STATE OF NEW YORK

8895--A

IN SENATE

April 27, 2022

Introduced by Sen. KAPLAN -- 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

AN ACT authorizing the village of Mineola, county of Nassau, to alienate certain parklands for use in the village of Mineola public water supply system and replace such alienated parkland with a new, dedicated parkland

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 village of Mineola, located in the county of Nassau, 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, for the construction of necessary and appropriate water treatment facilities.

§ 2. The authorization contained in section one of this act shall take effect only upon the condition that the village of Mineola shall acquire and dedicate the lands of equal or greater fair market value that have never been used for park purposes described in section four of this act as additional parklands of the village.

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

All that piece or parcel of property, situated in the Incorporated Village of Mineola, Nassau County, New York shown as Part of Lot 9 in Block 671 of Section 9 on the Nassau County Land and Tax Map, and being more particularly described as follows:

Beginning at a point on the westerly line of Eighth Avenue, said point being 124.53 feet northerly from the intersection of the northerly line of Old Country Road and the westerly line of Eighth Avenue;

Thence South 85°26'06" West a distance of 100.27 feet to a point;

Thence North 08°46'00" West a distance of 84.84 feet to a point;

Thence North 81°14'00" East a distance of 100.00 feet to a point on the westerly line of Eighth Avenue;

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

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Thence South 08°46'00" East along the westerly line of Eighth Avenue a distance of 92.19 feet to the point or place of beginning.

Said parcel containing 8,852 square feet or 0.2032 more or less acres.

§ 4. Prior to the discontinuance and alienation of parkland described in section three of this act, the village of Mineola, acting by and through its governing body, shall dedicate replacement lands for use as parklands for public park purposes described as follows:

All that piece or parcel of property situated in the Incorporated Village of Mineola, Nassau County, New York, shown as part of Lot 225 on Block 1 in Section 9 of the Nassau County Land and Tax Map and being more particularly described as follows:

Beginning at a point on the easterly line of Emory Road, said point being 357.41 feet southerly from the intersection of the southerly line of Wilson Boulevard and the easterly line of Emory Road;

Thence North 76°20'00" East a distance of 41.20 feet to a point on a chain link fence;

Thence the following two (2) courses and distance along said chain link fence:

(1) Easterly along the arc of a curve to the left having a radius of 69.11 feet and an arc length of 61.07 feet, subtended by a chord bearing South 78°55'29" East a distance of 59.101 feet to a point, and

(2) North 76°32'16" East a distance of 77.15 feet to a point;

Thence South 09°51'54" East a distance of 117.83 feet to a point;

Thence South 76°20'00" West a distance of 164.21 feet to a point on the easterly line of Emory Road;

Thence North 13°40'00" West along the easterly line of Emory Road a distance of 142.59 feet to the point or place of beginning.

Said parcel containing 21,222 square feet or 0.4872 acres more or less.

§ 5. In the event that the parklands described in section four of this act to be acquired and dedicated by the village of Mineola pursuant to this act are not equal to or greater than the parklands described in section three of this act being alienated, the village of Mineola shall dedicate the difference of the fair market value of the lands to be alienated and the lands to be dedicated for the acquisition of additional parklands and/or capital improvements to existing park and recreational facilities.

§ 6. In the event that the village of Mineola 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 parklands authorized by the provisions of this act shall not occur until the county of Nassau 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.

§ 7. This act shall take effect immediately.