

# STATE OF NEW YORK

5706

2019-2020 Regular Sessions

## IN ASSEMBLY

February 14, 2019

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend the parks, recreation and historic preservation law and the general municipal law, in relation to authorizing an adopt-a-park program

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

1 Section 1. Subdivision 4 of section 3.09 of the parks, recreation and  
2 historic preservation law is amended to read as follows:

3 4. Cooperate in the planning, organization, development and operation  
4 of municipal and private park, recreational and historic preservation  
5 projects and programs. The commissioner may provide technical assist-  
6 ance to municipalities for the planning, organization, development and  
7 operation of adopt-a-park programs undertaken pursuant to section two  
8 hundred seventy-seven of the general municipal law including, but not  
9 limited to, the development and distribution of an informational guide  
10 for participants in such programs.

11 § 2. Section 277 of the general municipal law, as added by chapter 626  
12 of the laws of 1991, is amended to read as follows:

13 § 277. Adopt-a-municipal park, shoreline or roadway programs. 1. The  
14 governing body of any county, city, town or village is hereby authorized  
15 and empowered to authorize and direct such of its officers or agencies  
16 as it shall designate to enter into adopt-a-park, shoreline or roadway  
17 program agreements with volunteers or groups in an effort to reduce and  
18 remove litter from parks, shorelines, roadways and other public lands.  
19 Such agreements shall include but not be limited to:

20 a. providing and coordinating services by volunteers or groups to  
21 reduce the amount of litter including providing trash bags and trash bag  
22 pick up and in designated areas where volunteers may be in close proxim-  
23 ity to moving vehicles providing safety briefings and reflective safety  
24 gear; and

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

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1 b. providing and installing signs identifying those volunteers or  
2 groups adopting particular parks, shorelines, roadways or other sections  
3 of public land.

4 2. With respect to adopt-a-park programs, a program agreement may also  
5 be entered into for the provision of services by volunteers or groups to  
6 preserve, maintain and enhance municipally-owned parks. Such programs  
7 may include, but are not limited to, remediating vandalism, preserving  
8 wetlands, cleaning and maintaining park property, establishing and main-  
9 taining access to nature trails, establishing and maintaining dog runs,  
10 planting and maintaining flower beds or other vegetation, or otherwise  
11 improving and maintaining the natural beauty of such parks.

12 3. Notwithstanding any inconsistent provision of law, the county,  
13 city, town or village and its employees shall not be liable for damages  
14 suffered by any persons resulting from the reasonable actions or activ-  
15 ities of such volunteers or groups provided such actions or activities  
16 were performed in good faith.

17 4. Notwithstanding any provision of law, rule or regulation to the  
18 contrary, no adopt-a-park program shall result in the displacement of  
19 any currently employed worker or the loss of position, including the  
20 partial displacement such as reduction in the hours of non-overtime,  
21 wages, or employment benefits, or result in the impairment of existing  
22 collective bargaining agreements.

23 § 3. This act shall take effect on the one hundred eightieth day after  
24 it shall have become a law.