

2415

2015-2016 Regular Sessions

I N S E N A T E

January 23, 2015

Introduced by Sens. PERKINS, AVELLA, HOYLMAN, KRUEGER, MONTGOMERY, PARKER, SAMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the New York state urban development corporation act, in relation to extending the amount of time between notice of a project and a public hearing

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

1 Section 1. Subdivision (c) of section 6 of section 1 of chapter 174 of
2 the laws of 1968 constituting the New York state urban development
3 corporation act, is amended to read as follows:
4 (c) to any other person, firm, partnership or corporation, without
5 public bidding or public sale, provided there is published in at least
6 one newspaper of general circulation in the municipality in which the
7 project is located a notice which shall include a statement of the identity of the proposed purchaser or lessee and of his proposed use or
8 reuse of the land use improvement project area or applicable portion
9 thereof, the price or rental to be paid by such purchaser or lessee, all
10 other essential conditions of such sale or lease, and a statement that a
11 public hearing upon such sale or lease will be held before the corporation at a specified time and place on a date not less than [ten] THIRTY days after such publication, and provided further that such public
12 hearing is held in accordance with such notice.
13 S 2. Subdivision 2 of section 8 of section 1 of chapter 174 of the
14 laws of 1968 constituting the New York state urban development corporation act is amended to read as follows:
15 (2) Before any sale or lease of all or a substantial part of a project as authorized by subdivision one of this section is consummated, there shall be published in at least one newspaper of general circulation in the municipality in which the project is located a notice which shall

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

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1 include a statement of the identity of the proposed purchaser or lessee,
2 the price or rental to be paid, all other essential conditions of such
3 sale or lease, and a statement that a public hearing upon such sale or
4 lease will be held before the corporation at a specified time and place
5 on a date not less than [ten] THIRTY days after such publication, and
6 such hearing shall be held in accordance with such notice; provided,
7 however, that if the corporation determines that trade secrets or other
8 confidential information about the prospective purchaser's or lessee's
9 business operations, products, processes or designs would otherwise be
10 revealed by such public notice and public hearing, the requirements of
11 this subdivision may be waived by unanimous vote of the directors of the
12 corporation.

13 S 3. Subdivision 2 of section 14 of section 1 of chapter 174 of the
14 laws of 1968 constituting the New York state urban development corpo-
15 ration act, as amended by chapter 576 of the laws of 1969, is amended to
16 read as follows:

17 (2) Notwithstanding the provisions of any general, special or local
18 law or charter, any municipality, by resolution of its local governing
19 body, is hereby empowered without referendum, public auction, sealed
20 bids or public notice, to sell, lease for a term not exceeding ninety-
21 nine years, grant or convey to the corporation any real property owned
22 by it which the corporation shall certify to be necessary or convenient
23 for its corporate purposes. Any such sale, lease, grant or conveyance
24 shall be made with or without consideration and upon such terms and
25 conditions as may be agreed upon by such municipality and the corpo-
26 ration. Certification shall be evidenced by a formal request from the
27 president of the corporation. Before any such sale, lease, grant or
28 conveyance may be made to the corporation, a public hearing shall be
29 held by the local governing body to consider the same. Notice of such
30 hearing shall be published at least [ten] THIRTY days before the date
31 set for the hearing in such publication and in such manner as may be
32 designated by the local governing body.

33 S 4. Subparagraph (iii) of paragraph (b) of subdivision 2 of section
34 16 of section 1 of chapter 174 of the laws of 1968 constituting the New
35 York state urban development corporation act, as amended by chapter 732
36 of the laws of 1990, is amended to read as follows:

37 (iii) in any city having a population of one million or more, provide
38 to any community board in which the project will be located, a notice
39 that such plan will be filed upon its adoption by the corporation and
40 that digests thereof will be available, which notice shall also state
41 that a public hearing will be held to consider the plan at a specified
42 time and place on a date not less than [ten] THIRTY days after such
43 publication;

44 S 5. This act shall take effect immediately.