

STATE OF NEW YORK

6879

2023-2024 Regular Sessions

IN SENATE

May 12, 2023

Introduced by Sen. WALCZYK -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the public housing law, in relation to the transfer of the West Carthage housing authority to the town of Wilna housing authority; and providing for the repeal of certain provisions of such 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2 REPEALED.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 West Carthage housing authority, in its entirety,
19 shall be transferred to the town of Wilna housing authority. All powers
20 and duties of the West Carthage housing authority pursuant to section
21 thirty-seven of this chapter or any other provision relating to munici-

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

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1 pal housing authorities under article three of this chapter shall be
2 transferred to and assumed by the town of Wilna housing authority.

3 § 3. Transfer of functions. All of the functions and powers possessed
4 by, and all of the obligations and duties of the West Carthage housing
5 authority are transferred and assigned to, assumed by and devolved upon
6 the town of Wilna housing authority, in accordance with and pursuant to
7 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 West Carthage housing authority pursuant to this act, all
11 employees of the West Carthage housing authority shall be transferred to
12 the town of Wilna housing authority. Employees transferred pursuant to
13 this section shall be transferred without further examination or quali-
14 fication and shall retain their respective civil service classifica-
15 tions, status and collective bargaining unit designations and collective
16 bargaining agreements.

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

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

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

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

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

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

1 authority, upon application of the court, shall be substituted as a
2 party.

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

6 § 13. This act shall take effect immediately.