

STATE OF NEW YORK

No. 3226

Int. 3016

IN ASSEMBLY

March 1, 1949

Introduced by Mr. NOONAN—read once and referred to the
Committee on Local Finance

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 taxpayers 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 hundred
- 2 ninety-nine, two hundred two-b and two hundred two-d of the town
- 3 law to the contrary, the town board of the town of Guilderland in
- 4 the county of Albany may by a two-thirds vote of all members of the
- 5 town board, upon the adoption of a proposition therefor by voters
- 6 of the district qualified to vote on a proposition to raise and expend
- 7 money, submitted as hereinafter provided, accept without cost upon

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

1 behalf of the sewer district of McKownville in said town and oper-
2 ate as a sewer system in said district, all privately owned sewers,
3 sewer lines, works and appliances, together with rights of way and
4 easements necessary or convenient to the efficient operation of the
5 same. Such proposition may be submitted at any biennial town
6 election occurring not less than thirty days after such approval by
7 the town board in the manner provided by article seven of the town
8 law.

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

24 § 3. Any capital improvements or extension to such sewer system
25 authorized by the taxpayers of the district shall be financed and
26 assessments therefor levied and collected in the manner provided
27 by section two hundred thirty-one of the town law.

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

4 § 5. This act shall take effect immediately.