

6751

I N S E N A T E

March 16, 2012

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to create the Orangetown public library district and to repeal chapter 349 of the laws of 1973, relating to creating a library district in the town of Orangetown in the county of Rockland

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

1 Section 1. Notwithstanding the provisions of any other law, a library
2 district is hereby established in the town of Orangetown in the county
3 of Rockland outside the limits of any incorporated village which, except
4 as hereinafter provided, shall be co-terminus with the area or areas
5 served by the public library established pursuant to chapter 816 of the
6 laws of 1961. The districts created by this act shall be designated and
7 consist of the following areas:
8 (a) Blauvelt: Beginning at a point determined by the intersection of
9 Western Highway and Convent Road running thence in a westerly direction
10 along the center line of Convent Road to the intersection of Convent
11 Road and the Hackensack River, turning and running thence in a northerly
12 direction along the Hackensack River to its intersection with the south-
13 erly boundary of the Town of Clarkstown, Rockland County, New York which
14 being likewise the northerly boundary line of the Town of Orangetown,
15 Rockland County, New York and running thence along said boundary line in
16 an easterly direction to the Nyack, South Nyack boundary line, turning
17 and running thence along the South Nyack boundary line in a southerly
18 direction to its intersection with Tweed Blvd. thence along the easter-
19 ly side of Tweed Blvd. to its intersection with Clausland Mountain Road,
20 turning and running thence in a westerly direction along the center line
21 of said Clausland Mountain Road to its intersection with Greenbush Road,
22 turning and running in a southerly direction along the center line of
23 Greenbush Road to its intersection with Mountain View Road, turning and
24 running thence in a westerly direction along the, centerline of said
25 Mountain View Road to Western Highway, turning and running northerly
26 along the centerline of Western Highway to the point or place of begin-
27 ning; containing all the lands within the said bounds,

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

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1 (b) Tappan: Beginning at the New York-New Jersey State Line in the
2 vicinity of Sparkill Creek and running in a northerly direction along
3 the said Sparkill Creek to its intersection with the Palisades Inter-
4 state Parkway, turning and running thence in a north westerly direction
5 along the western side of said parkway to its intersection with the
6 Piermont Branch of the Erie Railroad turning and running thence in a
7 northerly direction along the center line of said Railroad right-of-way
8 to its intersection with New York State Route 303 turning and running
9 thence in a southerly direction along the center line of said route 303
10 to its intersection with the Palisades Interstate Parkway, turning and
11 running thence in a north westerly direction along the western or Hudson
12 River side of said parkway to its intersection with Western Highway,
13 turning and running thence in a southerly direction along the center
14 line of said Western Highway to its intersection with Low Lane, turning
15 and running thence in a westerly direction along the center line of Low
16 Lane to its intersection with Stockade Road, turning and running thence
17 along the center line of Stockade Road in a south westerly direction to
18 its intersection with West Hillwood Avenue, turning and running thence
19 in a south westerly direction approximately 525 feet along the center
20 line of West Hillwood Avenue and an extension thereof to a point where
21 it intersects the western boundary line of Plot 17, Block 26, Map 24-1,
22 turning and running thence along said boundary line in a south easterly
23 direction approximately 330 feet to the north east corner of Plot 54,
24 Block 19, Map 24-1 turning and running thence in a south westerly direc-
25 tion approximately 700 feet along the northern boundary of said plot to
26 its north west corner, turning and running thence in a south easterly
27 direction first along the western boundary line of Plot 54, Block 19,
28 Map 24-1 and secondly along the eastern boundary line of Plot 14, Block
29 26, on Maps 9 and 10 for a total approximate distance of 3,300 feet,
30 turning and running thence in a south westerly direction along the
31 southern boundary lines of Plots 13 and 14, Block 26, Map 9, approxi-
32 mately 385 feet to its intersection with the New York-New Jersey State
33 Line, turning and running in an easterly direction along said State line
34 to the point or place of beginning, containing all the lands within the
35 said bounds;

