

1172

2015-2016 Regular Sessions

I N S E N A T E

January 9, 2015

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

AN ACT to amend chapter 324 of the laws of 2014 relating to authorizing the Middletown-Hardenburgh fire district to extend the fire district into the village of Margaretville, in relation to making technical corrections thereto

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

1 Section 1. Sections 1, 2 and 3 of chapter 324 of the laws of 2014
2 relating to authorizing the Middletown-Hardenburgh fire district to
3 extend the fire district into the village of Margaretville, is amended
4 to read as follows:
5 Section 1. Notwithstanding any contrary provisions of article 11 of
6 the town law, commencing upon the effective date of a resolution adopted
7 pursuant to section 10-1020 of the village law abolishing the fire
8 department in the village of Margaretville, Delaware County, the town
9 boards of Middletown and Hardenburgh, in the county of Delaware, pursuant
10 to subdivision 2 of section 170 of the town law governing fire
11 districts, SHALL HAVE THE POWER TO EXTEND the boundary of the Middletown-Hardenburgh fire district [shall be extended] to include the territorial boundaries of the village of Margaretville for the purposes of fire protection.
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15 S 2. Upon the completion by the town boards of Middletown and Hardenburgh of the proceedings authorized by section one of this act, the fire protection district in the town as extended shall be governed by the provisions of [section 184] ARTICLE 11 of the town law, and the Middletown-Hardenburgh fire district shall continue to have all of the powers, duties, and responsibilities vested in and imposed on town boards by [section 184] ARTICLE 11 of the town law, and shall be subject to all of the limitations, procedures, and restrictions set forth in such section.

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

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1 S 3. On and after the completion of proceedings authorized by section
2 one of this act, the not-for-profit fire corporation incorporated as the
3 ["Margaretville Volunteer Fire Department, Inc."] "MIDDLETOWN-HARDEN-
4 BURGH FIRE DISTRICT" shall maintain its corporate existence and continue
5 to maintain apparatus, appliances and facilities within the village of
6 Margaretville as it did before the enactment of this act. Such continued
7 presence in the village of Margaretville shall not render the fire
8 corporation the fire department of the village, nor shall it render the
9 fire corporation under the control of the village authorities pursuant
10 to paragraph (e) of section 1402 of the not-for-profit corporation law,
11 provided, however, that for purposes of paragraph (e) of section 1402 of
12 the not-for-profit corporation law, the fire corporation shall be under
13 the control of the towns of Hardenburgh and Middletown.

14 S 2. This act shall take effect immediately and shall be deemed to
15 have been in full force and effect on the date that chapter 324 of the
16 laws of 2014 took effect.