

S T A T E O F N E W Y O R K

6751--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to create the Orangetown public library districts 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, four
2 library districts are hereby established in the town of Orangetown in
3 the county of Rockland outside the limits of any incorporated village
4 which, except as hereinafter provided, shall be co-terminus with the
5 area or areas served by the public library established pursuant to chap-
6 ter 816 of the laws of 1961. The districts created by this act shall be
7 designated and consist of the areas described in subdivisions (a)
8 through (d) of this section. Each district shall provide library
9 services in its own district as well as to the residents of Sparkill as
10 delineated in subdivision (e) of this section.

11 (a) Blauvelt: Beginning at a point determined by the intersection of
12 Western Highway and Convent Road running thence in a westerly direction
13 along the center line of Convent Road to the intersection of Convent
14 Road and the Hackensack River, turning and running thence in a northerly
15 direction along the Hackensack River to its intersection with the south-
16 erly boundary of the Town of Clarkstown, Rockland County, New York which
17 being likewise the northerly boundary line of the Town of Orangetown,
18 Rockland County, New York and running thence along said boundary line in
19 an easterly direction to the Nyack, South Nyack boundary line, turning
20 and running thence along the South Nyack boundary line in a southerly
21 direction to its intersection with Tweed Blvd. thence along the easter-
22 ly side of Tweed Blvd. to its intersection with Clausland Mountain Road,
23 turning and running thence in a westerly direction along the center line
24 of said Clausland Mountain Road to its intersection with Greenbush Road,
25 turning and running in a southerly direction along the center line of

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

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1 Greenbush Road to its intersection with Mountain View Road, turning and
2 running thence in a westerly direction along the, centerline of said
3 Mountain View Road to Western Highway, turning and running northerly
4 along the centerline of Western Highway to the point or place of begin-
5 ning; containing all the lands within the said bounds,

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

41 (c) Palisades: Beginning at the New Jersey-New York State Line in the
42 vicinity of the Sparkill Creek and running in a northerly direction
43 along the said Sparkill Creek to its intersection with the Palisades
44 Interstate Parkway, turning and running thence easterly and crossing the
45 Palisades Interstate Parkway and running along the southerly line of the
46 Rockland Country Club still in an easterly direction continuing along
47 the prolongation of the southerly line of the Rockland Country Club in
48 an easterly direction to the Hudson River, thence southerly along the
49 west shore of the Hudson River to the New York State line, thence
50 northwesterly along the New York - New Jersey State line approximately
51 11,700 feet to the point or place of beginning, containing all the lands
52 within said bounds.

53 (d) Orangeburg: Beginning at a point formed by the intersection of the
54 center lines of Western Highway and Low Lane, thence running in a north-
55 erly direction along the center line of Western Highway to the inter-
56 section with the center line of the Palisades Interstate Parkway turning

1 and running thence, in a south easterly direction along the center line
2 of the Palisades Interstate Parkway to its intersection with the easterly
3 ly side of Route 303, turning and running thence, in a northerly direc-
4 tion along the easterly side of Route 303 to a point approximately 590
5 feet north of the intersection of the northern side of the Palisades
6 Interstate Parkway and Route 303, turning and running thence along the
7 lot line of Plot 2, Block 13, Map 60 as follows in an easterly direction
8 20 feet, thence in a northerly direction approximately 250 feet, thence
9 in an easterly direction approximately 465 feet, thence in a northerly
10 direction approximately 340 feet, thence in a northeasterly direction
11 approximately 1000 feet-to the intersection of the extension of the lot
12 line of the center line of the Erie R.R. right-of-way, turning and
13 running thence in an easterly direction along the center line of the
14 Erie R.R. Right-of-way to the property now or formerly belonging to St.
15 Agnes Convent, turning and running thence, in a northeasterly direction
16 along the St. Agnes property line to the center line of Cemetery Lane
17 (Kings Hwy.), turning and running thence in an easterly direction along
18 the center line of Cemetery Lane (Kings Hwy.) to a point where the
19 southern boundary of Rockland Cemetery intersects Cemetery Lane (Kings
20 Hwy.), turning and running thence, in a northeasterly direction along
21 the southern boundary of Rockland Cemetery, and as said line is extended
22 in the same direction to the center line of Tweed Blvd. (also known as
23 Highland Blvd.) turning and running thence in a northerly direction
24 along the center line of Tweed Blvd. to the intersection of the center
25 lines of Tweed Blvd. and Clausland Mountain Road, turning and running
26 thence in a southwesterly direction along the center line of Clausland
27 Mountain Road to a point, formed by the intersection of the center lines
28 of Clausland Mountain Road, Greenbush Road and Spruce Street, turning
29 and running in a westerly direction along the center line of Spruce
30 Street and as said line is extended in the same direction to the center
31 line of the Right-of-Way of the West Shore Branch of the N. Y. Central
32 R.R., turning and running thence in a southwesterly direction to a point
33 formed by the intersection of the center lines of Convent Road and West-
34 ern Highway turning and running thence in a westerly direction along the
35 center line of Convent Road to a point opposite the east boundary of the
36 Rockland State Hospital property, turning and running thence in a south-
37 erly direction along the Rockland State Hospital property line, crossing
38 Friel Road to a point formed by the intersection of the eastern and
39 southern boundary lines of Rockland State Hospital, (which point is on
40 the westerly side of what is or was formerly known as West Hillwood
41 Avenue), running thence in a southerly direction along the westerly side
42 of West Hillwood Avenue to its intersection with the center line of what
43 is or was formerly known as Stockade Road, turning and running thence in
44 a northeasterly direction along the center line of said Stockade Road to
45 the intersection with the center line of what is or was formerly known
46 as Avenue A, turning and running thence in a southerly direction along
47 the center line of Avenue A, to its intersection with the center line of
48 Low Lane, turning and running in an easterly direction along the center
49 line of Low Lane to the point or place of beginning, containing all the
50 lands within the said bounds; provided, however, that the area described
51 in clause (d) hereof shall become a part of such district only at such
52 time as a free association library is chartered by the boards of regents
53 of the university of the state of New York to furnish library service in
54 such area.