36 (c) Sparkill-Palisades: Beginning at the New Jersey-New York State
37 Line in the vicinity of the Sparkill Creek and running in a northerly
38 direction along the said Sparkill Creek to its intersection with the
39 Palisades Interstate Parkway, turning and running thence in a northwes-
40 terly direction along the western side of said Parkway to its inter-
41 section with the Piermont Branch of the Erie Railroad turning and
42 running thence in a northerly direction along the centerline of said
43 Railroad right-of-way to the property now or formerly belonging to St.
44 Agnes Convent, turning and running thence, in a northeasterly direction
45 along the St. Agnes property line to the centerline of Cemetery Lane
46 (King's Highway), turning and running thence in an easterly direction
47 along the centerline of Cemetery Lane (King's Highway) to point where
48 the southern boundary of Rockland Cemetery intersects Cemetery Lane
49 (King's Highway), turning and running thence, in a northeasterly direc-
50 tion along the southern boundary of Rockland Cemetery to a point on the
51 Piermont Boundary Line, turning and running thence along the Piermont
52 boundary line in a southerly direction approximately 800 feet, thence in
53 a southwesterly direction along the Piermont boundary line approximately
54 650 feet, thence in a southerly direction along the Piermont boundary
55 line approximately 825 feet, thence in southwesterly direction along the
56 Piermont boundary line approximately 1930 feet, thence in a southeaster-

1 ly direction along the Piermont boundary line approximately 1460 feet,
2 thence in a northeasterly direction along the Piermont boundary line
3 approximately 6550 feet to a point on the eastern boundary line or
4 Hudson River side of Orangetown, turning and running thence along the
5 eastern boundary line or Hudson River side of Orangetown in a southerly
6 direction to a point along the New Jersey-New York State Line, turning
7 and running thence in a northwesterly direction along the New Jersey-New
8 York State Line approximately 11,700 feet to the point or place of
9 beginning.

10 (d) Orangeburg: Beginning at a point formed by the intersection of the
11 center lines of Western Highway and Low Lane, thence running in a north-
12 erly direction along the center line of Western Highway to the inter-
13 section with the center line of the Palisades Interstate Parkway turning
14 and running thence, in a south easterly direction along the center line
15 of the Palisades Interstate Parkway to its intersection with the easterly
16 ly side of Route 303, turning and running thence, in a northerly direc-
17 tion along the easterly side of Route 303 to a point approximately 590
18 feet north of the intersection of the northern side of the Palisades
19 Interstate Parkway and Route 303, turning and running thence along the
20 lot line of Plot 2, Block 13, Map 60 as follows in an easterly direction
21 20 feet, thence in a northerly direction approximately 250 feet, thence
22 in an easterly direction approximately 465 feet, thence in a northerly
23 direction approximately 340 feet, thence in a northeasterly direction
24 approximately 1000 feet-to the intersection of the extension of the lot
25 line of the center line of the Erie R.R. right-of-way, turning and
26 running thence in an easterly direction along the center line of the
27 Erie R.R. Right-of-way to the property now or formerly belonging to St.
28 Agnes Convent, turning and running thence, in a northeasterly direction
29 along the St. Agnes property line to the center line of Cemetery Lane
30 (Kings Hwy.), turning and running thence in an easterly direction along
31 the center line of Cemetery Lane (Kings Hwy.) to a point where the
32 southern boundary of Rockland Cemetery intersects Cemetery Lane (Kings
33 Hwy.), turning and running thence, in a northeasterly direction along
34 the southern boundary of Rockland Cemetery, and as said line is extended
35 in the same direction to the center line of Tweed Blvd. (also known as
36 Highland Blvd.) turning and running thence in a northerly direction
37 along the center line of Tweed Blvd. to the intersection of the center
38 lines of Tweed Blvd. and Clausland Mountain Road, turning and running
39 thence in a southwesterly direction along the center line of Clausland
40 Mountain Road to a point, formed by the intersection of the center lines
41 of Clausland Mountain Road, Greenbush Road and Spruce Street, turning
42 and running in a westerly direction along the center line of Spruce
43 Street and as said line is extended in the same direction to the center
44 line of the Right-of-Way of the West Shore Branch of the N. Y. Central
45 R.R., turning and running thence in a southwesterly direction to a point
46 formed by the intersection of the center lines of Convent Road and West-
47 ern Highway turning and running thence in a westerly direction along the
48 center line of Convent Road to a point opposite the east boundary of the
49 Rockland State Hospital property, turning and running thence in a south-
50 erly direction along the Rockland State Hospital property line, crossing
51 Friel Road to a point formed by the intersection of the eastern and
52 southern boundary lines of Rockland State Hospital, (which point is on
53 the westerly side of what is or was formerly known as West Hillwood
54 Avenue), running thence in a southerly direction along the westerly side
55 of West Hillwood Avenue to its intersection with the center line of what
56 is or was formerly known as Stockade Road, turning and running thence in

