

STATE OF NEW YORK

8305--A

2017-2018 Regular Sessions

IN ASSEMBLY

June 6, 2017

Introduced by M. of A. AUBRY -- read once and referred to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the city of New York to discontinue certain parkland for the purpose of construction and operation of a pre-kindergarten center with a focus on instruction in science, technology, engineering, and mathematics

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Notwithstanding the provisions of chapter 734 of the laws
2 of 1963, including any amendments made thereto, and subject to the
3 provisions of this act, the city of New York, acting by and through the
4 commissioner of parks and recreation of such city, is authorized to
5 discontinue the use as parkland the lands described in section three of
6 this act and provide for the use of such lands by the New York city
7 department of education for the purpose of construction and operation of
8 a pre-kindergarten center with a focus on instruction in science, tech-
9 nology, engineering, and mathematics upon such terms and conditions as
10 agreed to by the department of parks and recreation and the department
11 of education.

12 § 2. The authorization provided in section one of this act shall be
13 effective only upon the condition that the city of New York dedicates an
14 amount equal to or greater than the fair market value of the parklands
15 being discontinued towards the acquisition of new parklands and/or
16 towards capital improvements to existing parkland and recreational
17 facilities within the borough of Queens.

18 § 3. The lands authorized to be discontinued pursuant to section one
19 of this act are as follows:

20 A parcel of land lying in Queens, New York, in Tax Block No. 2018 Lot
21 1, more particularly described as follows;

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

LBD13062-02-7

A. 8305--A

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1 BEGINNING at a point from the corner formed by the intersection of the
2 westerly line of 111th Street and the southerly line of 46th Avenue.
3 From said point, running easterly 95.51 feet along the projected south-
4 erly line of 46th Avenue to a point, thence running southerly 12.80 feet
5 parallel to the west line of 111th Street to a point or place of begin-
6 ning;

7 1. Running thence easterly 229.20 feet, forming an interior angle
8 of 271.16 degrees, to a point, thence;

9 2. Running southerly 186.50 feet, forming an interior angle of
10 90.00 degrees, to a point of curvature, thence;

11 3. Along a curve, concave westerly, with a radius of 171.25 feet,
12 an arc length of 99.59 feet, and a chord length of 98.19 feet, forming
13 an interior angle of 117.57 degrees, to a point of cusp, thence;

14 4. Along a curve with a radius of 176.37 feet, an arc length of
15 81.55 feet, and a chord length of 80.83 feet, forming an interior angle
16 of 123.00 degrees, to a point; said point being distant 56.46 feet
17 southerly, forming an interior angle of 298.27 degrees, thence westerly
18 171.17 feet, forming an interior angle of 90.00 degrees, to a point
19 formed by the intersection of the westerly line of 111th Street and the
20 southerly line of 47th Avenue;

21 5. Thence running westerly 49.05 feet, from the last mentioned
22 course, forming an interior angle to the above mentioned chord of 209.43
23 degrees, to a point of curvature, thence;

24 6. Along a curve, concave easterly, with a radius of 1183.83
25 feet, an arc length of 193.78 feet, and a chord length of 193.57 feet,
26 forming an interior angle of 96.74 degrees, to the point or place of
27 beginning, forming an interior angle of 83.26 degrees with the chord.

28 Containing 43,515 square feet (0.999 acres).

29 § 4. If the parkland that is the subject of this act has received
30 funding pursuant to the federal land and water conservation fund, the
31 discontinuance of parklands authorized by the provisions of this act
32 shall not occur until the municipality has complied with the federal
33 requirements pertaining to the conversion of parklands, including satis-
34 fying the secretary of the interior that the discontinuance will include
35 all conditions which the secretary of the interior deems necessary to
36 assure the substitution of other lands shall be equivalent in fair
37 market value and recreational usefulness to the lands being discontin-
38 ued.

39 § 5. If the property described in section three of this act shall ever
40 be used for a purpose other than for the purpose described in section
41 one of this act, such property shall revert back to the city of New York
42 department of parks and recreation to be used for park and recreational
43 purposes or for the purposes provided by chapter 734 of the laws of
44 1963, including any amendments made thereto.

45 § 6. Nothing in this act shall be construed to exempt any pre-kinder-
46 garden center established on the lands described in section three of
47 this act from being in compliance with all applicable standards relating
48 to pre-kindergarten programs.

49 § 7. This act shall take effect immediately.

**NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)**

BILL NUMBER: A8305A

SPONSOR: Aubry

TITLE OF BILL: An act authorizing the city of New York to discontinue certain parkland for the purpose of construction and operation of a pre-kindergarten center with a focus on instruction in science, technology, engineering, and mathematics

PURPOSE OR GENERAL IDEA OF BILL:

This bill would authorize the city of New York to alienate certain parkland in Flushing Meadow Park.

