

5271

2013-2014 Regular Sessions

I N   S E N A T E

May 15, 2013

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

AN ACT to amend the general municipal law, in relation to certain industrial development agencies

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

1     Section 1. Section 898-a of the general municipal law, as added by  
2 chapter 995 of the laws of 1972, is amended to read as follows:  
3     S 898-a. Town of Lancaster industrial development agency. For the  
4 benefit of the town of Lancaster in the county of Erie, and the inhabit-  
5 ants thereof, an industrial development agency, to be known as the TOWN  
6 OF LANCASTER INDUSTRIAL DEVELOPMENT AGENCY, is hereby established for  
7 the accomplishment of any or all of the purposes specified in title one  
8 of article eighteen-A of this chapter. It shall constitute a body  
9 corporate and politic, and be perpetual in duration. It shall have the  
10 powers and duties now or hereafter conferred by title one of article  
11 eighteen-A of this chapter upon industrial development agencies and  
12 provided that the exercise of the powers by such agency with respect to  
13 the acquisition of real property whether by purchase, condemnation or  
14 otherwise, shall be limited to the corporate limits of THE TOWNS OF  
15 LANCASTER, CHEEKTOWAGA AND WEST SENECA, ALSO PROVIDED THAT NO EXERCISE  
16 OF THE POWERS BY SUCH AGENCY WITH RESPECT TO THE ACQUISITION OF REAL  
17 PROPERTY WHETHER BY PURCHASE, CONDEMNATION OR OTHERWISE, OUTSIDE THE  
18 CORPORATE LIMITS OF the Town of Lancaster SHALL BE VALID UNTIL THE TOWN  
19 BOARD OF THE TOWN WITHIN WHOSE CORPORATE LIMITS SUCH REAL PROPERTY IS  
20 LOCATED PASSES A RESOLUTION IN SUPPORT OF THE EXERCISE OF THIS POWER,  
21 and such agency shall take into consideration the local zoning and plan-  
22 ning regulations as well as the regional and local comprehensive land  
23 use plans. It shall be organized in a manner prescribed by and be  
24 subject to the provisions of title one of article eighteen-A of this  
25 chapter. Its members shall be appointed by the governing body of the

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

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1 Town of Lancaster. The agency, its members, officers and employees and  
2 its operations and activities shall in all respects be governed by the  
3 provisions of title one of article eighteen-A of this chapter.

4 S 2. Section 901-a of the general municipal law, as added by chapter  
5 364 of the laws of 1973, is amended to read as follows:

6 S 901-a. Town of Clarence, Erie county, industrial development agency.  
7 For the benefit of the town of Clarence, Erie county, and the inhabit-  
8 ants thereof, an industrial development agency, to be known as the TOWN  
9 OF CLARENCE, ERIE COUNTY, INDUSTRIAL DEVELOPMENT AGENCY, is hereby  
10 established for the accomplishment of any or all of the purposes speci-  
11 fied in title one of article eighteen-A of this chapter. It shall  
12 constitute a body corporate and politic, and be perpetual in duration.  
13 It shall have the powers and duties now or hereafter conferred by title  
14 one of article eighteen-A of this chapter upon industrial development  
15 agencies and provided that the exercise of the powers by such agency  
16 with respect to the acquisition of real property whether by purchase,  
17 condemnation or otherwise, shall be limited to the corporate limits of  
18 THE TOWNS OF CLARENCE, ALDEN, ELMA, MARILLA AND NEWSTEAD, ALSO PROVIDED  
19 THAT NO EXERCISE OF THE POWERS BY SUCH AGENCY WITH RESPECT TO THE ACQUI-  
20 SITION OF THE REAL PROPERTY WHETHER BY PURCHASE, CONDEMNATION OR OTHER-  
21 WISE, OUTSIDE THE CORPORATE LIMITS OF the town of Clarence SHALL BE  
22 VALID UNTIL THE TOWN BOARD OF THE TOWN WITHIN WHOSE CORPORATE LIMITS  
23 SUCH REAL PROPERTY IS LOCATED PASSES A RESOLUTION IN SUPPORT OF THE  
24 EXERCISE OF THIS POWER, and such agency shall take into consideration  
25 the local zoning and planning regulations as well as the regional and  
26 local comprehensive land use plans. It shall be organized in a manner  
27 prescribed by and be subject to the provisions of title one of article  
28 eighteen-A of this chapter. Its members shall be appointed by the  
29 governing body of the town of Clarence. The agency, its members, offi-  
30 cers and employees and its operations and activities shall in all  
31 respects be governed by the provisions of title one of article eigh-  
32 teen-A of this chapter.

