

# STATE OF NEW YORK

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5007

2017-2018 Regular Sessions

## IN SENATE

March 6, 2017

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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 Assem-  
bly, do enact as follows:

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

19 § 2. Definitions.

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

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

22 c. "County nursing home" shall mean the real property, buildings and  
23 other improvements and any related personal property located in the town  
24 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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1 used as and for the Cayuga County Nursing Home and more particularly  
2 described as the property located at 7451 County House Road, Auburn, New  
3 York 13021.

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

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

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

17 § 4. This act shall take effect immediately.