

- LOCAL LAW NO. 1 OF 1936 -

INTRODUCED BY ALDERMAN REDMOND J. HOLLAND AT A REGULAR
MEETING OF THE COMMON COUNCIL HELD FRIDAY, MARCH 13TH,
1936.

SPECIAL MEETING OF THE COMMON COUNCIL OF THE CITY OF
PLATTSBURGH, NEW YORK, HELD MARCH 23RD, 1936.

PRESENT: MAYOR LEANDER A. BOUYEA, Aldermen
Redmond J. Holland, William S.
McMillan, Henry B. Raymond,
John B. Light, Grant C. Frederick
and William R. Shay.

LOCAL LAW NO. 1 OF 1936 OFFERED BY ALDERMAN REDMOND J.
HOLLAND AND SECONDED BY ALDERMAN JOHN B. LIGHT, AS FOLLOWS:

(Local Law follows on pages 1-6 inclusive.)

A LOCAL LAW

TO AUTHORIZE THE CONSTRUCTION OF AN ELECTRIC POWER PLANT AND AN ELECTRIC TRANSMISSION AND DISTRIBUTION SYSTEM TOGETHER WITH THE NECESSARY FACILITIES FOR FURNISHING ELECTRIC ENERGY TO THE CITY OF PLATTSBURGH AND FOR COMPENSATION TO THE INHABITANTS OF SAID CITY; TO FIX THE PROPOSED METHOD OF CONSTRUCTING SUCH PROJECT; TO FIX BOTH THE MAXIMUM AND ESTIMATED COSTS; TO FIX THE PLAN OF FINANCING SUCH PROJECT; TO FIX THE METHOD OF FURNISHING SUCH UTILITY SERVICE; TO FIX THE FORM OF PROPOSITION TO BE SUBMITTED TO THE QUALIFIED ELECTORS; AND FOR INCIDENTAL PURPOSES.

Be it enacted by the Common Council of the City of Plattsburgh as follows:

Section 1. The Project. For the purpose of furnishing to the City of Plattsburgh and for compensation to its inhabitants electric energy for light, heat and power, there is hereby authorized to be constructed, the necessary plant and facilities (herein called the "project"), including works, structures, poles, lines, wires, conduits, mains, systems, waterpower, meters, and any and all other real and personal property used or necessary for, connected with or appertaining to, the generation, furnishing, supply, distribution and transmission of electricity for residential, commercial, industrial and municipal uses.

Section 2. The Method of Constructing the Project. The common Council is hereby authorized to construct the project in accordance with plans and specifications heretofore approved by the common council and now on file with the city clerk and open

to inspection of the public, such plans and specifications being herein incorporated by reference. The project shall be constructed substantially in accordance with such plans and specifications by one or more contracts which shall be awarded after public advertisement for bids as provided by law.

Section 3. Maximum and Estimated Cost. The cost of constructing the project shall not exceed the sum of \$594,000 and the estimated cost thereof is the sum of \$520,000.

Section 4. Plan for Financing. The construction of the project shall be financed by means of

(a) a grant from the Federal Emergency Administration of Public Works, in an amount estimated to be \$234,000; and

(b) proceeds derived from the sale of negotiable, general obligations, coupon bonds of said city of Plattsburgh. Such bonds, the aggregate principal amount of which shall not exceed \$360,000, such sum representing the difference between \$234,000, being the estimated amount of the grant and \$594,000, being the maximum cost of the project, shall be payable as to both principal and interest from ad valorem taxes which may be levied without limit as to rate or amount upon all the taxable property within the territorial limits of the City of Plattsburgh, shall be dated June 1, 1936, be of the denomination of \$1000, bear interest at such rate or rates, not exceeding 4% per annum, payable semi-annually, be payable at the office of the City Chamberlain, or at the option of the holder, at the office of the Central Hanover Bank and Trust Company in the Borough of Manhattan, City, County, and State of New York, be registerable at the option of the holder as to both principal and interest, and mature in the amount of not exceeding \$18,000 in each of the years from 1938 to 1957, inclusive, and may be issued and sold at one time or from time to time in such block or blocks as the common council shall deem necessary or desirable to the United States of America at private

sale without advertising, or to a purchaser other than the United States of America at public sale, in accordance with law; provided always, however, that no bonds herein authorized to be issued and sold shall be so issued or sold in contravention of any constitutional or statutory debt limit applicable to the City of Plattsburgh. Subject to the above limitations, the common council may enact the necessary ordinance or ordinances to authorize the issuance, sale, execution and delivery of the bonds.

Section 5. Method of Furnishing Service. The management, operation and maintenance of the project shall be under the supervision and control of a "Municipal Lighting Department" which is hereby created and which shall have jurisdiction and supervision of the furnishing of the services afforded by the project, subject to the control of the common council. The Municipal Lighting Department shall be under the direction of an administrative head, known as the manager. Such manager shall be appointed by the Mayor, subject to the approval and confirmation of the common council, and the salary to be paid such manager shall be fixed and determined by the Mayor and the Common Council. The common council may prescribe such rules and regulations for the conduct and operation of the Municipal Lighting Department as it may deem advisable. All employees of the Municipal Lighting Department, except the administrative head, shall be subject to the rules and regulations to be prescribed by the Municipal Civil Service Commission.