33 S 3. Section 914-a of the general municipal law, as added by chapter  
34 579 of the laws of 1973, is amended to read as follows:

35 S [914-a] 914-B. Town of Amherst industrial development agency. For  
36 the benefit of the town of Amherst in the county of Erie, and the inhab-  
37 itants thereof, an industrial development agency, to be known as the  
38 TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY, is hereby established for  
39 the accomplishment of any or all of the purposes specified in title one  
40 of article eighteen-A of this chapter. It shall constitute a body corpo-  
41 rate and politic, and be perpetual in duration. It shall have the power  
42 and duties now or hereafter conferred by title one of article eighteen-A  
43 of this chapter upon industrial development agencies and provided that  
44 the exercise of the powers by such agency with respect to the acquisi-  
45 tion of real property whether by purchase, condemnation or otherwise,  
46 shall be limited to the corporate limits of THE TOWNS OF AMHERST, GRAND  
47 ISLAND AND TONAWANDA, ALSO PROVIDED THAT NO EXERCISE OF THE POWERS BY  
48 SUCH AGENCY WITH RESPECT TO THE ACQUISITION OF REAL PROPERTY WHETHER BY  
49 PURCHASE, CONDEMNATION OR OTHERWISE, OUTSIDE THE CORPORATE LIMITS OF the  
50 town of Amherst SHALL BE VALID UNTIL THE TOWN BOARD OF THE TOWN WITHIN  
51 WHOSE CORPORATE LIMITS SUCH REAL PROPERTY IS LOCATED PASSES A RESOLUTION  
52 IN SUPPORT OF THE EXERCISE OF THIS POWER, and such agency shall take  
53 into consideration the local zoning and planning regulations as well as  
54 the regional and local comprehensive land use plans. It shall be organ-  
55 ized in a manner prescribed by and be subject to the provisions of title  
56 one of article eighteen-A of this chapter. Its members shall be



1 appointed by the governing body of the town of Amherst. The agency, its  
2 members, officers and employees and its operations and activities shall  
3 in all respects be governed by the provisions of title one of article  
4 eighteen-A of this chapter.

5 S 4. Section 925-t of the general municipal law, as amended by chapter  
6 466 of the laws of 1991, is amended to read as follows:

