# STATE OF NEW YORK

724

2021-2022 Regular Sessions

# IN ASSEMBLY

**(Prefiled)**

January 6, 2021

Introduced by 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:**

Section 1. Legislative intent. The legislature hereby finds and declares that the Lefferts Boulevard Bridge is an essential almost 100-year-old structure of historical significance in Kew Gardens, Queens that has been owned by the MTA/Long Island Rail Road since 1925. The bridge has been an integral and essential focal point for community life in Kew Gardens for the past century. The bridge has long served critical and multiple purposes in the community-as a hub of business and culture, and as a pristine example of "Ponte Vecchio" style architecture which is rare and brilliant, particularly in New York City. The structure itself has intrinsically historical significance and currently is under review by the office of parks, recreation and historic preservation for designation on the New York State and National Registers of Historic Places Programs. In addition, the bridge is home to a series of longstanding local businesses, many of which have served the community, and contributed substantial revenues to the MTA, for multiple generations, while hard at work in their humble storefronts on top of the bridge. In 2018 the bridge was saved from demolition by an earnest and professional partnership between the MTA, LIRR, the businesses and the concerned community. Stabilization of the structure was undertaken and now rehabilitation is contemplated yet the metes and bounds are unclear. This legislation will ensure that the character of the singularly important

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

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bridge and its footprint are protected and that the bridge-based businesses are given a fair opportunity to continue, post rehabilitation.

§ 2. Notwithstanding any law to the contrary, prior to disposing of any asset owned, leased or otherwise controlled on or in the immediate vicinity of the Lefferts Boulevard Bridge, the metropolitan transportation authority, long island rail road, or any of their subsidiaries shall comply with subdivisions 1, 2, and 3 and paragraphs a and b of subdivision 6 of section 2897 of the public authorities law and also include the following provisions in any procurement or agreement related to such disposal:

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

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

§ 3. This act shall take effect immediately.