

STATE OF NEW YORK

6795--A

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

Introduced by M. of A. BLANKENBUSH -- read once and referred to the Committee on Housing -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public housing law, in relation to the transfer of the village of West Carthage housing authority to the town of Wilna housing authority; and to repeal certain provisions of the public housing law relating thereto

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

1 Section 1. Title 149 of article 13 of the public housing law is
2 REPEALED.

3 § 2. Section 471 of the public housing law, as added by chapter 684 of
4 the laws of 1960, is amended to read as follows:

5 § 471. Town of Wilna housing authority. 1. A municipal housing
6 authority, to be known as the town of Wilna housing authority is hereby
7 created and established for the town of Wilna in the county of Jefferson
8 for the accomplishment of any or all of the purposes specified in arti-
9 cle eighteen of the constitution of the state of New York. It shall
10 constitute a body corporate and politic, be perpetual in duration and
11 consist of five members. It shall have the powers and duties now or
12 hereafter conferred by this chapter upon municipal housing authorities.
13 It shall be organized in the manner prescribed by and subject to the
14 provisions of this chapter and the authority, its members, officers and
15 employees and its operations and activities shall in all respects be
16 governed by the provisions of this chapter.

17 2. Notwithstanding any other provision of law, rule or regulation to
18 the contrary, the village of West Carthage housing authority, in its
19 entirety, shall be transferred to the town of Wilna housing authority.
20 All powers and duties of the village of West Carthage housing authority
21 pursuant to section thirty-seven of this chapter or any other provision
22 relating to municipal housing authorities under article three of this

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

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1 chapter shall be transferred to and assumed by the town of Wilna housing
2 authority.

3 § 3. Transfer of functions. All of the functions and powers possessed
4 by, and all of the obligations and duties of the village of West
5 Carthage housing authority are transferred and assigned to, assumed by
6 and devolved upon the town of Wilna housing authority, in accordance
7 with and pursuant to the provisions of this act.

8 § 4. Transfer of employees. Notwithstanding any other provision of
9 law, rule, or regulation to the contrary, upon the transfer of functions
10 from the village of West Carthage housing authority pursuant to this
11 act, all employees of the village of West Carthage housing authority
12 shall be transferred to the town of Wilna housing authority. Employees
13 transferred pursuant to this section shall be transferred without
14 further examination or qualification and shall retain their respective
15 civil service classifications, status and collective bargaining unit
16 designations and collective bargaining agreements.

17 § 5. Transfer of records. All books, papers, and property of the
18 village of West Carthage housing authority shall be provided to and
19 deemed to be in the possession of the town of Wilna housing authority.

20 § 6. Continuity of authority. For the purpose of succession of all
21 functions, powers, duties and obligations transferred and assigned to,
22 devolved upon and assumed by it pursuant to this act, the town of Wilna
23 housing authority shall be deemed and held to constitute the continua-
24 tion of the village of West Carthage housing authority.

25 § 7. Completion of unfinished business. Any business or other matter
26 undertaken or commenced by the village of West Carthage housing authori-
27 ty pertaining to or connected with the functions, powers, obligations
28 and duties hereby transferred and assigned to the town of Wilna housing
29 authority and pending on the effective date of this act, may be
30 conducted and completed by the town of Wilna housing authority in the
31 same manner and under the same terms and conditions and with the same
32 effect as if conducted and completed by the village of West Carthage
33 housing authority.

34 § 8. Continuation of rules and regulations. All rules, regulations,
35 acts, orders, determinations, and decisions of the village of West
36 Carthage housing authority pertaining to the functions and powers trans-
37 ferred and assigned pursuant to this act, in force at the time of such
38 transfer and assumption, shall continue in full force and effect as
39 rules, regulations, acts, orders, determinations and decisions of the
40 town of Wilna housing authority until duly modified or abrogated by the
41 board of such authority.

42 § 9. Terms occurring in laws, contracts and other documents. Whenever
43 the village of West Carthage housing authority, or the board thereof, is
44 referred to or designated in any contract or document pertaining to the
45 functions, powers, obligations and duties hereby transferred to and
46 assigned to the town of Wilna housing authority, such reference or
47 designation shall be deemed to refer to the town of Wilna housing
48 authority or such authority's board, as applicable.

49 § 10. Existing rights and remedies preserved. No existing right or
50 remedy of any character shall be lost, impaired or affected by any
51 provisions of this act.

52 § 11. Pending actions and proceedings. No action or proceeding pending
53 at the time when this act shall take effect, brought by or against the
54 village of West Carthage housing authority, or the board thereof, shall
55 be affected by any provision of this act, but the same may be prosecuted
56 or defended in the name of the town of Wilna housing authority, or the

1 board thereof. In all such actions and proceedings, the town of Wilna
2 housing authority, upon application of the court, shall be substituted
3 as a party.

4 § 12. Transfer of assets and liabilities. All assets and liabilities
5 of the village of West Carthage housing authority are hereby transferred
6 to and assumed by the town of Wilna housing authority.

7 § 13. This act shall take effect immediately.