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Cal. No. 123

I N S E N A T E

January 22, 2014

Introduced by Sen. SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading-- passed by Senate, vote reconsidered, restored to third reading, amended on third reading and order reprinted, retaining it's place in the order of third reading

AN ACT to authorize the Middletown-Hardenburgh fire district to extend the fire district into the village of Margaretville

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

- 1 Section 1. Notwithstanding any contrary provisions of article 11 of
2 the town law, commencing upon the effective date of a resolution adopted
3 pursuant to section 10-1020 of the village law abolishing the fire
4 department in the village of Margaretville, Delaware County, the town
5 boards of Middletown and Hardenburgh, in the county of Delaware, pursu-
6 ant to subdivision 2 of section 170 of the town law governing fire
7 districts, the boundary of the Middletown-Hardenburgh fire district
8 shall be extended to include the territorial boundaries of the village
9 of Margaretville for the purposes of fire protection.
- 10 S 2. Upon the completion by the town boards of Middletown and Harden-
11 burgh of the proceedings authorized by section one of this act, the fire
12 protection district in the town as extended shall be governed by the
13 provisions of section 184 of the town law, and the Middletown-Harden-
14 burgh fire district shall continue to have all of the powers, duties,
15 and responsibilities vested in and imposed on town boards by section 184
16 of the town law, and shall be subject to all of the limitations, proce-
17 dures, and restrictions set forth in such section.
- 18 S 3. On and after the completion of proceedings authorized by section
19 one of this act, the not-for-profit fire corporation incorporated as the
20 "Margaretville Volunteer Fire Department, Inc." shall maintain its
21 corporate existence and continue to maintain apparatus, appliances and

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

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1 facilities within the village of Margaretville as it did before the
2 enactment of this act. Such continued presence in the village of Margar-
3 etville shall not render the fire corporation the fire department of the
4 village, nor shall it render the fire corporation under the control of
5 the village authorities pursuant to paragraph (e) of section 1402 of the
6 not-for-profit corporation law, provided, however, that for purposes of
7 paragraph (e) of section 1402 of the not-for-profit corporation law, the
8 fire corporation shall be under the control of the towns of Hardenburgh
9 and Middletown.

10 S 4. The towns of Hardenburgh and Middletown, village of Margaret-
11 ville, and the Middletown-Hardenburgh fire district shall use the exist-
12 ing procedures of section 170 of the town law for adoption of the resol-
13 utions to extend the Middletown-Hardenburgh fire district into the
14 village of Margaretville.

15 S 5. This act shall take effect immediately.