

STATE OF NEW YORK

S. 8386--A

A. 10509--A

SENATE - ASSEMBLY

May 4, 2018

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the town of Brookhaven, county of Suffolk, to alienate certain parklands and to dedicate other lands as parklands

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 Brookhaven, county of Suffolk, acting by and through its governing body and upon such terms and conditions as determined by such body is hereby authorized to discontinue as parklands and to alienate the lands described in section three of this act to Michael Christopher Trimarco for the purpose of residential improvements.

2 § 2. The authorization provided in section one of this act shall be effective only upon the condition that Michael Christopher Trimarco convey to the town of Brookhaven, and that the town of Brookhaven acquire and dedicate the lands described in section four of this act as parklands, provided that the town of Brookhaven has never used such lands for public open space or park purposes.

3 § 3. The parklands authorized by section one of this act to be alienated as parklands are described as follows:

4 All that certain plot, piece or parcel of land situated, lying and being at Moriches, Town of Brookhaven, County of Suffolk and State of New York being known and designated as p/o Lot 124 on the Map of Crystal Beach, Section 2, filed in the Suffolk County Clerk's Office on 09/06/1957 as Map No. 2750, which said p/o lots are bounded and described as follows:

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

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1 BEGINNING at a point on the west side of Crystal Beach Boulevard
2 distance 1,348.32 feet southerly from the corner formed by the inter-
3 section of the southerly side of Beverly Court and the westerly side of
4 Crystal Beach Boulevard;

5 RUNNING THENCE South 27 degrees 00 minutes 11 seconds West 75.00 feet;

6 THENCE North 63 degrees 00 minutes 00 seconds West 98.16 feet;

7 THENCE North 27 degrees 00 minutes 00 seconds East 15.00 feet;

8 THENCE North 63 degrees 01 minutes 45 seconds East 74.19 feet;

9 THENCE South 63 degrees 00 minutes 00 seconds East 54.54 feet, to the
10 westerly side of Crystal Beach Boulevard at point or place of BEGINNING.

11 Area = 6,054-sq.ft.

12 § 4. Prior to the discontinuance and alienation of the parklands
13 described in section three of this act, Michael Christopher Trimarco
14 shall convey to the town of Brookhaven and the town of Brookhaven shall
15 acquire and dedicate as parklands such land described as follows:

16 All that certain plot, piece or parcel of land situated, lying and
17 being at Moriches, Town of Brookhaven, County of Suffolk and State of
18 New York being known and designated as p/o Lot 123 on the Map of Crystal
19 Beach, Section 2, filed in the Suffolk County Clerk's Office on
20 09/06/1957 as Map No. 2750, which said p/o lots are bounded and
21 described as follows:

22 BEGINNING at a point on the west side of Crystal Beach Boulevard
23 distance 1,273.32 feet southerly from the corner formed by the inter-
24 section of the southerly side of Beverly Court and the westerly side of
25 Crystal Beach Boulevard;

26 RUNNING THENCE South 27 degrees 00 minutes 11 seconds West 32.00 feet;

27 THENCE North 63 degrees 00 minutes 00 seconds West 23.27 feet;

28 THENCE South 63 degrees 01 minutes 45 seconds West 53.17 feet;

29 THENCE North 63 degrees 00 minutes 00 seconds West 215.46 feet;

30 THENCE North 22 degrees 31 minutes 43 seconds East 75.23 feet;

31 THENCE South 63 degrees 00 minutes 00 seconds East 275.87 feet, to the
32 westerly side of Crystal Beach Boulevard at point or place of BEGINNING.

33 Area = 18,797-sq.ft.

34 § 5. In the event that the fair market value of the parklands
35 described in section four of this act to be dedicated by the town of
36 Brookhaven pursuant to this act are not equal to or greater than the
37 fair market value of the parklands to be alienated as described in
38 section three of this act, the town of Brookhaven shall dedicate the
39 difference of the fair market value of the lands to be alienated and the
40 lands to be dedicated for the acquisition of additional parklands and/or
41 capital improvements to existing park and recreational facilities.

42 § 6. In the event that the town of Brookhaven received any funding
43 support or assistance from the federal government for the purchase,
44 maintenance or improvement of the parklands set forth in section three
45 of this act, the discontinuance and alienation of such parklands author-
46 ized by the provisions of this act shall not occur until the town of
47 Brookhaven has complied with any federal requirements pertaining to the
48 alienation or conversion of parklands, including satisfying the secre-
49 tary of the interior that the alienation or conversion complies with all
50 conditions which the secretary of the interior deems necessary to assure
51 the substitution of other lands shall be equivalent in fair market value
52 and usefulness to the lands being alienated or converted.

53 § 7. This act shall take effect immediately.