STATE OF NEW YORK

10043

IN ASSEMBLY

April 29, 2022

Introduced by M. of A. SILLITTI, RA -- read once and referred to the Committee on Local Governments

AN ACT in relation to authorizing the incorporated village of Mineola, county of Nassau, to establish and operate a commercial sanitation district and levy a separate tax on properties within such district to fund the expenses and obligations of such district

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

Section 1. 1. Notwithstanding any other law to the contrary, the incorporated village of Mineola, in the county of Nassau, is hereby authorized to establish a separate commercial sanitation district, hereafter referred to as the "district", within the same boundaries of the village to supervise the collection, disposal and treatment of municipal solid waste, as defined pursuant to subdivision 7 of section 27-0501 of the environmental conservation law, which such solid waste is generated from non-contiguous parcels of commercial real property as defined pursuant to subdivision 1 of section 1802 of the real property tax law, also referred to as class two real property in a special assessing unit. Such non-contiguous parcels of commercial real property located within the village shall comprise the make-up of the district. The Mineola village board of trustees and mayor shall serve as the board of the district, and shall direct, manage and oversee such district and shall be empowered to hire such employees and/or contractors as determined necessary for the operations of the district and also utilize other village employees for district purposes as the board deems appropriate and necessary. The village general fund shall be reimbursed by the district for the use of such village employees.

2. The board may authorize the use of village equipment and facilities to fulfill the purposes of the district and may purchase such equipment for district purposes. Nothing herein shall prohibit the board from utilizing village employees to provide services to both residential and commercial properties.

3. In addition to the general village real property tax levied on all taxable properties within the village, the board shall establish a sepa-

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

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rate tax rate to be levied on parcels of commercial real property within such sanitation district to fund the operation and services of the district. The board, in its sole discretion, may exempt from district taxation certain commercial parcels within the district that can demonstrate that such parcels are provided with solid waste collection and disposal services by independent, non-village, contractors or employees of the entity located on such commercial parcels. The village may issue bonds or notes on behalf of the district for district purposes and shall be reimbursed for the costs of issuance and interest thereon. The issuance of such debt shall be subject to the same provisions of law governing the undertaking and issuance of village debt for village purposes. Nothing herein shall be deemed to negate or repeal any provision of law that regulates or governs the safe handling, collection, treatment and disposal of solid waste.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.