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I N   S E N A T E

May 5, 2016

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Introduced by Sens. CROCI, LAVALLE -- read twice and ordered printed,  
and when printed to be committed to the Committee on Local Government

AN ACT authorizing the alienation of certain parklands in the town of  
Brookhaven, county of Suffolk

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 Brookha-  
2     ven, acting by and through its town board, is hereby authorized to lease  
3     to the Mastic, Moriches, Shirley Community Library, for up to thirty  
4     years, and upon such terms and conditions as the town board deems appro-  
5     priate, the municipality owned parklands more particularly described in  
6     section three of this act.  
7     S 2. The authorization contained in section one of this act shall be  
8     effective only upon the condition that the town of Brookhaven, county of  
9     Suffolk dedicate an amount equal to the fair market value of those  
10    interests being transferred by this act, for the acquisition of addi-  
11    tional parklands and/or capital improvements to existing park and recre-  
12    ational facilities.  
13    S 3. The parklands authorized by section one of this act to be leased  
14    to the Mastic, Moriches, Shirley Community Library are as follows:  
15    ALL that certain piece or parcel of land situate, lying and being in  
16    the town of Brookhaven, county of Suffolk, together with all the  
17    improvements thereon, more particularly bounded and described as  
18    follows:  
19    Beginning at a stake set at the northwesterly corner of the herein  
20    described parcel, said stake being the following two courses and  
21    distances from the easterly side of William Floyd Parkway (CR 46);  
22    1,696.99' easterly from the southeasterly end of a curve connecting the  
23    easterly side of William Floyd Parkway (CR 46) with the northerly side  
24    of Colony Preserve Drive as measured along the northerly side of Colony  
25    Preserve Drive and S21°24'01"E 411.50' to the northwesterly corner of  
26    the herein described parcel and the true point or place of beginning:  
27    Running thence easterly from said point of beginning N80°28'56"E 703.81'  
28    to a stake set; running thence southerly S16°36'40"E 232.35' to a stake

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

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1 set; running thence southwesterly and westerly through a stake set and  
2 largely through the artificial pond previously created on this property  
3 S57°12'23"W 195.56' and S82°19'53"W 603.32' to a point; running thence  
4 northerly through a stake set N00°20'46"E 292.71' to the point or place  
5 of beginning, containing within said bounds 4.995 acres.  
6 S 4. Should the interest described in section three of this act cease  
7 to be operated as a library, such interests shall revert to the town of  
8 Brookhaven, county of Suffolk for public park and recreational purposes.  
9 The library shall be made available to the general public on an equita-  
10 ble basis. Where availability of public facilities are limited, the use  
11 of such facilities must be determined by a reservation policy which  
12 provides priority use to the general public.  
13 S 5. If the parkland that is the subject of this act has received  
14 funding pursuant to the federal land and water conversation fund, the  
15 discontinuance of parklands authorized by the provisions of this act  
16 shall not occur until the municipality has complied with the federal  
17 requirements pertaining to the conversion of parklands, including satis-  
18 fying the secretary of the interior that the discontinuance will include  
19 all conditions which the secretary of the interior deems necessary to  
20 assure the substitution of other lands shall be equivalent in fair  
21 market value and recreational usefulness to the lands being discontin-  
22 ued.  
23 S 6. This act shall take effect immediately.