

STATE OF NEW YORK

No. 2811

Int. 2576

IN SENATE

February 28, 1949

Introduced by Mr. WICKS—read twice and ordered printed, and when printed to be committed to the Committee on Internal Affairs

AN ACT

To authorize the town board of the town of Guilderland, Albany county, to accept without cost certain existing sewers, sewer lines, works and appliances in said town and to operate and maintain the same for the benefit of the taxpayers in the sewer district of McKownville in said town, and providing for payment of the cost of maintenance and operation and the cost of any capital improvements or extension authorized by the tax payers of said district

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

- 1 Section 1. Notwithstanding the provisions of sections one hun-
- 2 dred ninety-nine, two hundred two-b, and two hundred two-d of
- 3 the town law to the contrary, the town board of the town of Guilder-
- 4 land in the county of Albany may by a two-thirds vote of all mem-
- 5 bers of the town board, upon the adoption of a proposition therefor

EXPLANATION — Matter in *italics* is new; matter in brackets [] is old law to be omitted.

1 by voters of the district qualified to vote on a proposition to raise
2 and expend money, submitted as hereinafter provided, accept with-
3 out cost upon behalf of the sewer district of McKownville in said
4 town and operate as a sewer system in said district, all privately
5 owned sewers, sewer lines, works and appliances, together with
6 rights of way and easements necessary or convenient to the efficient
7 operation of the same. Such proposition may be submitted at any
8 bi-ennial town election occurring not less than thirty days after
9 such approval by the town board in the manner provided by article
10 seven of the town law.

11 § 2. Upon the adoption of such proposition and the execution
12 and delivery of the necessary deeds of conveyance and rights of
13 way, the town board shall operate and maintain the property con-
14 veyed as a sewer system within said district in the manner pro-
15 vided by article twelve of the town law. The expense of mainte-
16 nance and operation of the sewer system shall be borne by local
17 assessment upon the several lots and parcels of land in said district
18 which the town board shall determine and specify to be especially
19 benefited and the town board shall apportion and assess upon and
20 collect from the several lots and parcels of land so deemed ben-
21 efited, so much upon and from each as shall be in just proportion to
22 the amount of benefit which the maintenance and operation of the
23 sewer system shall confer upon the same. The provisions of section
24 two hundred two-a of the town law, not inconsistent with the pro-
25 visions of this act shall apply to the sewer system in the sewer dis-
26 trict of McKownville.

27 § 3. Any capital improvements or extension to such sewer system

1 authorized by the taxpayers of the district shall be financed and
2 assessments therefor levied and collected in the manner provided
3 by section two hundred thirty-one of the town law.

4 § 4. Nothing herein contained shall be construed to prevent the
5 financing of any capital improvements and extensions to such sewer
6 system under the provisions of the local finance law.

7 § 5. This act shall take effect immediately.