

7497

I N S E N A T E

May 5, 2016

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.