STATE OF NEW YORK

9035--A

IN SENATE

April 10, 2024

Introduced by Sen. MURRAY -- 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 in relation to authorizing the town of Brookhaven to alienate and discontinue the use of certain parklands

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 is hereby authorized, acting by and through its governing body, and upon such terms and conditions as determined by, and in the sole discretion of such governing body, to discontinue the use as parkland and alienate the lands described in section three of this act, and to convey property interests in such lands for the purposes of developing a wastewater treatment plant.

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

§ 3. The portion of land authorized by section one of this act to be permanently discontinued as parkland is described as follows:

All that certain plot, piece or parcel of land, lying and being in Shirley, Town of Brookhaven, County of Suffolk and State of New York, being a part of Lot 80 on the "Map of Country Woods at Colony Preserve", filed in the Office of the Suffolk County Clerk on August 22, 2013, File No. 11926, said premises being more particularly bounded and described as follows:

BEGINNING at a point the following courses and distances from the intersection of the westerly side of Mastic Road with the northerly side of Lincoln Avenue;

1) Westerly along the northerly side of Lincoln Avenue 555 feet;

2) S00°11"50"W, 442.14 feet to the TRUE POINT OR PLACE OF BEGINNING.

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

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RUNNING THENCE S00°11'50"W, 380.27 feet;
THENCE S00°11'38"W, 150.77 feet;
THENCE N89°48'22"W, 501.79 feet;
THENCE N00°11'50"E, 545.61 feet;
THENCE S88°08'35"E, 502.00 feet to the POINT or PLACE OF BEGINNING.
Containing within said bounds 6.2 acres, more or less.

§ 4. 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 parklands 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.

§ 5. This act shall take effect immediately.