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

508

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. HOOPER -- read once and referred to the Committee on Governmental Operations

AN ACT to authorize the commissioner of general services to transfer and convey certain unappropriated state land to the Cedarmore Corporation for community programs

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

Section 1. Subject to the provisions of this act but notwithstanding any other provision of law to the contrary, the commissioner of general services is hereby authorized to transfer and convey to the Cedarmore Corporation, a community development corporation, in consideration of one dollar and upon such other consideration as the commissioner may deem proper, the state land located at 63 Babylon Turnpike, Freeport, in the county of Nassau, known as the Freeport Armory, declared to be abandoned state land by the division of military and naval affairs.

S 2. The lands authorized by section one of this act to be transferred and conveyed are as follows:

ALL that piece or parcel of land, situate, lying and being in the Village of Freeport, in the County of Nassau, State of New York, more particularly bounded and described as follows:

BEGINNING at a point where the easterly line of Lakeview Avenue is intersected by the southerly line of Hempstead-Babylon Turnpike and running from said Point of Beginning thence southeasterly along the southerly line of Hempstead-Babylon Turnpike about six hundred forty-six (646) linear feet to the land of the City of New York and the Long Island State Park Commission; thence running southwesterly and along the lands of the City of New York and along the Long Island State Park Commission two hundred (200) linear feet; thence running northwesterly and parallel with the southerly line of Hempstead-Babylon Turnpike about four hundred thirty (430) linear feet to a point which would be ten (10)

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

LBD05303-01-3

feet easterly from the center line of the 18 inch diameter water main tank header pipe; thence running northwesterly about fifty-eight (58) linear feet and parallel with the 18 inch diameter water main tank header pipe, to a point which would be about one hundred sixty-eight (168) linear feet southerly from the southerly line of Hempstead-Babylon Turnpike, when measured at right angles thereto; thence running southwesterly and ten (10) feet parallel with and northerly from the 12 inch diameter water main tank header pipe, when measured at right angles thereto, about one hundred seven (107) linear feet to a point in the easterly line of Lakeview Avenue; thence running northerly and along the easterly line of Lakeview Avenue about two hundred fifty-eight (258) linear feet to a point in the southerly line of Hempstead-Babylon Turnpike, the point or place of beginning, containing within said bounds about three (3) acres.

BEING the same lands described in a deed from the Village of Freeport to the People of the State of New York, dated June 13, 1949 and recorded in the Nassau County Clerk's Office on June 20, 1949 in Book 3857 of Deeds at page 384.

S 3. The description in section two of this act of the land to be conveyed is not intended to be a legal description but is intended to identify the parcel to be conveyed. As a condition of the purchase, the Cedarmore Corporation may submit to the commissioner of general services, for his or her approval, an accurate survey and description of the lands to be conveyed, which may be used in the conveyance thereof.

S 4. The office of general services shall not transfer or convey the aforesaid land unless application in a form acceptable to the office of general services is made to the office of general services by the Cedarmore Corporation which application must be made within one year after the effective date of this act. As part of that application the Cedarmore Corporation must submit to the office of general services a report containing a master plan setting forth a proposed use and occupancy of such land pursuant to an advertised public hearing that conforms with the public purpose set forth in section five of this act, including letters of commitment from not less than six community organizations not affiliated with the Cedarmore Corporation or its parents and subsidiaries. Such report shall also contain a health and safety assessment, including but not limited to, possible asbestos contamination and abatement, air and soil and groundwater quality, the structural integrity of the buildings performed by a certified structural engineer, and any health and safety improvements including such environmental remediation as may be necessary. Such report shall also contain an independent audit of the financial operations of the Cedarmore Corporation for the past three years, and the record of three public hearings documenting community response if such public purpose includes the placement of a charter school.

S 5. The land described in section two of this act shall be used by the Cedarmore Corporation exclusively for voluntary youth associations, educational and recreational programs to assist at-risk youth, and public safety purposes and upon termination of such use title to the lands so transferred along with any improvements made thereto shall revert to the state of New York.

S 6. This act shall take effect immediately.