

# STATE OF NEW YORK

---

5995

2017-2018 Regular Sessions

## IN SENATE

May 9, 2017

---

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

AN ACT to amend the town law, in relation to making a technical correction relating to the process of selling surplus fire equipment and vehicles

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

1 Section 1. Subdivision 23 of section 176 of the town law, as amended  
2 by chapter 430 of the laws of 2016, is amended to read as follows:

3 23. May sell or otherwise dispose of real and personal property of the  
4 district no longer necessary for any of its uses or purposes if, when  
5 and in the manner and to the extent authorized so to do in a proposition  
6 which is duly submitted and adopted or approved at a special or annual  
7 fire district election in the manner provided by section one hundred  
8 seventy-nine of this article for voting upon appropriations, except that  
9 if a proposition shall be submitted pursuant to the provisions of said  
10 section for the purchase of apparatus or if a proposition shall be  
11 submitted pursuant to the local finance law for the approval of a bond  
12 resolution or a capital note resolution for obligations to be issued for  
13 the purchase of apparatus, such proposition may specify that apparatus  
14 or equipment owned by the district or the proceeds of the sale thereof  
15 is to be used in part payment for new apparatus and the adoption of such  
16 proposition shall authorize the sale or such other disposition of such  
17 apparatus or equipment, or if apparatus or equipment is to be purchased  
18 without the submission of a proposition as aforesaid apparatus or equip-  
19 ment owned by the district may be used as part payment for new apparatus  
20 or equipment without the adoption of a proposition therefor, and except  
21 also that the board of fire commissioners may at any time sell or other-  
22 wise dispose of real and personal property of the district no longer  
23 necessary for any of its uses or purposes if valued at less than one  
24 hundred thousand dollars but not below twenty thousand dollars, if, when

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

LBD11536-01-7

1 and in the manner and to the extent authorized so to do in a resolution  
2 which shall be subject to a permissive referendum governed in the manner  
3 provided in subdivision [~~four~~] seven of section six-g of the general  
4 municipal law and except also that the board of fire commissioners may  
5 at any time sell or otherwise dispose of real and personal property of  
6 the district no longer necessary for any of its uses or purposes without  
7 the adoption of a proposition therefor if the value of such real and  
8 personal property does not exceed the sum of twenty thousand dollars.  
9 § 2. This act shall take effect immediately.