STATE OF NEW YORK

8560

2025-2026 Regular Sessions

IN ASSEMBLY

May 20, 2025

Introduced by M. of A. KASSAY -- read once and referred to the Committee on Transportation

AN ACT in relation to directing the Department of Transportation to grant a permanent access and construction easement to the Metropolitan Transportation Authority

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Short title. This act shall be known and may be cited as the "Furthering Rail Transit in Suffolk County Act".

§ 2. Definitions. For the purposes of this act:

(a) "DOT" means the New York State Department of Transportation.

(b) "Greenway" means the real property in Port Jefferson Station, Suffolk County, New York owned by the New York State Department of Transportation identified as State Route 5232-A a/k/a the Setauket-Port Jefferson Station Greenway Multi-Use Path, which is bound on the north by real property identified on the Suffolk County Tax Map as 0200-159.00-02.00-020.000 and bound on the south by real property identified on the Suffolk County Tax Map as 0200-180.00-04.00-002.000.

(c) "MTA" means the Metropolitan Transportation Authority.

§ 3. Easement to MTA. (a) The DOT is hereby authorized and directed to grant a permanent access and construction easement to the MTA, in form and substance acceptable to the MTA, permitting the MTA to access in, over, through and above, utilize, construct upon and operate, as needed, a portion of DOT-owned land identified as State Route 5232-A a/k/a the Setauket-Port Jefferson Station Greenway Multi-Use Path or Greenway to accommodate the potential future development of a railyard use traversing the Greenway in order to expand and improve public rail transit in Suffolk County.

(b) The DOT's grant of an easement over the Greenway, or such portions thereof as deemed necessary by the MTA, shall reserve to the DOT such rights as may be required to construct a bridge over the current Green-

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

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way location in order to carry out the intended purpose for which the Greenway was initially acquired by DOT, namely the straightening of New York State Route 25A. The DOT's grant of an easement to the MTA shall include language acknowledging that the MTA's potential future development of a railyard use and the DOT's potential future election to have a bridge constructed over the current Greenway location can coexist at the current Greenway location and requiring both parties to work cooperatively in the planning and construction phases so that in the event both projects are undertaken, they will coexist harmoniously.

(c) In no event shall the easement prohibit the DOT's future ability to reroute the Greenway, which is presently being utilized as a pedestrian and bicycle path, to the parcel south of the current Greenway location or the DOT's future ability to opt to construct a bridge over the current Greenway location in order to carry out the intended purpose for which the Greenway was initially acquired by DOT, the straightening of New York State Route 25A.

(d) The DOT is authorized and directed to work with the MTA and other interested parties and/or owners of real property surrounding the Greenway to negotiate and execute the above-described easement within six months after the effective date of this act.

§ 4. The DOT may consult with any state or local office, agency, or department and request or receive information from any such entity that is relevant and material to the completion of this directive to grant an easement to the MTA to accommodate the potential future development of a railyard use in order to expand and improve public rail transit in Suffolk County.

§ 5. This act shall take effect immediately.