

STATE OF NEW YORK

5859--B

2015-2016 Regular Sessions

IN SENATE

June 9, 2015

Introduced by Sen. SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Cities in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the commissioner of parks and recreation of the city of New York to enter into an agreement for the operation of a children's program known as the Bronx Children's Museum in a portion of a building located in Mill Pond Park in the borough of the Bronx

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

- 1 Section 1. Subject to the provisions of this act, the commissioner of
2 parks and recreation of the city of New York is hereby authorized to
3 enter into an agreement with the Kids' Powerhouse Discovery Center
4 Limited Liability Corporation for the maintenance and operation of a
5 children's program known as the Bronx Children's Museum on the second
6 floor of building J, as such building is presently constructed and situ-
7 ated, in Mill Pond Park in the borough of the Bronx. The terms of the
8 agreement may allow the placement of signs identifying the museum.
- 9 § 2. The authorization provided in section one of this act shall be
10 effective only upon the condition that the city of New York dedicate an
11 amount equal to or greater than the fair market value of any portion of
12 parkland which may be authorized to be used by this act for a non-park
13 purpose for an acquisition of additional parklands and/or for capital
14 improvements to existing park and recreational facilities within the
15 borough of the Bronx.
- 16 § 3. The portion of parkland authorized to be used for the Bronx Chil-
17 dren's Museum pursuant to section one of this act consists of the second
18 floor comprised of approximately 12,500 square feet of Building J situ-
19 ated in Mill Pond Park in the borough of the Bronx.

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

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1 § 4. Upon termination of the agreement or discontinuance of the
2 purpose identified in section one of this act, such parkland shall ther-
3 eafter be used for park and recreational purposes.

4 § 5. If the portion of parkland subject to this act has received fund-
5 ing pursuant to the federal land and water conservation fund, the use of
6 any of such parkland for non-park purpose authorized by the provisions
7 of this act shall not occur until the municipality has complied with the
8 federal requirements pertaining to the conversion of parklands, includ-
9 ing satisfying the secretary of the interior that the discontinuance
10 will include all conditions which the secretary of the interior deems
11 necessary to assure the substitution of other lands equivalent in fair
12 market value and recreational usefulness to the lands being discontin-
13 ued.

14 § 6. If the parkland that is subject to this act is also the subject
15 of an agreement between the city of New York and the New York state
16 historic preservation office, the use of any parkland for the purpose
17 identified in section one of this act shall not occur until the city of
18 New York has complied with the conditions of such agreement.

19 § 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: S5859B

SPONSOR: SERRANO

TITLE OF BILL: An act to authorize the commissioner of parks and recreation of the city of New York to enter into an agreement for the operation of a children's program known as the Bronx Children's Museum in a portion of a building located in Mill Pond Park in the borough of the Bronx

PURPOSE OR GENERAL IDEA OF BILL:

To authorize the city of New York to enter into an agreement with the Kids Powerhouse Discovery Center, LLC, for the operation and maintenance of a children's program known as the Bronx Children's Museum in a building situated in Mill Pond Park in the borough of the Bronx.

SUMMARY OF SPECIFIC PROVISIONS:

Section 1 of this bill would authorize the New York City Commissioner of Parks and Recreation to enter into an agreement with the Kids Powerhouse Discovery Center, LLC for the maintenance and operation of a children's program known as the Bronx Children's Museum on the second floor of Building J located in Mill Pond Park in the borough of the Bronx. Such agreement would allow for the placement of signs identifying the museum.

Section 2 of this bill would require New York City to dedicate an amount equal to or greater than the fair market value of any portion of parkland which may be authorized to be used by this act for a non-park purpose for the acquisition of additional parkland and/ or capital improvements to existing park and recreational facilities.

Section 3 of this bill describes the portion of parkland that would be authorized to be used for the Bronx Children's Museum pursuant to this act.

Section 4 of this bill would require that upon termination or discontinuance of the purpose identified in this act, such parkland shall be used for park and recreational purposes.

Section 5 of this bill would require New York City to comply with the federal requirements pertaining to the conversion of parklands.

Section 6 of this bill would require New York City to comply with the conditions of an agreement between such City and the New York State Historic Preservation Office prior to entering into an agreement pursuant to section one of this act.

Section 7 of this bill would require this act to take effect immediately.

JUSTIFICATION:

With the widespread support of community residents and elected officials in the Borough of the Bronx, the Bronx Children's Museum is an educational initiative designed to serve all 1.3 million residents of the county. Begun in 2006 with a series of traveling programs that inspire children and their families to learn more about the world in which they live, the Museum is preparing to move into its new home in 2017. After consultation with the appropriate officials of the New York City government it has been determined that a museum is not an acceptable use of park land and that park alienation legislation is the only means available to ensure that the Bronx Children's Museum is able to post signage on the building being used to house the Museum. This legislation responds to that need, explicitly limits the alienation to a portion of the exterior wall required for the signage and requires full compliance with all applicable federal and state laws.

PRIOR LEGISLATIVE HISTORY:

New Legislation

FISCAL IMPLICATIONS:

None to the State.

EFFECTIVE DATE:

This act shall take effect immediately.

STATE OF NEW YORK

8120--B

2015-2016 Regular Sessions

IN ASSEMBLY

June 9, 2015

Introduced by M. of A. JOYNER -- read once and referred to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Cities in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the commissioner of parks and recreation of the city of New York to enter into an agreement for the operation of a children's program known as the Bronx Children's Museum in a portion of a building located in Mill Pond Park in the borough of the Bronx

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

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6 floor of building J, as such building is presently constructed and situ-
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14 improvements to existing park and recreational facilities within the
15 borough of the Bronx.
- 16 § 3. The portion of parkland authorized to be used for the Bronx Chil-
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4 § 5. If the portion of parkland subject to this act has received fund-
5 ing pursuant to the federal land and water conservation fund, the use of
6 any of such parkland for non-park purpose authorized by the provisions
7 of this act shall not occur until the municipality has complied with the
8 federal requirements pertaining to the conversion of parklands, includ-
9 ing satisfying the secretary of the interior that the discontinuance
10 will include all conditions which the secretary of the interior deems
11 necessary to assure the substitution of other lands equivalent in fair
12 market value and recreational usefulness to the lands being discontin-
13 ued.

14 § 6. If the parkland that is subject to this act is also the subject
15 of an agreement between the city of New York and the New York state
16 historic preservation office, the use of any parkland for the purpose
17 identified in section one of this act shall not occur until the city of
18 New York has complied with the conditions of such agreement.

19 § 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: A8120B

SPONSOR: Joyner

TITLE OF BILL:

An act to authorize the commissioner of parks and recreation of the city of New York to enter into an agreement for the operation of a children's program known as the Bronx Children's Museum in a portion of a building located in Mill Pond Park in the borough of the Bronx

PURPOSE OR GENERAL IDEA OF BILL:

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Section 3 of this bill describes the portion of parkland that would be authorized to be used for the Bronx Children's Museum pursuant to this act.

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Section 5 of this bill would require New York City to comply with the federal requirements pertaining to the conversion of parklands.

Section 6 of this bill would require New York City to comply with the conditions of an agreement between such City and the New York State Historic Preservation Office prior to entering into an agreement pursuant to section one of this act.

Section 7 of this bill would require this act to take effect immediately.

JUSTIFICATION:

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PRIOR LEGISLATIVE HISTORY:

2015: A.8120A (Joyner) - Referred to the Cities Committee.

FISCAL IMPLICATIONS:

None to the State.

EFFECTIVE DATE:

This act shall take effect immediately.