Section 6. Rates, Revenues and Budget. The common council shall fix the rates, rentals and charges for the services afforded by the project and the procedure for their collection. There shall be raised annually, by tax, a sum sufficient to pay the interest and the principal, as the same shall become due on all bonds issued pursuant to this local law, and, unless payment is made or otherwise provided for, adequate provision therefor shall be made in the annual city tax budget. All revenue from the operation of such pro-

ject shall be segregated and shall be used first for the payment of expenses of operation and maintenance of the project and any balance remaining shall be used for any proper city purpose as may be determined by the common council.

Section 7. Applicable Provisions of Law. This local law is adopted pursuant to Article 14-A of the General Municipal Law, constituting Chapter 24 of the Consolidated Laws, as amended, and the project will be constructed and financed in accordance with the provisions of said General Municipal Law, this local law, and an act entitled ' An Act declaring a public emergency and enabling municipalities and public bodies to secure the benefits of and aid in carrying out the provisions of the National Industrial Recovery Act', constituting Chapter 782 of the Laws of 1933, as amended.

Section 8. Time of Taking Effect. *(Repealed by Chapter 712 of the Laws of 1943)*
~~This local law shall take effect immediately upon approval thereof by the affirmative vote of a majority of the qualified electors of said city voting at a special election to be held on May 15th, 1936, upon the following proposition:~~

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Shall the local law entitled "A LOCAL LAW TO AUTHORIZE THE CONSTRUCTION OF AN ELECTRIC POWER PLANT AND AN ELECTRIC TRANSMISSION AND DISTRIBUTION SYSTEM TOGETHER WITH THE NECESSARY FACILITIES FOR FURNISHING ELECTRIC ENERGY TO THE CITY OF PLATTSBURGH AND FOR COMPENSATION TO THE INHABITANTS OF SAID CITY; TO FIX THE PROPOSED METHOD OF CONSTRUCTING SUCH PROJECT; TO FIX BOTH THE MAXIMUM AND ESTIMATED COSTS; TO FIX THE METHOD OF FURNISHING SUCH UTILITY SERVICE; TO FIX THE FORM OF PROPOSITION TO BE SUBMITTED TO THE QUALIFIED ELECTORS; AND FOR INCIDENTAL PURPOSES", adopted by the common council of the city of Plattsburgh on March 23rd, 1936, which local law authorizes the city of Plattsburgh to furnish itself and for compensation to its inhabitants, electric energy for light, heat and power; which authorizes the city to construct the necessary plant and facilities in connection with the generation, furnishing, supplying distribution and transmission of electricity for residential,

commercial, industrial and municipal uses, which authorizes such construction by the city after the preparation of plans and specifications have been approved by the common council and after contracts have been awarded subsequent to the receipt of bids after public advertisement; which sets forth the estimated cost of the project as \$520,000 and the maximum cost as \$594,000; which authorizes the project to be financed by means of

(a) a grant from the Federal Emergency Administration of Public Works in an amount estimated to be \$234,000; and

(b) proceeds derived from the sale of negotiable, general obligation, coupon bonds of said city of Plattsburgh. Such bonds, the aggregate principal amount of which shall not exceed \$360,000, such sum representing the difference between \$234,000, being the estimated amount of the grant and \$594,000, being the maximum cost of the project, shall be payable as to both principal and interest from ad valorem taxes which may be levied without limit as to rate or amount upon all the taxable property within the territorial limits of the city of Plattsburgh, shall be dated June 1, 1936, be of the denomination of \$1000, bear interest at such rate or rates, not exceeding 4% per annum, payable semi-annually, be payable at the office of the City Chamberlain, or at the option of the holder, at the office of the Central Hanover Bank and Trust Company, in the Borough of Manhattan, City, County and State of New York, be registerable at the option of the holder as to both principal and interest, and mature in the amount of not exceeding \$18,000 in each of the years from 1938 to 1957, inclusive, and may be issued and sold at one time or from time to time in such block or blocks as the common council shall deem necessary or desirable to the United States of America at private sale without advertising, or to a purchaser other than the United States of America at public sale, in accordance with law; provided always, however, that no bonds

herein authorized to be issued and sold shall be so issued or sold in contravention of any constitutional or statutory debt limit applicable to the city of Plattsburgh. Subject to the above limitations, the common council may enact the necessary ordinance or ordinances to authorize the issuance, sale, execution and delivery of the bonds, which provides that the management, operation and maintenance of the project shall be under the control of a Municipal Lighting Department which shall have jurisdiction and supervision of the furnishing of the services afforded by the project; which authorizes the common council to fix rates, rentals and charges for the services afforded by the project and the procedure for their collection; which provides that there shall be raised annually by tax, a sum sufficient to pay the interest and the principal on the bonds issued pursuant to this local law; which provides that all revenue from the operation of the project shall be segregated and shall be used first for the payment of expenses of operation and maintenance of the project and any balance remaining shall be used for any proper city purpose, as may be determined by the common council; and which provides that the local law is adopted pursuant to Article 14-A of the General Municipal Law, and the project will be constructed and financed in accordance with the provisions of said General Municipal Law, this local law, and an act entitled 'An Act declaring a public emergency and enabling municipalities and public bodies to secure the benefits of and aid in carrying out the provisions of the National Industrial Recovery Act', constituting Chapter 782 of the Laws of 1933, as amended, be approved.

On roll call, Aldermen Holland, McMillan, Raymond, Light, Frederick and Shay voted in the affirmative; no one in the negative.

CARRIED.

The foregoing local law, being LOCAL LAW NO. 1 OF 1936,
is hereby approved after public hearing held this 31st day
of March, 1936.

Leander A. Bouyer
MAYOR.