1 a northeasterly direction along the center line of said Stockade Road to
2 the intersection with the center line of what is or was formerly known
3 as Avenue A, turning and running thence in a southerly direction along
4 the center line of Avenue A, to its intersection with the center line of
5 Low Lane, turning and running in an easterly direction along the center
6 line of Low Lane to the point or place of beginning, containing all the
7 lands within the said bounds; provided, however, that the area described
8 in clause (d) hereof shall become a part of such district only at such
9 time as a free association library is chartered by the boards of regents
10 of the university of the state of New York to furnish library service in
11 such area.

12 S 2. The town board of the town of Orangetown is hereby authorized to
13 raise money by tax for library purposes and to contract with the trus-
14 tees of any free association library which has received a charter from
15 the board of regents of the university of the state of New York for the
16 furnishing of library services in the areas comprising the library
17 districts created by this act, under such terms and conditions as may be
18 stated in such contract. Such tax shall be a charge upon the taxable
19 property of the areas comprising such library districts outside of the
20 limits of any incorporated village. Taxes voted for library purposes
21 pursuant to this section shall, unless otherwise directed by such vote,
22 be considered as annual appropriations therefor until changed by further
23 vote and shall be levied and collected yearly as are other general taxes
24 in the town of Orangetown. The amount agreed to be paid to a free asso-
25 ciation library for furnishing library services under a contract author-
26 ized by this section shall be paid directly to the treasurer of such
27 library.

28 S 3. The free association libraries located in the areas comprising
29 the library districts created by this act shall individually submit on
30 or before the twentieth day of September to the supervisor of the town
31 of Orangetown a request for funds for each such free association library
32 for the ensuing year, in such form and containing such information
33 including estimates of revenues and expenditures as such supervisor
34 shall prescribe. The provisions of article 8 of the town law shall apply
35 to the adoption of appropriations for library purposes in the annual
36 budget of such town, provided that the appropriations adopted for any
37 such library and the request for funds submitted on behalf of such
38 library shall be based on the individual needs for every such library;
39 and it is further provided, that the town board shall, within the param-
40 eters of the town law, be permitted to exercise its discretion with
41 respect to all appropriations adopted for each library for the ensuing
42 year. The town board of the town of Orangetown shall not exceed the two
43 percent property tax cap, as required by section 3-c of the general
44 municipal law, for the rate of taxes levied for library purposes in the
45 district created by this act unless the town board shall override the
46 tax limit by first passing a local law that allows the tax levy limit to
47 be exceeded which override vote requires a sixty percent vote of the
48 total voting power of the town board to pass.

49 S 4. If on the effective date of this act the public library created
50 pursuant to chapter 816 of the laws of 1961 has not transferred any
51 assets it may hold to a free association library or libraries located in
52 the library districts created pursuant to section one of this act, the
53 disposition of any such assets shall be determined by the board of
54 regents of the university of the state of New York, provided, however,
55 that any such assets shall to the extent possible be held in trust for
56 transfer forthwith (a) to any free association library which shall

1 subsequently be chartered by the board of regents of the university of
2 the state of New York in the areas comprising the library districts
3 created by section one of this act, or (b) to any public library estab-
4 lished pursuant to section 255 of the education law to serve the South
5 Orangetown Central School District Number One.

6 S 5. Chapter 349 of the laws of 1973, relating to creating a library
7 district in the town of Orangetown in the county of Rockland, is
8 REPEALED.

9 S 6. This act shall take effect immediately.