

STATE OF NEW YORK

4711

2017-2018 Regular Sessions

IN ASSEMBLY

February 3, 2017

Introduced by M. of A. PEOPLES-STOKES -- read once and referred to the Committee on Cities

AN ACT in relation to deeming the objects or purposes for which certain bonds were issued by the city of Buffalo to be for the construction of an archway and infrastructure improvements at the intersection of Michigan avenue and Broadway within said city and authorizing the expenditure of the proceeds from such bonds for such objects or purposes

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative Findings. The legislature hereby finds and
2 determines that pursuant to a bond resolution dated February 21, 2012
3 adopted by the common council of the city of Buffalo, county of Erie,
4 (the "common council" and the "city" respectively) the city issued on
5 April 17, 2012, bonds in the principal amount of \$150,000 sold as part
6 of general improvement serial bonds in the aggregate principal amount of
7 \$21,640,000 to finance the cost of infrastructure improvements to the
8 archway at the intersection of Michigan avenue and Jefferson avenue
9 within the city. The legislature further finds and determines that said
10 resolution failed to include language regarding the construction of an
11 archway and to identify the accurate intersection within the city in
12 which such archway construction and such infrastructure improvements
13 were intended to be made.

14 § 2. Notwithstanding any other provision of law to the contrary, the
15 object or purposes for which said bonds were issued are hereby deemed to
16 be for the construction of an archway to be located at the intersection
17 of Michigan avenue and Broadway within the city in addition to infras-
18 tructure improvements at the intersection of Michigan avenue and Broad-
19 way consisting of a study, design, required sidewalk and curb replace-
20 ment, landscaping, tree trimming, and other required right of way
21 enhancements as mentioned in the aforesaid resolution and the expendi-

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

LBD08912-01-7

1 ture of the \$150,000 proceeds of such bonds for such objects or purposes
2 is hereby authorized, validated, confirmed and ratified.

3 § 3. The authorization provided in section two of this act shall not
4 take effect until the common council of the city of Buffalo adopts a
5 resolution after the effective date of this act that shall be subject to
6 permissive referendum pursuant to section 23-11 of the charter of the
7 city of Buffalo as if the council had not already created a city debt.
8 In the event a successful petition is filed with the city clerk, the
9 authorization provided in section two of this act shall not take effect
10 unless such resolution is approved by the affirmative vote of a majority
11 of the qualified electors.

12 § 4. Separability. If any clause, sentence, paragraph, section or part
13 of this act shall be adjudged by any court of competent jurisdiction to
14 be invalid, such judgment shall not affect, impair, or invalidate the
15 remainder thereof, but shall be confined in its operation to the clause,
16 sentence, paragraph, section or part thereof directly involved in the
17 controversy in which such judgement shall have been rendered.

18 § 5. This act shall take effect immediately.