STATE OF NEW YORK

5477--B

2025-2026 Regular Sessions

IN ASSEMBLY

February 14, 2025

Introduced by M. of A. DeSTEFANO -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the town of Brookhaven to alienate certain parklands for use as a recharge basin and to dedicate other lands as replacement parklands

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, the town of Brookhaven, located in the county of Suffolk, acting by and through its governing body and upon such terms and conditions as determined by such body, is hereby authorized to discontinue as parklands the lands more particularly described in section three of this act, for the purposes of constructing a stormwater runoff and recharge basin.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the town of Brookhaven dedicate an amount equal to or greater than the fair market value of the parklands being discontinued towards the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. The parklands authorized by section one of this act to be discontinued as parklands are described as follows:

Parcel I

ALL that certain piece or parcel of land situate, lying and being near Bellport, Town of Brookhaven, County of Suffolk, State of New York, known and designated as Lots 55 through 64, inclusive, in Block 508, as shown on a certain map entitled "Map number 3, 6 and 9 of New York and Brooklyn Suburban Investment Company" and filed in the office of the Clerk of Suffolk County on June 9, 1890 as number 444; also filed April

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

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9, 1890 as number 83 and April 15, 1892 as number 26 and being more particularly bounded and described as follows:
Beginning at the corner formed by the intersection of the westerly side of Hoffman Avenue and the southerly side of Patchogue Avenue;
Running thence South 4°-17'-00" West along the westerly side of Hoffman Avenue 250.00 feet to a point;
Thence North 85°-43'-00" West a distance of 100.00 feet to a point;
Thence North 4°-17'-00" East a distance of 250.00 feet to the southerly side of Patchogue Avenue;
Thence South 85°-43'-00" East along the southerly side of Patchogue Avenue 100.00 feet to the westerly side of Hoffman Avenue and the point or place of beginning.
Containing within said bounds 0.44 acres, more or less.
Parcel II
ALL that certain piece or parcel of land situate, lying and being near Bellport, Town of Brookhaven, County of Suffolk, State of New York, known and designated as Lots 25 through 32, inclusive, in Block 508, as shown on a certain map entitled "Map number 3, 6 and 9 of New York and Brooklyn Suburban Investment Company" and filed in the office of the Clerk of Suffolk County on June 9, 1890 as number 444; also filed April 9, 1890 as number 83 and April 15, 1892 as number 26 and being more particularly bounded and described as follows:
Beginning at the corner formed by the intersection of the easterly side of Ecke Avenue and the southerly side of Patchogue Avenue;
Running thence South 85°-43'-00" East along the southerly side of Patchogue Avenue 100.00 feet to a point;
Thence South 4°-17'-00" West a distance of 200.00 feet to a point;
Thence North 85°-43'-00" West a distance of 100.00 feet to the easterly side of Ecke Avenue;
Thence North 4°-17'-00" East along the easterly side of Ecke Avenue 200.00 feet to the southerly side of Patchogue Avenue and the point or place of beginning.
Containing within said bounds 0.58 acres, more or less.

§ 4. In the event that the town of Brookhaven received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section three of this act, the discontinuance and alienation of such parkland authorized by the provisions of this act shall not occur until the town of Brookhaven has complied with any federal requirements pertaining to the alienation or conversion of such parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ 5. This act shall take effect immediately.