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

5259--A

Cal. No. 1068

2013-2014 Regular Sessions

I N S E N A T E

May 15, 2013

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 report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to authorize the town of Islip to transfer ownership of certain parklands to the village of Islandia

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

Section 1. (a) The town of Islip acting through its legislative body is hereby authorized to discontinue the use of Nichols Road Park, described in section two of this act, and to convey its interest in the parkland to the village of Islandia upon terms agreed upon by the town if Islip and the village of Islandia, provided that such village uses such lands for continued park and recreational purposes. (b) The village of Islandia shall continue to provide access to the parklands and/or recreational facilities described in section two of this act to all residents of the town of Islip, and shall not enact any fees which are higher for the residents of the town of Islip who are not residents of the village of Islandia. (c) Any revenues received by the town of Islip from the conveyance of parkland authorized by this act shall be used for capital improvements to existing town park and recreational facilities and/or for the acquisition of additional town park and recreational facilities.

S 2. The parkland authorized to be conveyed by the town of Islip pursuant to this act are located, bounded and described as follows:

All that certain plot, piece or parcel of land situate lying and being at the village of Islandia, Town of Islip, County of Suffolk and State of New York, being bounded and described as follows:

Beginning at a point on the easterly line of Nichols Road (Old Nichols Road), said point being distant the following two (2) courses and

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

LBD11017-03-3

distances southerly from the intersection between the easterly side of Nichols Road (Old Nichols Road) and the southerly side of South Connecting Road. Along the widened line of Nichols Road (Old Nichols Road) proceed:

1. South 40 Degrees 40 Minutes 00 Seconds West 141.54 feet;

2. North 56 Degrees 36 Minutes 00 Seconds West 10.29 feet to the existing line of Nichols Road (Old Nichols Road) and the point of beginning (POB).

From said point of beginning proceed along the following seven (7) courses and distances:

1. South 56 Degrees 36 Minutes 00 Seconds East 200.07 feet;
2. North 41 Degrees 30 Minutes 35 Seconds East 151.90 feet;
3. South 56 Degrees 36 Minutes 00 Seconds East 448.00 feet;
4. South 43 Degrees 45 Minutes 00 Seconds West 223.57 feet;
5. South 44 Degrees 54 Minutes 52 Seconds West 336.35 feet;
6. North 50 Degrees 47 Minutes 54 Seconds West 608.36 feet;
7. North 40 Degrees 40 Minutes 00 Seconds East 340.37 feet to the point of beginning and containing within said bounds 298,786 square feet or 6.86 acres more or less.

S 3. The parkland to be conveyed pursuant to this act, and all structures and facilities situated on such parkland, shall be maintained, owned and operated by the village of Islandia.

S 4. The use of such parkland and facilitates shall be available to the public. Where the availability of such facilities is limited, the use of such facilities shall be determined by an equitable method which provides priority use to the public based on a reservation policy for free or nominal charge.

S 5. This act shall take effect immediately.