

# STATE OF NEW YORK

3949

2025-2026 Regular Sessions

## IN ASSEMBLY

January 30, 2025

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

AN ACT to amend the town law, in relation to the establishment of a park district in the town of Onondaga

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

1 Section 1. Subdivision 4 of section 198 of the town law, as amended by  
2 chapter 798 of the laws of 1970, is amended to read as follows:

3 4. Park districts. (a) After a park district shall have been estab-  
4 lished, the town board shall proceed to acquire by purchase or condemna-  
5 tion of the property described in the petition or in the final order, if  
6 the town board proceeded under article twelve-A of this chapter, for the  
7 establishment of such park district, and, thereafter the board may erect  
8 or cause to be erected thereon non-commercial buildings and structures  
9 and it may purchase necessary equipment and otherwise improve such prop-  
10 erty for park purposes, as the board may determine. In existing park  
11 districts, the town board may acquire by purchase, condemnation or  
12 lease, property for public parking places and maintain the same in  
13 accordance with the provisions of subdivision five hereof, without the  
14 establishment of a public parking district. No property situated within  
15 an incorporated village or city shall be acquired in any manner for park  
16 purposes, unless the permission and consent of the board of trustees of  
17 such village or the common council or legislative body of such city, is  
18 first obtained; provided that such permission and consent, if obtained  
19 subsequent to the acquisition of any such property, shall be effective  
20 for all purposes and to the same extent as though obtained prior to such  
21 acquisition. The town board may sell, convey and transfer any property  
22 acquired for park purposes at such an amount as it may determine but not  
23 less than the original cost thereof, and apply the proceeds of such  
24 sale, conveyance or transfer to the purchase of other property for park  
25 purposes and improve such property in the manner provided herein. The

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

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1 town board of the town of Oyster Bay may also convey and transfer to the  
2 state of New York or to any municipal corporation as defined in section  
3 two of the general municipal law or district corporation as defined [~~by~~]  
4 in section [~~three of the general corporation law~~] 2.00 of the local  
5 finance law, any property acquired for park purposes, or any part there-  
6 of, when no longer needed, either without consideration or for such  
7 consideration and upon such terms and conditions as the town board may  
8 determine and the resolution authorizing such conveyance or transfer  
9 shall be subject to a permissive referendum. The town board of the town  
10 of Hempstead may lease to the board of cooperative educational services,  
11 as defined by article forty of the education law, any property acquired  
12 for park purposes, or any part thereof, when no longer needed, either  
13 without consideration or for such consideration and upon such terms and  
14 conditions as the town board may determine. The town board may employ  
15 such persons and expend such amount of money as may be necessary for the  
16 proper maintenance of such park for the use, convenience and enjoyment  
17 of the inhabitants of such park district, and, may in its discretion,  
18 grant licenses and privileges for any use of such park and park property  
19 which contributes thereto. The town board may fix a reasonable charge  
20 for the use of such park by all persons other than inhabitants and  
21 taxpayers of such park district, and, in addition, the board may adopt  
22 general rules and regulations for the government and protection of the  
23 park and all property therein, and, for the enforcement thereof, provide  
24 that the violator of any rule or regulation relating to the park or  
25 property therein shall be guilty of a misdemeanor and shall, on  
26 conviction, in the county of Nassau before a judge of the district  
27 court, and elsewhere before a justice of the peace, be punished by a  
28 fine not exceeding fifty dollars, or, in default of payment of such  
29 fine, by imprisonment not exceeding thirty days.

30 (b) Pursuant to section one hundred ninety-four of this article, the  
31 town board of the town of Onondaga is hereby authorized to establish a  
32 park district in such town by utilizing property owned by the James-  
33 ville-DeWitt central school district. The town of Onondaga may acquire  
34 use of the property from the Jamesville-DeWitt central school district  
35 by a lease agreement which shall be for a minimum period of ten years.  
36 Such lease may provide for consecutive five year renewals, not to exceed  
37 an aggregate period of fifty years, subject to the school district's  
38 right to terminate the lease pursuant to subdivision six of section four  
39 hundred three-a of the education law. Upon the termination of the lease,  
40 the Jamesville-DeWitt central school district may continue to maintain  
41 the property as recreational park land or may cease to utilize the land  
42 for park purposes.

43 § 2. This act shall take effect immediately.