

10355

I N A S S E M B L Y

May 23, 2016

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

AN ACT to amend the town law, in relation to the process of selling
surplus fire equipment and vehicles

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

1 Section 1. Subdivision 23 of section 176 of the town law, as amended
2 by chapter 288 of the laws of 1997, is amended to read as follows:
3 23. May sell or otherwise dispose of real and personal property of the
4 district no longer necessary for any of its uses or purposes if, when
5 and in the manner and to the extent authorized so to do in a proposition
6 which is duly submitted and adopted or approved at a special or annual
7 fire district election in the manner provided by section one hundred
8 seventy-nine OF THIS ARTICLE for voting upon appropriations, except that
9 if a proposition shall be submitted pursuant to the provisions of said
10 section for the purchase of apparatus or if a proposition shall be
11 submitted pursuant to the local finance law for the approval of a bond
12 resolution or a capital note resolution for obligations to be issued for
13 the purchase of apparatus, such proposition may specify that apparatus
14 or equipment owned by the district or the proceeds of the sale thereof
15 is to be used in part payment for new apparatus and the adoption of such
16 proposition shall authorize the sale or such other disposition of such
17 apparatus or equipment, or if apparatus or equipment is to be purchased
18 without the submission of a proposition as aforesaid apparatus or equip-
19 ment owned by the district may be used as part payment for new apparatus
20 or equipment without the adoption of a proposition therefor, and except
21 also that the board of fire commissioners may at any time sell or other-
22 wise dispose of real and personal property of the district no longer
23 necessary for any of its uses or purposes if valued at less than [fifty]
24 ONE HUNDRED thousand dollars BUT NOT BELOW TWENTY THOUSAND DOLLARS, if,
25 when and in the manner and to the extent authorized so to do in a resol-
26 ution which shall be subject to a permissive referendum governed in the
27 manner provided in subdivision four of section six-g of the general
28 municipal law and except also that the board of fire commissioners may

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

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1 at any time sell or otherwise dispose of real and personal property of
2 the district no longer necessary for any of its uses or purposes without
3 the adoption of a proposition therefor if the value of such real and
4 personal property does not exceed the sum of [ten] TWENTY thousand
5 dollars.
6 S 2. This act shall take effect immediately.