public authorities law, as amended by chap-
20 ter 139 of the law of 2009 is amended to read as follows:

21 S 1600-b. Village of Suffern parking authority. A board to be known as
22 "Village of Suffern parking authority" is hereby created. Such board
23 shall be a body corporate, constituting a public benefit corporation,
24 and its existence shall commence upon the appointment of the members as
25 herein provided. It shall consist of a chairman and four other members,
26 who shall be appointed by the mayor with the approval of the board of
27 trustees of the village. Of the members first appointed, one shall be
28 appointed for a period of one year, one for a period of two years, one
29 for a period of three years, one for a period of four years, and one for
30 a period of five years. At the expiration of such terms, the terms of
31 office of their successors shall be five years. Each member shall
32 continue to serve until the appointment and qualification of his succes-
33 sor. Vacancies in such board occurring otherwise than by the expiration
34 of term shall be filled for the unexpired term. The members of the board
35 shall choose from their number a vice-chairman. The board of trustees
36 may remove any member of the board for inefficiency, neglect of duty or
37 misconduct in office, giving him a copy of the charges against him and
38 an opportunity of being heard in person, or by counsel, in his defense
39 upon not less than ten days' notice. The members of the board shall be
40 entitled to no compensation for their services but shall be entitled to
41 reimbursement for their actual and necessary expenses incurred in the
42 performance of their official duties. The powers of the authority shall
43 be vested in and exercised by a majority of the members of the board
44 then in office. Such board may delegate to one or more of its members or
45 to its officers, agents and employees such powers and duties as it may
46 deem proper. Such board and its corporate existence shall continue only
47 to the thirty-first day of December, two thousand [nineteen] FOURTEEN,
48 and thereafter until all its liabilities have been met and its bonds
49 have been paid in full or such liabilities or bonds have otherwise been
50 discharged. Upon its ceasing to exist, all its rights and properties
51 shall pass to the Village.

52 S 3. Title 18 of article 7 of such law, as added by chapter 320 of the
53 laws of 1974 is REPEALED.

54 S 4. This act shall take effect on December 31, 2014, except that
55 section one of this act shall take effect on the thirtieth day after it
56 shall have become a law.