

3816--B

Cal. No. 236

2013-2014 Regular Sessions

I N   S E N A T E

February 21, 2013

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Introduced by Sen. ZELDIN -- 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, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend chapter 719 of the laws of 1982, relating to authorizing the commissioner of general services to convey certain state lands in the county of Suffolk to the town of Islip, in relation to exceptions for certain property

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

1     Section 1. Chapter 719 of the laws of 1982, relating to authorizing  
2     the commissioner of general services to convey certain state lands in  
3     the county of Suffolk to the town of Islip, is amended by adding a new  
4     section 1-a to read as follows:  
5     S 1-A. THE NEW YORK INSTITUTE OF TECHNOLOGY IS AUTHORIZED TO SELL AND  
6     CONVEY TO THE TOWN OF ISLIP, SUFFOLK COUNTY, THE LAND AND IMPROVEMENTS  
7     THEREON, DESCRIBED IN SECTION SEVEN-A OF THIS ACT. CONVEYANCE OF SUCH  
8     LAND SHALL BE UPON SUCH TERMS AND CONDITIONS, INCLUDING CONSIDERATION,  
9     AS THE NEW YORK INSTITUTE OF TECHNOLOGY AND THE TOWN OF ISLIP MAY FIX  
10    AND DETERMINE.  
11    S 2. The opening paragraph of section 7 of chapter 719 of the laws of  
12    1982, relating to authorizing the commissioner of general services to  
13    convey certain state lands in the county of Suffolk to the town of  
14    Islip, as amended by chapter 269 of the laws of 2001, is amended and  
15    three new sections 7-a, 7-b and 7-c are added to read as follows:  
16    [Any] WITH THE EXCEPTION OF THE LAND DESCRIBED IN SECTION SEVEN-A OF  
17    THIS ACT, ANY land and improvements thereon transferred pursuant to this

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

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1 act shall be used only by, or for the purposes of the state, the United  
2 States of America and its transferees or assigns, a municipal corpo-  
3 ration or a not-for-profit college or university chartered by the  
4 regents of the university of the state of New York. Except for the  
5 United States of America and its transferees or assigns, said land and  
6 any improvements thereon shall be used only for hospital, park and  
7 recreation, municipal office or educational purposes, and for complemen-  
8 tary academic, scientific or technological uses, applied research and  
9 developmental activities of a not-for-profit college or university, a  
10 voluntary, municipal or state-operated hospital, or a municipal corpo-  
11 ration. Said land or any improvements thereon transferred pursuant to  
12 this act to the United States of America or its transferees or assigns  
13 shall not be designed or altered for the overnight housing and/or custo-  
14 dy of prisoners or detainees. These purposes and/or restrictions shall  
15 be recorded as deed covenants and restrictions running with the land  
16 upon the transfer of the land to the town of Islip, Suffolk county and  
17 its transferees or assigns. Provided, however, that the commissioner of  
18 general services, subject to the approval of the town of Islip as  
19 evidenced by a resolution of the town board and upon payment of fair and  
20 reasonable consideration as determined by said commissioner by New York  
21 Institute of Technology to the office of general services, shall amend,  
22 modify or delete as set forth in said resolution any of the above stated  
23 purposes, including the requirement that they be recorded as deed coven-  
24 ants and restrictions running with the land as such purposes and  
25 restrictions may appear in a conveyance to the town of Islip, its trans-  
26 feree and assigns and apply to the following described five parcels of  
27 land:

28 S 7-A. THE LANDS TO BE CONVEYED PURSUANT TO SECTION ONE-A OF THIS ACT  
29 ARE SITUATED IN THE TOWN OF ISLIP, SUFFOLK COUNTY, AND ARE GENERALLY  
30 DESCRIBED AS FOLLOWS:

31 BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE WESTERLY SIDE  
32 OF LOWELL AVENUE AND THE SOUTHERLY SIDE OF EASTVIEW DRIVE; RUNNING  
33 THENCE SOUTHERLY ALONG THE WESTERLY SIDE OF LOWELL AVENUE S07°39'38"E  
34 300.00' TO A POINT; RUNNING THENCE WESTERLY TO THE EASTERLY SIDE OF  
35 EASTVIEW DRIVE S82°13'18"W 356.55' TO A POINT OF THE CURVATURE; RUNNING  
36 THENCE NORTHERLY ALONG THE EAST SIDE OF EASTVIEW DRIVE ALONG THE ARC OF  
37 A CURVE BEARING TO THE RIGHT HAVING A RADIUS OF 455.93' AN ARC LENGTH  
38 269.80' A CHORD DISTANCE OF 265.88 AND A CHORD BEARING OF N16°16'27"E TO  
39 A POINT OF CURVATURE; RUNNING THENCE NORTHERLY ALONG THE EAST SIDE OF  
40 EASTVIEW DRIVE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT HAVING A  
41 RADIUS OF 166.89' AN ARC LENGTH OF 142.98' AND A CHORD BEARING OF  
42 N57°46'04"E A CHORD DISTANCE OF 138.65' TO A POINT OF TANGENCY; RUNNING  
43 THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF EASTVIEW DRIVE TO THE  
44 WESTERLY SIDE OF LOWELL AVENUE N82°18'41"E 122.59' TO THE POINT OR PLACE  
45 OF BEGINNING.

46 S 7-B. RESTRICTIONS PROVIDED IN SECTION SEVEN OF THIS ACT SHALL NOT  
47 APPLY TO THE PARCEL OF LAND DESCRIBED IN SECTION SEVEN-A OF THIS ACT.

48 S 7-C. THE TOWN OF ISLIP SHALL CONVEY THE LAND TRANSFERRED PURSUANT TO  
49 SECTION ONE-A OF THIS ACT TO THE CENTRAL ISLIP FIRE DISTRICT. SUCH LAND  
50 SHALL BE CONVEYED TO THE CENTRAL ISLIP FIRE DISTRICT FOR THE SOLE  
51 PURPOSE OF THE CREATION OF A SUBSTATION.

52 S 3. This act shall take effect immediately.