STATE OF NEW YORK

8228

2017-2018 Regular Sessions

IN ASSEMBLY

June 2, 2017

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

AN ACT to amend the town law, in relation to the establishment of a joint police district for the towns of Webb and Inlet

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

Section 1. The town law is amended by adding a new article 10-A to read as follows:

ARTICLE 10-A

JOINT POLICE DISTRICT FOR THE TOWNS OF WEBB AND INLET

Section 160. Establishment of a joint police district for the towns of Webb and Inlet.

§ 160. Establishment of a joint police district for the towns of Webb and Inlet. Notwithstanding any other provision of law to the contrary, the towns of Webb and Inlet may establish a joint police district as follows:

1. The town board of the town of Webb, in the county of Herkimer, and the town board of the town of Inlet, in the county of Hamilton, may establish a joint police district to provide police services for both such towns.

2. To establish a joint police district in accordance with this section, the town boards of the towns of Webb and Inlet shall each enact, by a majority vote, a local law to establish and operate the joint police district. The boundaries of the joint police district shall be the boundaries of the town of Webb and the town of Inlet, and shall include all territories within such towns. Prior to the adoption of such local law, each town board shall hold a public hearing, and a notice of such hearing shall be published and posted in the same manner as for other local laws adopted by such towns. The local law establishing the joint police district may be amended by the same means and procedures as

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

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is required to establish the joint police district pursuant to this section.

3. The local law establishing the joint police district shall provide for the appointment of a board of police commissioners, of not less than three persons, with not less than one commissioner being appointed by the town board of the town of Webb, not less than one commissioner appointed by the town board of the town of Inlet, and not less than one commissioner appointed by the other commissioners. The board of police commissioners shall be the governing body of the police department of the joint police district, and its commissioners shall each serve for a term of four years. The local law establishing the joint police district shall specify what, if any pay, compensation or benefits, to which a police commissioner may be entitled. A commissioner appointed by a town board may be removed for cause by the town board of that town, and the commissioner appointed by the other commissioners may be removed for cause by a unanimous vote of the other such appointing commissioners.

4. The local law establishing the joint police district shall further provide for an ad valorem real property tax on all real property within the district to support and fund the costs and expenses of the joint police district. For all state property located in the joint police district, which is in whole or in part within the Adirondack park, the state of New York shall be assessed and shall pay the ad valorem real property tax to support and fund its assessed share of the costs and expenses of the district. All assessments for, and collections of, the ad valorem real property tax to support the joint police district shall be performed by the town in which the real property is located.

5. The local law establishing the joint police district shall further provide that the board of police commissioners shall annually provide a budget for the costs and expenses of the joint police district, and shall submit such budget to the town boards of the towns of Webb and Inlet for their approval. Approval of such submitted budget shall require the majority approval of each of the town boards of the towns of Webb and Inlet. If either or both such town boards fail to approve the budget submitted by the board of police commissioners, then the budget shall be returned to the board of police commissioners for amendment, and may thereafter, after such amendment, be resubmitted back to such town boards for their reconsideration. Until such time as a budget for the joint police district is approved, the budget which was last approved by the town boards of the towns of Webb and Inlet for the joint police district shall remain in force and effect.

6. All employment decisions, including appointments, dismissals, promotions, discipline and force deployments, for the joint police district shall be performed and determined by the board of police commissioners. Any contract with any employee organization representing members of the police officers or civilians employed by the joint police district, shall be negotiated by and approved by a majority vote of, the board of police commissioners. The local law establishing the joint police district shall provide for the titles of the police officers and civilian employees of the joint police district.

7. The joint police district, by a majority vote of the board of police commissioners, shall be empowered, but shall not be required, to accept any and all assets or personnel from the town of Webb and/or the town of Inlet. Upon the acceptance of any such assets, the title to such shall become the property of the joint police district.

8. The town of Webb and/or the town of Inlet may discontinue their participation in the joint police district by means of a four-fifths

vote of its town board. In the event that either or both towns vote to discontinue the continuation of the joint police district, then the district shall be deemed dissolved, and the assets of the district shall be divided between the town of Webb and the town of Inlet on the basis of the percentage of the ad valorem real property tax paid by the properties within each town to support the joint police district.

§ 2. This act shall take effect immediately; provided however, that in the event a joint police district is established pursuant to this act by the town of Webb and the town of Inlet by local law, such joint police district shall commence operation on the first of January following the enactment of such local law.