

# STATE OF NEW YORK

3509

2019-2020 Regular Sessions

## IN ASSEMBLY

January 29, 2019

Introduced by M. of A. CARROLL, ORTIZ, COOK, COLTON, DenDEKKER --  
Multi-Sponsored by -- M. of A. ABBATE, GOTTFRIED, M. G. MILLER -- read  
once and referred to the Committee on Cities

AN ACT to amend the public authorities law, in relation to requiring the  
New York city water board to wait at least thirty days after the  
adoption of the New York city executive budget to establish the annual  
fees and charges for the use of the sewerage system and water system

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

1 Section 1. Subdivision 1 of section 1045-j of the public authorities  
2 law, as added by chapter 513 of the laws of 1984, is amended to read as  
3 follows:

4 1. The water board shall establish, fix and revise, [~~from time to~~  
5 ~~time~~] not less than thirty days after the adoption of the executive  
6 budget by the city, the annual fees, rates, rents or other charges for  
7 the use of, or services furnished, rendered or made available by, the  
8 sewerage system or water system, or both, as the case may be, owned by  
9 the water board pursuant to this title in such amount at least suffi-  
10 cient at all times so as to provide funds in an amount sufficient  
11 together with other revenues available to the board, if any, (i) to pay  
12 to the authority, in accordance with any agreement with the authority,  
13 an amount sufficient for the purpose of paying the principal of and the  
14 interest on the outstanding notes or bonds of the authority as the same  
15 shall become due and payable and maintaining or funding a capital or  
16 debt service reserve fund therefor and, to the extent requested by the  
17 city in, or annually pursuant to, the agreement to pay to the city, in  
18 accordance with the agreement, an amount sufficient for the purpose of  
19 paying the principal of and interest on general obligation bonds thereof  
20 issued for or allocable to the water system or sewerage system or both,  
21 as the case may be, as the same shall become due and payable, and to  
22 maintain or fund reserves therefor, (ii) to pay to the city, in accord-

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

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1   ance with the agreement, an amount sufficient for the purpose of paying  
2   the costs of administering, maintaining, repairing and operating and the  
3   cost of constructing capital improvements to the water system or sewer-  
4   age system or both, as the case may be, (iii) to pay to the city in  
5   accordance with the agreement entered into pursuant to section one thou-  
6   sand forty-five-i of this title an amount sufficient for the purpose of  
7   paying liabilities issued for or allocable to the water system or sewer-  
8   age system or both, as the case may be, as the same shall become due and  
9   payable, (iv) to meet any requirements of any agreement including  
10   requirements relating to the establishment of reserves for renewal and  
11   replacement and for uncollected charges and covenants respecting rates,  
12   (v) to pay all other reasonable and necessary expenses of the authority  
13   and the water board in relation thereto, and (vi) to the extent  
14   requested by the city in or pursuant to the agreement, to pay or provide  
15   for such other purposes or projects as such city considers appropriate  
16   and in the public interest. Any surplus of funds remaining in the water  
17   board after such payments have been made shall be returned to the city  
18   for deposit in the general fund.

19   § 2. Subdivision 9-a of section 1045-j of the public authorities law,  
20   as added by chapter 184 of the laws of 1997, is amended to read as  
21   follows:

22   9-a. ~~[The]~~ After the city adopts an executive budget, the water board  
23   shall hold public hearings, in each borough of the city of New York,  
24   prior to promulgating or fixing ~~[annual water and sewer rates for such~~  
25   ~~city]~~ its annual fees, rates, rents or other charges for the use of, or  
26   services furnished, rendered or made available by, the sewerage system  
27   or water system, or both, as the case may be, owned by the water board  
28   pursuant to this title. The water board's annual water and sewer rates  
29   cannot be set less than thirty days after the city adopts its budget.  
30   Notice of such public hearing shall be conspicuously published in a  
31   newspaper of general circulation, within each borough, at least one week  
32   prior to the hearing.

33   § 3. This act shall take effect immediately.