STATE OF NEW YORK

8252--A

2025-2026 Regular Sessions

IN ASSEMBLY

May 5, 2025

Introduced by M. of A. BRABENEC -- 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 permitting the town of Warwick to utilize preservation funds for the implementation of water quality improvement projects

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

Section 1. Subdivisions 1 and 3 of section 64-g of the town law, as added by chapter 262 of the laws of 2005, are amended to read as follows:

1. As used in this section, the following words and terms shall have the following meanings:

(a) "Town" means the town of Warwick.

(b) "Community preservation" shall mean and include any of the purposes outlined in subdivision four of this section.

(c) "Board" means the advisory board required pursuant to subdivision five of this section.

(d) "Fund" means the community preservation fund created pursuant to subdivision two of this section.

(e) "Water quality improvement project" means projects designed to improve the quality of drinking and surface waters.

3. The purposes of the fund shall be exclusively, (a) to implement a plan for the preservation of community character as required by this section, (b) to acquire interests or rights in real property for the preservation of community character within the town including villages therein in accordance with such plan and in cooperation with willing sellers, (c) to establish a bank pursuant to a transfer of development rights program consistent with section two hundred sixty-one-a of this chapter, [~~and~~] (d) to provide a management and stewardship program for such interests and rights consistent with subdivision nine of this

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

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section and in accordance with such plan designed to preserve community character**, and (e) to implement water quality improvement projects in accordance with a plan to preserve community character and protect natural resources**. [**~~Not more than ten percent of the fund shall be utilized for the management and stewardship program.~~**] **A maximum of ten percent of the fund may be utilized for the implementation of water quality improvement projects. Unused funds allocated for water quality improvement projects pursuant to this subdivision may be carried forward from year to year for utilization in future budgets. Not more than thirty percent of the fund shall be utilized for the management and stewardship program.** If the implementation of the community preservation project plan, adopted by the town board, as provided in subdivision six of this section, has been completed, and funds are no longer needed for the purposes outlined in this subdivision, then any remaining monies in the fund shall be applied to reduce any bonded indebtedness or obligations incurred to effectuate the purposes of this section.

§ 2. This act shall take effect immediately.