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

10125

I N A S S E M B L Y

May 11, 2016

Introduced by M. of A. THIELE, MURRAY -- read once and referred to the Committee on Local Governments

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:

Section 1. Subject to the provisions of this act, the town of Brookhaven, acting by and through its town board, is hereby authorized to lease to the Mastic, Moriches, Shirley Community Library, for up to thirty years, and upon such terms and conditions as the town board deems appropriate, the municipality owned parklands more particularly described in section three of this act.

S 2. The authorization contained in section one of this act shall be effective only upon the condition that the town of Brookhaven, county of Suffolk dedicate an amount equal to the fair market value of those interests being transferred by this act, for the acquisition of additional parklands and/or capital improvements to existing park and recreational facilities.

S 3. The parklands authorized by section one of this act to be leased to the Mastic, Moriches, Shirley Community Library are as follows:

ALL that certain piece or parcel of land situate, lying and being in the town of Brookhaven, county of Suffolk, together with all the improvements thereon, more particularly bounded and described as follows:

Beginning at a stake set at the northwesterly corner of the herein described parcel, said stake being the following two courses and distances from the easterly side of William Floyd Parkway (CR 46); 1,696.99' easterly from the southeasterly end of a curve connecting the easterly side of William Floyd Parkway (CR 46) with the northerly side of Colony Preserve Drive as measured along the northerly side of Colony Preserve Drive and S21°24'01"E 411.50' to the northwesterly corner of the herein described parcel and the true point or place of beginning: Running thence easterly from said point of beginning N80°28'56"E 703.81' 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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set; running thence southwesterly and westerly through a stake set and largely through the artificial pond previously created on this property S57°12'23"W 195.56' and S82°19'53"W 603.32' to a point; running thence northerly through a stake set N00°20'46"E 292.71' to the point or place of beginning, containing within said bounds 4.995 acres.

S 4. Should the interest described in section three of this act cease to be operated as a library, such interests shall revert to the town of Brookhaven, county of Suffolk for public park and recreational purposes. The library shall be made available to the general public on an equitable basis. Where availability of public facilities are limited, the use of such facilities must be determined by a reservation policy which provides priority use to the general public.

S 5. If the parkland that is the subject of this act has received funding pursuant to the federal land and water conversation fund, the discontinuance of parklands authorized by the provisions of this act shall not occur until the municipality has complied with the federal requirements pertaining to the conversion of parklands, including satisfying the secretary of the interior that the discontinuance will include 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 recreational usefulness to the lands being discontinued.

S 6. This act shall take effect immediately.