SUMMARY OF PROVISIONS:

This legislation would:

*authorize the city of New York to discontinue the use of certain parklands and provide for the use of such parkland by the New York City Department of Education for the purpose of constructing and operating a pre-kindergarten center with a focus on instruction in science, technology, engineering and mathematics;

*require the authorization provided by this legislation to only be effective on the condition that city of New York dedicated an amount equal to or greater than the fair market value of the parklands being discontinued towards the acquisition of new parklands and/or towards capital improvements to existing parkland and recreational facilities within the borough of Queens;

*require, if the parkland alienated pursuant to this act is ever used for a purpose that is different than the purpose described in this act, such parkland to revert back to the city of New York Department of Parks and Recreation to be used for park or recreational purposes or for the purposes provided in Chapter 734 of the Laws of 1963;

*require New York City to comply with the requirements pertaining to the conversion of parklands; and

*prohibit anything contained in this act to be construed to exempt any pre-kindergarten program established on the lands described in this act from being in compliance with all applicable standards relating to pre-kindergarten programs.

JUSTIFICATION:

The authorization provided in this act would allow for a new pre-kindergarten

garten facility to be constructed in the proximity of the New York Hall of Science which could provide opportunities to the children of Queens to attend a prekindergarten program that focuses on science, technology, engineering and math.

PRIOR LEGISLATIVE HISTORY:

This is new legislation.

FISCAL IMPLICATIONS FOR STATE AND LOCAL GOVERNMENTS:

None to the State and undermined for the city of New York.

EFFECTIVE DATE:

This act shall take effect on the same date and in the same manner as a Chapter of the Laws of 2018 describing the metes and bounds of the parkland that is being discontinued for the purpose described in this act.

STATE OF NEW YORK

6703

2017-2018 Regular Sessions

IN SENATE

June 14, 2017

Introduced by Sen. PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT authorizing the city of New York to discontinue certain parkland for the purpose of construction and operation of a pre-kindergarten center with a focus on instruction in science, technology, engineering, and mathematics

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Notwithstanding the provisions of chapter 734 of the laws
2 of 1963, including any amendments made thereto, and subject to the
3 provisions of this act, the city of New York, acting by and through the
4 commissioner of parks and recreation of such city, is authorized to
5 discontinue the use as parkland the lands described in section three of
6 this act and provide for the use of such lands by the New York city
7 department of education for the purpose of construction and operation of
8 a pre-kindergarten center with a focus on instruction in science, tech-
9 nology, engineering, and mathematics upon such terms and conditions as
10 agreed to by the department of parks and recreation and the department
11 of education.

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13 effective only upon the condition that the city of New York dedicates an
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16 towards capital improvements to existing parkland and recreational
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19 of this act are as follows:

20 A parcel of land lying in Queens, New York, in Tax Block No. 2018 Lot
21 1, more particularly described as follows;

22 BEGINNING at a point from the corner formed by the intersection of the
23 westerly line of 111th Street and the southerly line of 46th Avenue.

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[-] is old law to be omitted.

LBD13062-03-7

S. 6703

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2 erly line of 46th Avenue to a point, thence running southerly 12.80 feet
3 parallel to the west line of 111th Street to a point or place of begin-
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6 of 271.16 degrees, to a point, thence;

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31 requirements pertaining to the conversion of parklands, including satis-
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34 assure the substitution of other lands shall be equivalent in fair
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40 department of parks and recreation to be used for park and recreational
41 purposes or for the purposes provided by chapter 734 of the laws of
42 1963, including any amendments made thereto.

43 § 6. Nothing in this act shall be construed to exempt any pre-kinder-
44 garten center established on the lands described in section three of
45 this act from being in compliance with all applicable standards relating
46 to pre-kindergarten programs.

47 § 7. This act shall take effect immediately.

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S6703

SPONSOR: PERALTA

TITLE OF BILL: An act authorizing the city of New York to discontinue certain parkland for the purpose of construction and operation of a pre-kindergarten center with a focus on instruction in science, technology, engineering, and mathematics

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SUMMARY OF PROVISIONS:

This legislation would:

Authorize the city of New York to discontinue the use of certain parklands and provide for the use of such parkland by the New York City Department of Education for the purpose of constructing and operating a pre-kindergarten center with a focus on instruction in science, technology, engineering and mathematics;

Require the authorization provided by this legislation to only be effective on the condition that city of New York dedicated an amount equal to or greater than the, fair market value of the parklands being discontinued towards the acquisition of new parklands and/or towards capital improvements to existing parkland and recreational facilities within the borough of Queens;

Require, if the parkland alienated pursuant to this act is ever used for a purpose that is different than the purpose described in this act, such parkland to revert back to the city of New York Department of Parks and Recreation to be used for park or recreational purposes or for the purposes provided in Chapter 734 of the Laws of 1963;

Require New York City to comply with the requirements pertaining to the conversion of parklands; and

Prohibit anything contained in this act to be construed to exempt any pre-kindergarten program established on the lands described in this act from being in compliance with all applicable standards relating to pre-kindergarten programs.

JUSTIFICATION:

The authorization provided in this act would allow for a new pre-kinder-

garten facility to be constructed in the proximity of the New York Hall of Science which could provide opportunities to the children of Queens to attend a prekindergarten program that focuses on science, technology, engineering and math.

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EFFECTIVE DATE:

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