

7280

2011-2012 Regular Sessions

I N A S S E M B L Y

April 27, 2011

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the
Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend the parks, recreation and historic preservation law, in
relation to authorizing the lease of the caretaker's house and garage
within the Buttermilk Falls state park

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 2-d of section 3.09 of the parks, recreation
2 and historic preservation law, as amended by chapter 541 of the laws of
3 2003, is amended to read as follows:
4 2-d. Be empowered, in addition to any other provision of law authoriz-
5 ing the leasing or licensing of property under its jurisdiction, to
6 encourage investment by the private sector for the provision of equip-
7 ment and capital improvements at historic sites, state park and recre-
8 ation facilities by entering into lease or license agreements for an
9 extended term not to exceed forty years at the following: in the first
10 park region, for services provided at the observation tower, and for
11 buildings and structures commonly known as the Cave of the Winds build-
12 ing, the Top of the Falls Restaurant, the administration building, the
13 visitor center, the Goat Island center, the snack bar at the Cave of the
14 Winds, the current police building, the original Prospect Point elevator
15 building, the lower landing snack bar and the Schoellkopf Museum,
16 including improvements to structures and facilities appurtenant thereto
17 at Niagara Reservation State Park, the site of the former casino, the
18 former commission house and the eighty-slip boat marina within the boun-
19 daries of Beaver Island state park and the structures known as the navy
20 barracks, the post theater, the officers' club and the commandant's
21 house within Fort Niagara state park, and the buildings and structures
22 at Deveaux Woods state park; in the second park region, the building
23 known as Minturn Mansion within Long Point on Lake Chautauqua state
24 park; in the third park region, for buildings and structures commonly

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 known as the Glen Iris Inn, the Pioneer Museum, the Pinewood Lodge, the
2 Prospect house, the Lauterbrunnen house, the Lower Falls restaurant
3 building, the pool concession stands, the North Entrance visitor center,
4 the administration building, the Commission house and the Stone build-
5 ing, including improvements to structures and facilities appurtenant
6 thereto at Letchworth State park; IN THE FOURTH PARK REGION, THE STRUC-
7 TURES KNOWN AS THE CARETAKER'S HOUSE AND GARAGE WITHIN THE BUTTERMILK
8 FALLS STATE PARK; in the seventh park region, the structure known as the
9 brick cottage and associated outbuildings at John Jay Homestead state
10 historic site, the structure known as the Hoyt House and the barns at
11 Ogden Mills and Ruth Livingston Mills state park, the outbuildings at
12 Olana state historic site and the building commonly known as the Staats-
13 burg School in Margaret Lewis Norrie state park; in the eighth park
14 region, for buildings and structures commonly known as the Bear Mountain
15 Inn, the A. K. Morgan Overlook Lodge, the Cliff house, the Hilltop
16 lodge, the Summit lodge, the Echo lodge, the Beaver lodge and the Spring
17 lodge, including improvements to structures and facilities appurtenant
18 thereto at Bear Mountain State Park; in the ninth park region, the
19 Boardwalk Restaurant at Jones Beach state park and the buildings and
20 structures at [Nissequoque] NISSEQUOGUE state park; in the eleventh park
21 region, the structure known as La Tour house, the former bottling plant
22 and dormitory for adaptive reuse, and property for the development of a
23 golf course and related facilities within Saratoga Spa state park. Any
24 such lease or license may provide for reasonable rights of access, util-
25 ities and parking located within the boundaries of the respective park
26 or historic site. Such extended term shall be for the purpose of assur-
27 ing a lessee or licensee adequate protection against loss of investments
28 in developing, renovating, improving, furnishing and equipping such
29 properties, and the length of the term of any such lease or license
30 shall have a direct relationship to the period required to amortize the
31 investment. Any such lease or license shall be entered into only after a
32 finding by the commissioner that such action is compatible with public
33 enjoyment and participation in adjacent park facilities, and in the case
34 of structures listed on or eligible for the state register of historic
35 places, that such lease or license will encourage investment by the
36 private sector in restoring, preserving and maintaining such properties.
37 In addition, such lease or license shall contain terms and conditions as
38 the commissioner shall deem necessary to address environmental concerns,
39 including any historic and recreational resources of such property; the
40 compatible uses of adjacent park lands and facilities; and otherwise to
41 protect the public interest. The bid prospectus submitted to prospective
42 bidders shall contain specific information concerning the nature of the
43 capital improvements or equipment to be provided by the successful
44 bidder. Revenues from the lease or license of property pursuant to this
45 section shall be deposited into the state park infrastructure fund
46 established pursuant to section ninety-seven-mm of the state finance
47 law.

48 S 2. This act shall take effect immediately.