7 S 925-t. Town of Concord industrial development agency. 1. For the  
8 benefit of the town of Concord and the inhabitants thereof, an indus-  
9 trial development agency, to be known as the TOWN OF CONCORD INDUSTRIAL  
10 DEVELOPMENT AGENCY, is hereby established for the accomplishment of any  
11 or all of the purposes specified in title one of article eighteen-A of  
12 this chapter. It shall constitute a body corporate and politic, and be  
13 perpetual in duration. It shall have the powers and duties now or here-  
14 after conferred by title one of article eighteen-A of this chapter upon  
15 industrial development agencies and provided that the exercise of the  
16 powers by such agency with respect to the acquisition of real property  
17 whether by purchase, condemnation or otherwise, shall be limited to the  
18 corporate limits of THE TOWNS OF CONCORD, BRANT, COLDEN, COLLINS,  
19 HOLLAND, NORTH COLLINS, SARDINIA AND WALES, ALSO PROVIDED THAT NO EXER-  
20 CISE OF THE POWERS BY SUCH AGENCY WITH RESPECT TO THE ACQUISITION OF  
21 REAL PROPERTY WHETHER BY PURCHASE, CONDEMNATION OR OTHERWISE, OUTSIDE  
22 THE CORPORATE LIMITS OF the town of Concord SHALL BE VALID UNTIL THE  
23 TOWN BOARD OF THE TOWN WITHIN WHOSE CORPORATE LIMITS SUCH REAL PROPERTY  
24 IS LOCATED PASSES A RESOLUTION IN SUPPORT OF THE EXERCISE OF THIS POWER,  
25 and such agency shall take into consideration the local zoning and plan-  
26 ning regulations as well as the regional and local comprehensive land  
27 use plans. It shall be organized in a manner prescribed by and be  
28 subject to the provisions of title one of article eighteen-A of this  
29 chapter. Its members shall be appointed by the governing body of the  
30 town of Concord. The agency, its members, officers and employees and its  
31 operations and activities shall in all respects be governed by the  
32 provisions of title one of article eighteen-A of this chapter. To the  
33 extent that the foregoing provisions of this subdivision or of title one  
34 of this article are inconsistent with the provisions of subdivision two  
35 of this section, the provisions of such subdivision two shall be  
36 controlling.

37 2. The provisions of subparagraph two of paragraph (b) of subdivision  
38 one of section eight hundred fifty-six of this article shall not apply  
39 to the town of Concord industrial development agency and the agency as  
40 created and constituted pursuant to the other provisions of this article  
41 is continued until otherwise altered or terminated pursuant to law.

42 S 5. Section 925-v of the general municipal law, as amended by chapter  
43 441 of the laws of 1994, is amended to read as follows:

44 S 925-v. Town of Hamburg industrial development agency. 1. For the  
45 benefit of the town of Hamburg in the county of Erie, and the inhabit-  
46 ants thereof, an industrial development agency, to be known as the TOWN  
47 OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY, is hereby established for the  
48 accomplishment of any or all of the purposes specified in title one of  
49 article eighteen-A of this chapter. It shall constitute a body corporate  
50 and politic, and be perpetual in duration. It shall have the powers and  
51 duties now or hereafter conferred by title one of article eighteen-A of  
52 this chapter upon industrial development agencies and provided that the  
53 exercise of the powers by such agency with respect to the acquisition of  
54 real property whether by purchase, condemnation or otherwise, shall be  
55 limited to the corporate limits of THE TOWNS OF HAMBURG, AURORA, BOSTON,  
56 EDEN, EVANS AND ORCHARD PARK, ALSO PROVIDED THAT NO EXERCISE OF THE



1 POWERS BY SUCH AGENCY WITH RESPECT TO THE ACQUISITION OF REAL PROPERTY  
2 WHETHER BY PURCHASE, CONDEMNATION OR OTHERWISE, OUTSIDE THE CORPORATE  
3 LIMITS OF the town of Hamburg SHALL BE VALID UNTIL THE TOWN BOARD OF THE  
4 TOWN WITHIN WHOSE CORPORATE LIMITS SUCH REAL PROPERTY IS LOCATED PASSES  
5 A RESOLUTION IN SUPPORT OF THE EXERCISE OF THIS POWER, and such agency  
6 shall take into consideration the local zoning and planning regulations  
7 as well as the regional and local comprehensive land use plans. It shall  
8 be organized in a manner prescribed by and be subject to the provisions  
9 of title one of article eighteen-A of this chapter. Its members shall be  
10 appointed by the governing body of the town of Hamburg. The agency, its  
11 members, officers and employees and its operations and activities shall  
12 in all respects be governed by the provisions of title one of article  
13 eighteen-A of this chapter.

14 2. Notwithstanding the provisions of subdivision two of section eight  
15 hundred fifty-six of article eighteen-A of this chapter, the agency  
16 shall consist of not less than three nor more than nine members who  
17 shall be appointed by the governing body of the town of Hamburg.

18 S 6. This act shall take effect immediately.