

6745--A

2021-2022 Regular Sessions

IN ASSEMBLY

March 29, 2021

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

AN ACT in relation to authorizing the town of Orangetown, county of Rockland to discontinue the use of certain park land

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 town of Orange-
- 2 town, Rockland County, acting by and through its governing body, and
- 3 upon such terms and conditions as determined by such body, is hereby
- 4 authorized to: (a) discontinue the use as park land and alienate the
- 5 lands described in section three of this act, and convey such lands by
- 6 appropriate instrument to the county of Rockland, for the purpose of the
- 7 county of Rockland completing roadway safety improvements, including the

8 replacement of a structurally deficient bridge and channel realignment  
9 in order to reduce flooding in the area; and (b) temporarily discontinue  
10 the use of the parklands identified in section four of this act, for  
11 such construction.

12 § 2. The authorization provided in section one of this act shall be  
13 effective only upon the condition that the town of Orangetown dedicate  
14 an amount of land equal to or greater than the fair market value of  
15 parklands being discontinued towards the acquisition of new parklands  
16 and/or capital improvements to existing park and recreational facili-  
17 ties.

18 § 3. The parklands to be permanently alienated by the town of Orange-  
19 town, Rockland County, pursuant to section one of this act are described  
20 as follows:

21 Parcel 1

22 All that certain piece or parcel of property, lying, being and situated  
23 in the Town of Orangetown, County of Rockland and State of New York  
24 described as follows:

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

LBD10612-04-1

A. 6745--A                      2

1 Beginning at a point on the northerly line of the original two and one-  
2 half Rod (41.25 foot) Right-of-Way of W Washington Ave (County Route  
3 30). Said point being the following course and distance, along said  
4 original northerly Right-of-Way line, from a Rockland County Highway  
5 monument, concrete with brass plate, set at a deflection point of 5° 47'  
6 00" left on the original Right-of-Way. S 77°03'55" W a distance of

7 208.63 feet.

8 Thence, from said Point of Beginning along said original northerly

9 Right-of-Way line of W Washington Ave

10 1. S 77°06'09" W a distance of 173.97 feet; thence, continuing along

11 the northerly Right-of-Way line of W Washington Ave

12 2. S 89°51'09" W a distance of 231.33 feet; thence, still along the

13 northerly Right-of-Way line of W Washington Ave

14 3. N 77°36'51" W a distance of 49.83 feet; thence, still along the

15 northerly Right-of-Way line of W Washington Ave

16 4. N 62°38'51" W a distance of 56.29 feet; thence, still along the

17 northerly Right-of-Way line of W Washington Ave to the beginning of a

18 tangent curve to the right having a

19 5. radius of 226.65 feet, a central angle of 41°44'47", and an arc

20 length of 165.14 feet to a point on the northerly Right-of-Way line of W

21 Washington Ave and the Northwesterly corner of Parcel I; thence,

22 6. S 66°48'50" E a distance of 176.06 feet through Tax Lot 68.14-2-26

23 to an angle point in the proposed northerly line of Parcel 1; thence,

24 7. S 80°46'11" E a distance of 128.18 feet through Tax Lot 68.14-2-26

25 to an angle point in the proposed northerly line of Parcel 1; thence,

26 8. N 87°18'30" E a distance of 311.93 feet through Tax Lot 68.14-2-26

27 to a point on the division line between Tax Lot 68.14-2-26 and Tax Lot

28 68.15-1-4; thence,

29 9. S 09°41'51" E a distance of 42.96 feet along the division line

30 between Tax Lot 68.14-2-26 and Tax Lot 68.15-1-4 and along a jog in the

31 northerly Right-of-Way line of W Washington Ave to the Point of Begin-

32 ning.

33 Containing an area of 39,525 square feet more or less, or 0.907 acres

34 +/-

35 § 4. The parklands for which a temporary easement may be temporarily

36 granted by the town of Orangetown, Rockland County, to the county of  
37 Rockland pursuant to section one of this act are described as follows:

38 Parcel 2

39 All that certain piece or parcel of property, lying, being and situated  
40 in the Town of Orangetown, County of Rockland and State of New York  
41 described as follows:

42 Beginning at a point on the Northerly line of Parcel 1 described in  
43 subdivision (a) of section three of this act. Said point being the  
44 Southeast corner of parcel 2 and being the following course and distance  
45 from the Northeast corner of Parcel 1, along the Northerly line of  
46 Parcel 1; S 87°18'30" W 135.10 feet to the Point of Beginning.

47 Thence from said Point of Beginning;

48 1. S 87° 18' 30" W 176.83 feet; thence,

49 2. N 25° 06' 37" W 124.05 feet; thence,

50 3. N 10° 55' 29" W 137.83 feet; thence,

51 4. N 67° 21' 42" E 72.38 feet; thence,

52 5. S 19° 39' 56" E 107.61 feet; thence,

53 6. S 42° 34' 22" E 225.25 feet to the Point of Beginning.

