STATE OF NEW YORK

5007

2017-2018 Regular Sessions

IN SENATE

March 6, 2017

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

AN ACT in relation to authorizing the county of Cayuga to sell or lease the real property and improvements formerly known as the Cayuga County Nursing Home to Auburn Community Hospital

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

Section 1. Legislative findings. The legislature finds that the county of Cayuga had previously owned and operated a public nursing home known as the Cayuga County Nursing Home. This facility is now closed as a result of a merger with Mercy Health and Rehabilitation Center which has assumed responsibility for the former residents of the Cayuga County Nursing Home. As a result of such closure, the real property and improvements which constituted the nursing home are no longer occupied and are not necessary for any county purposes. The Auburn Community Hospital has expressed an interest in acquiring such real property and improvements by lease or sale for the purpose of continuing, extending and enhancing its purpose of providing health care, including nursing home care, within the city of Auburn, the county of Cayuga and their surrounding environs. It is in the best interests of the residents of the community for the county of Cayuga and Auburn Community Hospital to be able to negotiate and complete a transaction through which the county of Cayuga will be able to sell or lease the real property, improvements, and any personal property formerly known as and used for the Cayuga County Nursing Home to Auburn Community Hospital.

§ 2. Definitions.

a. "County" shall mean the county of Cayuga.

b. "Hospital" shall mean the Auburn Community Hospital.

c. "County nursing home" shall mean the real property, buildings and other improvements and any related personal property located in the town of Sennett, county of Cayuga and state of New York formerly known and

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

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used as and for the Cayuga County Nursing Home and more particularly described as the property located at 7451 County House Road, Auburn, New York 13021.

d. "Reasonable consideration" shall mean the amount of money and other items of value which shall be determined by taking into account the fair market value for sale or, in the case of a lease, the fair market rental value of the county nursing home, while also considering the broader community benefit of the hospital acquiring the county nursing home.

e. "Local legislative body" shall mean the Cayuga county legislature.

§ 3. Notwithstanding the provisions of any other general or special law of the state of New York, or of any local law, ordinance or resolution, the local legislative body may by a resolution adopted by a two-thirds vote of its members, approve the sale or lease of the county nursing home to the hospital in exchange for what they shall determine to be reasonable consideration and upon such terms as they may find to be reasonable and in the best interests of the community.

§ 4. This act shall take effect immediately.