# 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:**

Section 1. Subject to the provisions of this act, the town of Brookhaven, in the 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 alienate the lands more particularly described in section three of this act, and to lease such parklands to the Patchogue-Medford Library District for the purpose of establishing a local library branch for a period not to exceed thirty years.

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

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

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

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

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

3. North 55 degrees 22 minutes 562 seconds West, 910.15 feet to said point of beginning;

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

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RUNNING THENCE North 86 degrees 50 minutes 00 seconds West, 180.00 feet;
THENCE North 3 degrees 10 minutes 00 seconds East, 344.00 feet;
THENCE South 86 degrees 50 minutes 00 seconds East, 189.50 feet;
THENCE South 3 degrees 10 minutes 00 seconds West, 206.50 feet;
THENCE North 86 degrees 50 minutes 00 seconds West, 9.50 feet;
THENCE South 3 degrees 10 minutes 00 seconds West 83.50 feet to THE POINT OR PLACE OF BEGINNING;
Containing: 64,395 square feet or 1.48 acres, more or less

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

§ 5. In the event that the town of Brookhaven received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section three of this act, the discontinuance and alienation of such parkland authorized by the provisions of this act shall not occur until the town of Brookhaven has complied with any federal requirements pertaining to the alienation or conversion of parklands, including satisfying the secretary of the interior that the alienation or conversion complies with 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 usefulness to the lands being alienated or converted.

§ 6. This act shall take effect immediately.