STATE OF NEW YORK

9154--A

IN ASSEMBLY

January 23, 2020

Introduced by M. of A. JACOBSON, D'URSO -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the town law, in relation to authorizing the town of Newburgh, Orange county, to establish a road improvement district in the Ridge Hudson Valley development area

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

Section 1. The town of Newburgh, in the county of Orange, is hereby authorized to establish a special road improvement district pursuant to articles 12 and 12-A of the town law. Such road improvement district shall be established, funded, operated and otherwise controlled by the provisions of articles 12 and 12-A of the town law and the provisions of this act. To the extent that the provisions of this act shall in any way be in conflict with articles 12 and 12-A of the town law, the provisions of this act shall be controlling.

§ 2. For the purposes of this act, the Ridge Hudson Valley development area shall include the following tax parcels, identified by their tax map reference numbers, section-block-lot, within the town of Newburgh: 60-3-41.3, 60-3-41.4, 60-3-48, 60-4-49.1, 60-3-49.22, 60-3-56, 71-4-8, 71-4-9, 71-4-10, 71-4-11, 71-4-12, 71-4-13, 71-4-14, 71-5-9, 71-5-15, 71-5-16, 97-1-13.3, 97-1-20.3.

§ 3. The purpose of the road improvement district shall be to provide for earthwork and site preparation, construction, repair, reconstruction and maintenance of roads and related appurtenances within and around the Ridge Hudson Valley development area to ensure certain improvements, upgrades and repairs are made pursuant to certain development criteria established by the town of Newburgh. Any such development criteria, construction or reconstruction and subsequent maintenance thereof shall be subject to and in accordance with applicable provisions of the highway law, procedures established by the New York state department of transportation and the consents of the New York state department of transportation, where applicable.

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

LBD14913-02-0

§ 4. Section 202-c of the town law is amended by adding a new subdivision 12 to read as follows:

12. Notwithstanding any other provision of general, special or local law, rule or regulation to the contrary, whenever the town board of the town of Newburgh, Orange County, shall determine it to be in the public interest, said town board may, upon its own motion and without petition, but after a public hearing held in the manner and upon the notice specified in subdivision one of this section, diminish the size of, extend, merge or combine any lighting district or districts, or otherwise amend same, provided that a period of at least one year shall have elapsed since the date of establishment of any such district and, further, provided that there be no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of such district. Any order adopted by the town board pursuant to this subdivision shall be subject to a permissive referendum pursuant to article seven of this chapter.

§ 5. This act shall take effect immediately.