54 Containing an area of 31,129 square feet more or less, or 0.714 acres

55 +/-

A. 6745--A

3

1 § 5. In the event that the town of Orangetown received any funding  
2 support or assistance from the federal government for the purchase,  
3 maintenance or improvement of the parklands set forth in sections three  
4 and four of this act, the discontinuance and alienation of such park  
5 land authorized by the provisions of this act shall not occur until the  
6 town of Orangetown has complied with any federal requirements pertaining  
7 to the alienation or conversion of parklands, including satisfying the

8 secretary of the interior that the alienation or conversion complies  
9 with all conditions which the secretary of the interior deems necessary  
10 to assure the substitution of other lands shall be equivalent in fair  
11 market value and usefulness to the lands being alienated or converted.

12 § 6. Upon completion of construction by the county of Rockland as  
13 authorized by this act, the county of Rockland shall restore the surface  
14 of the lands more particularly described in section four of this act  
15 and such lands shall continue to be used for park purposes by the town.

16 § 7. This act shall take effect immediately.

5953--A

Cal. No. 951

2021-2022 Regular Sessions

IN SENATE

March 23, 2021

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Introduced by Sen. REICHLIN-MELNICK -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT in relation to authorizing the town of Orangetown, county of Rockland to discontinue the use of certain park land

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 town of Orange-
- 2 town, Rockland County, acting by and through its governing body, and
- 3 upon such terms and conditions as determined by such body, is hereby

4 authorized to: (a) discontinue the use as park land and alienate the  
5 lands described in section three of this act, and convey such lands by  
6 appropriate instrument to the county of Rockland, for the purpose of the  
7 county of Rockland completing roadway safety improvements, including the  
8 replacement of a structurally deficient bridge and channel realignment  
9 in order to reduce flooding in the area; and (b) temporarily discontinue  
10 the use of the parklands identified in section four of this act, for  
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16 and/or capital improvements to existing park and recreational facili-  
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18 § 3. The parklands to be permanently alienated by the town of Orange-  
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[ ] is old law to be omitted.

LBD10612-05-1

S. 5953--A

2

1 All that certain piece or parcel of property, lying, being and situated  
2 in the Town of Orangetown, County of Rockland and State of New York  
3 described as follows:

4 Beginning at a point on the northerly line of the original two and one-  
5 half Rod (41.25 foot) Right-of-Way of W Washington Ave (County Route

6 30). Said point being the following course and distance, along said  
7 original northerly Right-of-Way line, from a Rockland County Highway  
8 monument, concrete with brass plate, set at a deflection point of  $5^{\circ} 47'$   
9  $00''$  left on the original Right-of-Way.  $S 77^{\circ}03'55'' W$  a distance of  
10 208.63 feet.  
11 Thence, from said Point of Beginning along said original northerly  
12 Right-of-Way line of W Washington Ave  
13 1.  $S 77^{\circ}06'09'' W$  a distance of 173.97 feet; thence, continuing along  
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15 2.  $S 89^{\circ}51'09'' W$  a distance of 231.33 feet; thence, still along the  
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20 northerly Right-of-Way line of W Washington Ave to the beginning of a  
21 tangent curve to the right having a  
22 5. radius of 226.65 feet, a central angle of  $41^{\circ}44'47''$ , and an arc  
23 length of 165.14 feet to a point on the northerly Right-of-Way line of W  
24 Washington Ave and the Northwesterly corner of Parcel I; thence,  
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35 ning.

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38 § 4. The parklands for which a temporary easement may be temporarily  
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47 Southeast corner of parcel 2 and being the following course and distance  
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49 Parcel 1; S 87°18'30" W 135.10 feet to the Point of Beginning.

50 Thence from said Point of Beginning;

51 1. S 87° 18' 30" W 176.83 feet; thence,

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53 3. N 10° 55' 29" W 137.83 feet; thence,

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S. 5953--A

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3 § 5. In the event that the town of Orangetown received any funding  
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5 maintenance or improvement of the parklands set forth in sections three

6 and four of this act, the discontinuance and alienation of such park  
7 land authorized by the provisions of this act shall not occur until the  
8 town of Orangetown has complied with any federal requirements pertaining  
9 to the alienation or conversion of parklands, including satisfying the  
10 secretary of the interior that the alienation or conversion complies  
11 with all conditions which the secretary of the interior deems necessary  
12 to assure the substitution of other lands shall be equivalent in fair  
13 market value and usefulness to the lands being alienated or converted.  
14 § 6. Upon completion of construction by the county of Rockland as  
15 authorized by this act, the county of Rockland shall restore the surface  
16 of the lands more particularly described in section four of this act  
17 and such lands shall continue to be used for park purposes by the town.  
18 § 7. This act shall take effect immediately.

