

STATE OF NEW YORK

2877

2019-2020 Regular Sessions

IN SENATE

January 30, 2019

Introduced by Sen. MARTINEZ -- 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, in the county of Suffolk, acting by and through its governing body
3 and upon such terms and conditions as determined by such body, is hereby
4 authorized to discontinue as parklands and alienate the lands more
5 particularly described in section three of this act, and to lease such
6 parklands to the Patchogue-Medford Library District for the purpose of
7 establishing a local library branch for a period not to exceed thirty
8 years.

9 § 2. The authorization contained in section one of this act shall be
10 effective only upon the condition that the town of Brookhaven dedicate
11 an amount equal to or greater than the fair market value of the park-
12 lands being discontinued toward the acquisition of new parkland and/or
13 capital improvements to existing parkland and recreational facilities.

14 § 3. The parklands authorized by section one of this act to be alien-
15 ated are described as follows:

16 BEGINNING at a point the following three courses and distances from
17 the intersection of the westerly side of Port Jefferson - Patchogue Road
18 (New York State Route 112) and the northerly side of Horseblock Road
19 (County Road 16);

20 1. Westerly along the northerly side of Horseblock Road (County Road
21 16) North 73 degrees 25 minutes 03 seconds West, 440.42 feet;

22 2. North 3 degrees 10 minutes 00 seconds East, 126.28 feet;

23 3. North 55 degrees 22 minutes 56 seconds West, 910.15 feet to said
24 point of beginning;

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

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1 RUNNING THENCE North 86 degrees 50 minutes 00 seconds West, 180.00
2 feet;

3 THENCE North 3 degrees 10 minutes 00 seconds East, 344.00 feet;

4 THENCE South 86 degrees 50 minutes 00 seconds East, 189.50 feet;

5 THENCE South 3 degrees 10 minutes 00 seconds West, 206.50 feet;

6 THENCE North 86 degrees 50 minutes 00 seconds West, 9.50 feet;

7 THENCE South 3 degrees 10 minutes 00 seconds West 83.50 feet to THE
8 POINT OR PLACE OF BEGINNING;

9 Containing: 64,395 square feet or 1.48 acres, more or less

10 § 4. Should the leased lands described in section three of this act
11 cease to be used for the purposes described in section one of this act,
12 the lease shall terminate and those lands shall revert to the town of
13 Brookhaven for public park and recreational purposes. At the time of
14 such reversion, any facilities located thereon shall be adapted for
15 public park and recreational purposes.

16 § 5. In the event that the town of Brookhaven received any funding
17 support or assistance from the federal government for the purchase,
18 maintenance or improvement of the parklands set forth in section three
19 of this act, the discontinuance and alienation of such parkland author-
20 ized by the provisions of this act shall not occur until the town of
21 Brookhaven has complied with any federal requirements pertaining to the
22 alienation or conversion of parklands, including satisfying the secre-
23 tary of the interior that the alienation or conversion complies with all
24 conditions which the secretary of the interior deems necessary to assure
25 the substitution of other lands shall be equivalent in fair market value
26 and usefulness to the lands being alienated or converted.

27 § 6. This act shall take effect immediately.