55 (e) Sparkill: Beginning at the intersection of the Sparkill Creek and
56 the Palisades Interstate Parkway running thence in a northwesterly

1 direction along the western side of said Parkway to its intersection
2 with the Piermont Branch of the Erie Railroad turning and running thence
3 in a northerly direction along the centerline of said Railroad right-of-
4 way to the property now or formerly belonging to St. Agnes Convent,
5 turning and running thence, in a northeasterly direction along the St.
6 Agnes property line to the centerline of Cemetery Lane (King's Highway),
7 turning and running thence in an easterly direction along the centerline
8 of Cemetery Lane (King's Highway) to point where the southern boundary
9 of Rockland Cemetery intersects Cemetery Lane (King's Highway), turning
10 and running thence, in a northeasterly direction along the southern
11 boundary of Rockland Cemetery to a point on the Piermont Boundary Line,
12 turning and running thence along the Piermont boundary line in a south-
13 erly direction approximately 800 feet, thence in a southwesterly direc-
14 tion along the Piermont boundary line approximately 650 feet, thence in
15 a southerly direction along the Piermont boundary line approximately 825
16 feet, thence in southwesterly direction along the Piermont boundary line
17 approximately 1930 feet, thence in a southeasterly direction along the
18 Piermont boundary line approximately 1460 feet, thence in a northeaster-
19 ly direction along the Piermont boundary line approximately 6550 feet to
20 a point on the eastern boundary line or Hudson River side of Orangetown,
21 turning and running thence along the eastern boundary line or Hudson
22 River side of Orangetown in a southerly direction to a point where the
23 prolongation of the southerly line of the Rockland Country Club meets
24 the easterly boundary line of Orangetown and turning and running thence
25 westerly along said prolongation of the southerly line of the Rockland
26 County Club and continuing across the Palisades Interstate Parkway to
27 the point or place of beginning, containing all the lands within the
28 said bounds; provided, however, that the area described in this subdivi-
29 sion shall not be a library district but may use the library services
30 provided by the four library districts described in subdivisions (a)
31 through (d) of this section.

32 S 2. The town board of the town of Orangetown is hereby authorized to
33 raise money by tax for library purposes and to contract with the trus-
34 tees of any free association library which has received a charter from
35 the board of regents of the university of the state of New York for the
36 furnishing of library services in the areas comprising the library
37 districts created by this act, under such terms and conditions as may be
38 stated in such contract. Such tax shall be a charge upon the taxable
39 property of the areas comprising such library districts as well as the
40 Sparkill area delineated in subdivision (e) of section one of this act
41 outside of the limits of any incorporated village. The town board shall
42 distribute the money raised by tax in the Sparkill area to the four
43 library districts in amounts proportionate to the use Sparkill residents
44 make of each library as shown by the number of residents who hold
45 current library cards in each library. Taxes voted for library purposes
46 pursuant to this section shall, unless otherwise directed by such vote,
47 be considered as annual appropriations therefor until changed by further
48 vote and shall be levied and collected yearly as are other general taxes
49 in the town of Orangetown and shall be subject to the provisions of
50 section 3-c of the general municipal law, which places limits upon real
51 property tax levies by local governments. The amount agreed to be paid
52 to a free association library for furnishing library services under a
53 contract authorized by this section shall be paid directly to the treas-
54 urer of such library.

55 S 3. The free association libraries located in the areas comprising
56 the library districts created by this act shall individually submit on

1 or before the twentieth day of September to the supervisor of the town
2 of Orangetown a request for funds for each such free association library
3 for the ensuing year, in such form and containing such information
4 including estimates of revenues and expenditures as such supervisor
5 shall prescribe. The procedures of sections 106, 107, 108 and 109 of
6 article 8 of the town law shall apply to the adoption of appropriations
7 for library purposes in the annual budget of such town, provided that
8 the appropriations adopted for any such library and the request for
9 funds submitted on behalf of such library shall be based on the individ-
10 ual needs for every such library; nothing in this act is intended to
11 make any free association library subject to any provision of the town
12 law applicable to an "administrative unit" of town government; and it is
13 further provided, that the town board shall, within the parameters of
14 the town law, be permitted to exercise its discretion with respect to
15 total amount appropriations adopted for each library for the ensuing
16 year. The amount appropriated for each free association library shall
17 be paid over to the treasurer of the library and shall be expended only
18 under the direction of the library trustees for lawful library purposes.

19 S 4. If on the effective date of this act the public library created
20 pursuant to chapter 816 of the laws of 1961 has not transferred any
21 assets it may hold to a free association library or libraries located in
22 the library districts created pursuant to section one of this act, the
23 disposition of any such assets shall be determined by the board of
24 regents of the university of the state of New York, provided, however,
25 that any such assets shall to the extent possible be held in trust for
26 transfer forthwith (a) to any free association library which shall
27 subsequently be chartered by the board of regents of the university of
28 the state of New York in the areas comprising the library districts
29 created by section one of this act, or (b) to any public library estab-
30 lished pursuant to section 255 of the education law to serve the South
31 Orangetown Central School District Number One.

32 S 5. Chapter 349 of the laws of 1973, relating to creating a library
33 district in the town of Orangetown in the county of Rockland, is
34 REPEALED.

35 S 6. This act shall take effect immediately.