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

5994

2015-2016 Regular Sessions

I N S E N A T E

June 18, 2015

Introduced by Sen. CROCI -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to authorize the town of Islip, in the county of Suffolk, to lease parklands to the Suffolk County Police Athletic League

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 Islip, located in the county of Suffolk, is hereby authorized, acting by and through its town board, to lease to the Suffolk County Police Athletic League, for up to thirty years, and upon such terms, conditions, and provisions as it deems appropriate, the municipally owned parklands more particularly described in section three of this act.

S 2. All revenues received by the town of Islip as a result of the lease of the property described in section three of this act shall be used for the acquisition of additional parkland and/or for capital improvements of existing park and recreational facilities.

S 3. The parklands authorized by section one of this act to be leased to the Suffolk County Police Athletic League are as follows:

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

BEGINNING at a point that forms southeast corner of property herein described which is the following four courses and distances from a point which forms the northerly end of an arc with a radius of 20 feet that connects the northerly side of Greenbelt Parkway with the westerly side of Spence Avenue;

1) N 51° 13' 54" East 31.38 feet;

2) Along the arc of a curve bearing to the left having a radius of 214.24 feet and an

arc length of 194.42 feet;

3) N 0° 45' 50" West 81.71 feet;

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

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4) S 89° 46' 00" West 520.43 feet;
5) N 00° 17' 00" West 1140.00 feet to the point of beginning;
RUNNING THENCE from said point of beginning in a westerly direction S 89° 43' 00" West 565.03 feet to a point;
THENCE northerly N 6° 54' 31" West 577.47 feet to a point;
THENCE easterly N 83° 05' 29" East 10.00 feet to a point;
THENCE northerly N 6° 54' 31" West 331.79 feet to a point;
THENCE northerly N 00° 17' 00" West 595.66 feet to a point;
THENCE easterly N 89° 43' 00" East 660.00 feet to a point;
THENCE southerly S 00° 17' 00" East 1500.00 feet to a point or place of beginning;
SAID PARCEL has a total area of 21.77 acres, and may be found on the town of Islip Department of Planning and Development, Mapping Section drawing No. 79-68, as revised, 11/8/79. And also:
BEGINNING at a point that forms the intersection of the westerly side of Lot No. 116 on the filed map "Hampstead Park," Sec. 2, filed July 8, 1965, file No. 4400 and the northerly side of Greenbelt Parkway;
THENCE from said point of beginning in a westerly direction along the northerly side of Greenbelt Parkway S 89° 43' 00" West 167.20 feet to a point;
THENCE along the arc of a curve bearing to the right having a radius of 11,549.16 feet and an arc length of 1278.07 feet to a point;
THENCE N 6° 54' 31" West 25.15 feet to a point;
THENCE N 89° 43' 00" East 565.03 feet to a point;
THENCE S 00° 17' 00" East 1140.00 feet to the northerly side of the map of "Hampstead Park," Sec. 2;
THENCE in a westerly direction along the northerly side of the aforementioned map S 89° 43' 00" west 318.00 feet to the westerly side of said Lot No. 116 on said map of "Hampstead Park," Sec. 2;
THENCE in a southerly direction along the westerly side of said lot No. 116 S 00° 17' 00" East 150.00 feet to the northerly side of Greenbelt parkway and the point or place of beginning;
SAID PARCEL has an area of 14.098 acres and may be found on the town of Islip Department of Planning and Development, Mapping Section drawing No. 79-109.
S 4. The parklands to be leased pursuant to this act shall be maintained and operated as an athletic complex and such other public recreational purposes as the town and lessee shall deem appropriate. Should the lessee divert the use of the lands to other purposes, any lease entered into pursuant to this act shall immediately terminate, and all interests in the property shall revert back to the town of Islip; provided, however, that the failure of the lessee to make the lands available to the public during such periods as may be needed to acquire, construct, develop or maintain necessary facilities or equipment or during such seasonal periods as are not appropriate for an athletic complex shall not be deemed a diversion to a non-recreational use.
S 5. As described in section four of this act, the use of such parklands, as well as any subsequent facilities, shall be available to the general public. Where the availability of such facilities are limited, the use of such shall be determined by an equitable method which provides priority use to the general public based on a reservation policy for free or nominal charge.
S 6. If the parkland that is subject of this act has received funding pursuant to the federal land and water conservation fund, the discontinuance of parkland 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 7. This act shall take effect immediately.