

PROPOSED LOCAL LAW NO. 4 OF THE YEAR 2018

A LOCAL LAW AMENDING ARTICLE 236 OF THE EAST GREENBUSH TOWN CODE, TO AUTHORIZE ALTERNATE METHODS TO SECURE THE COMPLETION OF CERTAIN STREETS WITHIN THE TOWN.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF EAST GREENBUSH AS FOLLOWS:

Section 1: Section 36-26 of the Town Code of the Town of East Greenbush is amended as follows:

The title line of said section is deleted and the following title line is inserted:
COMPLIANCE WITH REGULATIONS; CASH ESCROW; ALTERNATIVE METHODS TO SECURE COMPLIANCE

Section 2: Section 36-26(B) of the Code is amended by adding the following additional paragraphs.

Alternatively to the cash escrow, and in the discretion of the Commissioner of Public Works (Town Superintendent of Highways) and the Town Planning Board, the owner shall file with the Town Clerk a performance bond to cover the full cost of the required improvements. Any such bond shall comply with the requirements of Section 277 of the Town Law, and shall further be satisfactory to the Planning Board, Town Supervisor and the Town Attorney, as to form, sufficiency, manner of execution, and surety. A period of one year (or such other period as the Planning Board may determine appropriate, not to exceed three years) shall be set forth in the bond, within which time the highway or street must be completed.

Alternatively, and in the discretion of the Commissioner of Public Works (Town Superintendent of Highways) and the Town Planning Board, the Planning Board may accept a letter of credit, satisfactory to the Planning Board, the Town Supervisor, and the Town Attorney, to secure the completion of the project.

Section 3: Section 36-26(c) of the Town Code is repealed and replaced as follows:

C. The owner shall comply with the terms and provisions of the rules and regulations contained in this local law and the requirements of the cash escrow contract, the performance bond, or the letter of credit, as required by the Commissioner of Public Works (Town Superintendent of Highways), and the Planning Board.

Section 4: This local law shall take effect immediately, and shall apply to all current and pending projects within the Town.