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

8127--B

2015-2016 Regular Sessions

I N A S S E M B L Y

June 9, 2015

Introduced by M. of A. LENTOL -- read once and referred to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Judiciary in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the Empire State Development Corporation to acquire, by eminent domain, a certain parcel of real property in the borough of Brooklyn; and to authorize the city of New York to develop certain parkland

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

Section 1. The legislature finds that the 2005 Greenpoint-Williamsburg Waterfront Rezoning included city commitments, and created an expectation in the community, that the future Bushwick Inlet Park would include the parcel that is described in section two of this act. The legislature further finds that these commitments were included in the Environmental Impact Statement and City Planning resolution prepared at that time and that the city zoning map today shows the parcel to be parkland.

S 2. Notwithstanding the provisions of article two of the eminent domain procedure law, where, as part of a rezoning, an official of the city has signed a memorandum of understanding with the community, the Empire State Development Corporation, acting by and through its board, is authorized, without consideration of other sites for a public project and any other requirement of such article, to acquire by eminent domain the real property in the borough of Brooklyn at North 11th Street, otherwise known on the tax map of the city of New York as block 2287, lot 30, block 2294, lot 1, block 2294, lot 5, and block 2287, lot 16, for the purpose of a public project.

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

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S 3. The parcel of land described in section two of this act shall immediately be transferred to the city upon its acquisition by the Empire State Development Corporation. The city shall reimburse the state for the costs of such acquisition.

S 4. The city shall then immediately honor its commitment to the community and transform such parcel into parkland. Commencing one year after the date on which the Empire State Development Corporation transfers the parcel to the city and every year thereafter on such date, if the city has failed to complete its commitment to the community, it shall deposit a sum of one million dollars into an account to be held in trust and used exclusively for the creation of new parklands or maintenance and rehabilitation of existing parklands within the city. Such account shall be under the exclusive control of and solely administered by the state office of parks, recreation and historic preservation.

S 5. This act shall take effect immediately.