

# STATE OF NEW YORK

10835

## IN ASSEMBLY

July 20, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. D. Rosenthal) -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT in relation to requiring certain provisions be included in any procurement or agreement prior to disposing of any asset owned, leased or otherwise controlled on or in the immediate vicinity of the Lefferts Boulevard Bridge

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative intent. The legislature hereby finds and  
2 declares that the Lefferts Boulevard Bridge is an essential almost 100-  
3 year-old structure of historical significance in Kew Gardens, Queens  
4 that has been owned by the MTA/Long Island Rail Road since 1925. The  
5 bridge has been an integral and essential focal point for community life  
6 in Kew Gardens for the past century. The bridge has long served critical  
7 and multiple purposes in the community-as a hub of business and culture,  
8 and as a pristine example of "Ponte Vecchio" style architecture which is  
9 rare and brilliant, particularly in New York City. The structure itself  
10 has intrinsically historical significance and currently is under review  
11 by the office of parks, recreation and historic preservation for design-  
12 nation on the New York State and National Registers of Historic Places  
13 Programs. In addition, the bridge is home to a series of longstanding  
14 local businesses, many of which have served the community, and contrib-  
15 uted substantial revenues to the MTA, for multiple generations, while  
16 hard at work in their humble storefronts on top of the bridge. In 2018  
17 the bridge was saved from demolition by an earnest and professional  
18 partnership between the MTA, LIRR, the businesses and the concerned  
19 community. Stabilization of the structure was undertaken and now reha-  
20 bilitation is contemplated yet the metes and bounds are unclear. This  
21 legislation will ensure that the character of the singularly important  
22 bridge and its footprint are protected and that the bridge-based busi-  
23 nesses are given a fair opportunity to continue, post rehabilitation.

24 § 2. Notwithstanding any law to the contrary, prior to disposing of  
25 any asset owned, leased or otherwise controlled on or in the immediate

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

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1 vicinity of the Lefferts Boulevard Bridge, the metropolitan transporta-  
2 tion authority, long island rail road, or any of their subsidiaries  
3 shall comply with subdivisions 1, 2, and 3 and paragraphs a and b of  
4 subdivision 6 of section 2897 of the public authorities law and also  
5 include the following provisions in any procurement or agreement related  
6 to such disposal:

7 (a) Offering a right of first refusal to match the responsible bid  
8 considered most advantageous to the state to any current tenants or  
9 lessees or sublessees after fair market value is determined or public  
10 advertisement for bids has concluded;

11 (b) Limiting potential future uses of the asset being disposed of to  
12 preserving the use, height, bulk or floor area ratio, and parking for  
13 the term of any lease or sublease entered into pursuant to the disposal.

14 § 3. This act shall take effect immediately.