

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:

- 1 Section 1. Subdivisions 1 and 3 of section 64-g of the town law, as
2 added by chapter 262 of the laws of 2005, are amended to read as
3 follows:
- 4 1. As used in this section, the following words and terms shall have
5 the following meanings:
- 6 (a) "Town" means the town of Warwick.
7 (b) "Community preservation" shall mean and include any of the
8 purposes outlined in subdivision four of this section.
9 (c) "Board" means the advisory board required pursuant to subdivision
10 five of this section.
11 (d) "Fund" means the community preservation fund created pursuant to
12 subdivision two of this section.
13 (e) "Water quality improvement project" means projects designed to
14 improve the quality of drinking and surface waters.
- 15 3. The purposes of the fund shall be exclusively, (a) to implement a
16 plan for the preservation of community character as required by this
17 section, (b) to acquire interests or rights in real property for the
18 preservation of community character within the town including villages
19 therein in accordance with such plan and in cooperation with willing
20 sellers, (c) to establish a bank pursuant to a transfer of development
21 rights program consistent with section two hundred sixty-one-a of this
22 chapter, [~~and~~] (d) to provide a management and stewardship program for
23 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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1 section and in accordance with such plan designed to preserve community
2 character, and (e) to implement water quality improvement projects in
3 accordance with a plan to preserve community character and protect
4 natural resources. [~~Not more than ten percent of the fund shall be~~
5 ~~utilized for the management and stewardship program.~~] A maximum of ten
6 percent of the fund may be utilized for the implementation of water
7 quality improvement projects. Unused funds allocated for water quality
8 improvement projects pursuant to this subdivision may be carried forward
9 from year to year for utilization in future budgets. Not more than thir-
10 ty percent of the fund shall be utilized for the management and steward-
11 ship program. If the implementation of the community preservation
12 project plan, adopted by the town board, as provided in subdivision six
13 of this section, has been completed, and funds are no longer needed for
14 the purposes outlined in this subdivision, then any remaining monies in
15 the fund shall be applied to reduce any bonded indebtedness or obli-
16 gations incurred to effectuate the purposes of this section.
17 § 2. This act shall take effect immediately.