S T A T E O F N E W Y O R K

S. 7016 A. 9539

S E N A T E - A S S E M B L Y

March 16, 2016

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

IN ASSEMBLY -- Introduced by M. of A. MAGEE -- read once and referred to the Committee on Local Governments

AN ACT in relation to dissolving the Madison County Sewer District and to transfer the physical, financial and all other property and assets, obligations and liabilities of the Madison County Sewer District, including the Madison County Sewage Treatment Facility, to the Town of Cazenovia

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

Section 1. The legal entity known as the "Madison County Sewer District" established pursuant to article 5-A of the county law, is hereby dissolved in its entirety and the physical, financial and all other property and assets of the District, together with the obligations and liabilities thereof are hereby transferred to and shall be assumed by the Town of Cazenovia as follows:

1. The following property and assets of Madison County relative to the Madison County Sewer District are hereby transferred to the Town of Cazenovia:

(a) the Madison County Sewage Treatment Facility (to be renamed the "Town of Cazenovia Water Pollution Control Facility");

(b) all those public sewer lines, sewer trunks and appurtenances and pump stations located within the geographic boundaries of the Town of Cazenovia;

(c) all those public sewer lines, sewer trunks and appurtenances and pump stations located within the geographic boundaries of the Village of Cazenovia (excluding all those sewer lines and appurtenances historically and currently owned by the Village of Cazenovia);

(d) all those public sewer lines, sewer trunks and appurtenances and pump stations located within the geographic boundaries of the Town of Nelson;

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

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(e) all surplus funds of the Madison County Sewer District, which upon transfer, shall be placed in a designated capital reserve fund for the operation and maintenance and infrastructure and capital improvements of the Sewage Treatment Facility;

(f) all accounts receivable due and owing to the former Madison County Sewer District;

(g) all other surplus real and chattel property owned by and utilized by the Madison County Sewer District for the operation and maintenance of the district and the sewage treatment facility.

2. The obligations and liabilities of Madison County relative to the Madison County Sewer District are hereby deemed assumed by the Town of Cazenovia which shall indemnify and defend the County with respect to the same. The obligations and liabilities assumed shall include, but not be limited to, retiree health insurance expenses, other insurance expenses, indirect cost recovery expenses, sludge disposal expenses, and any potential employee or other obligations that may arise.

S 2. This act shall take effect upon the completion and execution of appropriate and necessary inter-municipal agreement or agreements by and between the Town of Cazenovia, Town of Cazenovia Consolidated Sanitary Sewer District, Village of Cazenovia, Town of Nelson, and County of Madison relative to the aforementioned transfer of assets and assumption of obligations and liabilities, and relative to the management, maintenance, operation, billing, financing and future infrastructure and capital improvements of the Town of Cazenovia Water Pollution Control Facility and corresponding sewerage system formerly known as the Madison County Sewer District; provided that the town supervisor of the Town of Cazenovia shall notify the legislative bill drafting commission upon the completion and execution of such appropriate and necessary inter-municipal agreement or agreements in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.