S T A T E   O F   N E W   Y O R K

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7444

2021-2022 Regular Sessions

I N   A S S E M B L Y

May 10, 2021

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

AN ACT to authorize the town of Orangetown to offer a certain  
retirement  
option to Orangetown police officers Patrick J. Casey,  
Elizabeth M.  
Muckell and Keith E. Trojan

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

Section 1. Notwithstanding any other provision of law to the  
contrary,  
the town of Orangetown, a participating employer in the New  
York state  
and local police and fire retirement system, which previously  
elected to  
offer the optional retirement plan established pursuant to  
section 384-d  
of the retirement and social security law to police officers  
employed by  
such police department, is hereby authorized to make  
participation in  
such plan available to police officer Patrick J. Casey  
who, on the  
effective date of this act is covered under the provisions of  
section

384 of the retirement and social security law, and to police officers

Elizabeth M. Muckell and Keith E. Trojan who, on the effective date of

this act are covered under the provisions of section 375-i of the

retirement and social security law and who, for reasons not ascribable

to their own negligence failed to make a timely application to partic-

ipate in such optional retirement plan. Thereafter, police officers

Patrick J. Casey, Elizabeth M. Muckell and Keith E. Trojan may elect to

be covered by the provisions of section 384-d of the retirement and

social security law, and shall be entitled to the full rights and bene-

fits associated with coverage under such section, by filing a request to

that effect with the state comptroller within one year of the effective

date of this act.

§ 2. All past service costs associated with implementing the provisions of this act shall be borne by the town of Orangetown.

§ 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets

[ ] is old law to be omitted.

LBD10568-02-1

A. 7444

2

This bill would allow the Town of Orangetown to elect to reopen the

provisions of Section 384-d together with 384-e of the Retirement and

Social Security Law for police officers Patrick J. Casey, Elizabeth M.

Muckell, and Keith E. Trojan.

If this bill is enacted during the 2021 legislative session and Offi-

cers Casey, Muckell, and Trojan become covered under the provisions of Section 384-d together with 384-e, we anticipate that there will be an increase of approximately \$41,000 in the annual contributions of the Town of Orangetown for the fiscal year ending March 31, 2022. In future years, this cost will vary as the billing rates and salaries of Officers Casey, Muckell, and Trojan change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$124,000 which will be borne by the Town of Orangetown as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2022.

Summary of relevant resources:

Membership data as of March 31, 2020 was used in measuring the impact of the proposed change, the same data used in the April 1, 2020 actuarial valuation. Distributions and other statistics can be found in the 2020 Report of the Actuary and the 2020 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2020 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability

of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated April 8, 2021, and intended for use only during the 2021 Legislative Session, is Fiscal Note No. 2021-116, prepared by the Actuary for the New York State and Local Retirement System.

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

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7169

2021-2022 Regular Sessions

I N S E N A T E

June 4, 2021

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Introduced by Sen. REICHLIN-MELNICK -- read twice and ordered printed,

and when printed to be committed to the Committee on Rules

AN ACT to authorize the town of Orangetown to offer a certain retirement

option to Orangetown police officers Patrick J. Casey, Elizabeth M.

Muckell and Keith E. Trojan

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-

BLY, DO ENACT AS FOLLOWS:

Section 1. Notwithstanding any other provision of law to the contrary,

the town of Orangetown, a participating employer in the New York state

and local police and fire retirement system, which previously elected to

offer the optional retirement plan established pursuant to section 384-d

of the retirement and social security law to police officers employed by

such police department, is hereby authorized to make participation in

such plan available to police officer Patrick J. Casey who, on the

effective date of this act is covered under the provisions of section

384 of the retirement and social security law, and to police officers

Elizabeth M. Muckell and Keith E. Trojan who, on the effective date of this act are covered under the provisions of section 375-i of the retirement and social security law and who, for reasons not ascribable to their own negligence failed to make a timely application to participate in such optional retirement plan. Thereafter, police officers Patrick J. Casey, Elizabeth M. Muckell and Keith E. Trojan may elect to be covered by the provisions of section 384-d of the retirement and social security law, and shall be entitled to the full rights and benefits associated with coverage under such section, by filing a request to that effect with the state comptroller within one year of the effective date of this act.

§ 2. All past service costs associated with implementing the provisions of this act shall be borne by the town of Orangetown.

§ 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets

[ ] is old law to be omitted.

LBD10568-02-1

S. 7169

2

This bill would allow the Town of Orangetown to elect to reopen the provisions of Section 384-d together with 384-e of the Retirement and Social Security Law for police officers Patrick J. Casey, Elizabeth M. Muckell, and Keith E. Trojan.

If this bill is enacted during the 2021 legislative session and Officers Casey, Muckell, and Trojan become covered under the provisions of



Section 384-d together with 384-e, we anticipate that there will be an increase of approximately \$41,000 in the annual contributions of the Town of Orangetown for the fiscal year ending March 31, 2022. In future years, this cost will vary as the billing rates and salaries of Officers Casey, Muckell, and Trojan change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$124,000 which will be borne by the Town of Orangetown as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2022.

Summary of relevant resources:

Membership data as of March 31, 2020 was used in measuring the impact of the proposed change, the same data used in the April 1, 2020 actuarial valuation. Distributions and other statistics can be found in the 2020 Report of the Actuary and the 2020 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2020 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2020 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for

the professional judgment of an attorney.

This estimate, dated April 8, 2021, and intended for use only during the 2021 Legislative Session, is Fiscal Note No. 2021-116, prepared by the Actuary for the New York State and Local Retirement System.

[VIEW LESS](#)