

STATE OF NEW YORK

7616

2025-2026 Regular Sessions

IN SENATE

April 23, 2025

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT in relation to establishing the Stony brook campus housing ground lease

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

1 Section 1. Legislative findings. The legislature finds and declares
2 that the state university of New York at Stony Brook ("Stony Brook") is
3 one of the State's flagship universities with hundreds of millions of
4 dollars in federal research, is the region's largest on-site employer,
5 and, through Stony Brook Medicine, is Suffolk County's safety-net
6 provider. Stony Brook consists of two academic campuses, four hospitals,
7 over two hundred clinical outpatient facilities, and the Long Island
8 State Veterans Home. Stony Brook is poised to grow both its student
9 enrollment and its workforce but is limited due to a lack of housing
10 opportunities. In fact, the single greatest issue Stony Brook has across
11 its system in recruiting and retaining students, faculty and staff is
12 the lack of student and workforce housing.

13 The legislature finds that Stony Brook seeks to use approximately 17
14 acres of underutilized land on its Stony Brook campus to build multi-
15 purpose facilities to support housing needs and supporting amenities
16 (including but not limited to food and dining options, parking and
17 fitness centers) for the university's undergraduate and graduate
18 students, as well as junior faculty and certain university employees.
19 It is expected that up to 1,900 beds would be made available for Stony
20 Brook students and employees. By providing more housing options for the
21 Stony Brook community, it will provide greater options for students and
22 faculty with young families to move into the area, and help us retain
23 those students and employees already here but commuting long distances
24 to school and work.

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

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1 The legislature further finds that granting the trustees of the state
2 university of New York ("Trustees") the authority and power to lease and
3 otherwise contract to make available grounds and facilities on Stony
4 Brook's campus will ensure land is utilized for the benefit of Stony
5 Brook, and the surrounding community.

6 § 2. Notwithstanding any other law to the contrary, the state univer-
7 sity trustees are hereby authorized and empowered, without any public
8 bidding, to lease and otherwise contract to make available to the Stony
9 Brook Housing Development Corp. (the "ground lessee"), a portion of the
10 lands of the university on its campus, generally described in this act
11 for the purpose of building undergraduate student, graduate student,
12 faculty and staff housing. Such lease or contract shall be for a period
13 not exceeding 100 years without any fee simple conveyance and otherwise
14 upon terms and conditions determined by such trustees, subject to the
15 approval of the director of the division of the budget, the attorney
16 general and the state comptroller. If the real property that is the
17 subject of such lease or contract shall cease to be used for the purpose
18 described in this act, such lease or contract shall immediately termi-
19 nate, and the real property and any improvements thereon shall revert to
20 the state university of New York. Any lease or contract entered into
21 pursuant to this act shall provide that the real property that is the
22 subject of such lease or contract and any improvements thereon shall
23 revert to the state university of New York on the expiration of such
24 contract or lease.

25 § 3. Any contract or lease entered into pursuant to this act shall be
26 deemed to be a state contract for purposes of article 15-A of the execu-
27 tive law, and any contractor, subcontractor, lessee or sublessee enter-
28 ing into such contract or lease for the construction, demolition, recon-
29 struction, excavation, rehabilitation, repair, renovation, alteration or
30 improvement authorized pursuant to this act shall be deemed a state
31 agency for the purposes of article 15-A of the executive law and subject
32 to the provisions of such article.

33 § 4. Notwithstanding any general, special or local law or judicial
34 decision to the contrary, all work performed on a project authorized by
35 this act where all or any portion thereof involves a lease or agreement
36 for construction, demolition, reconstruction, excavation, rehabili-
37 tation, repair, renovation, alteration or improvement shall be deemed
38 public work and shall be subject to and performed in accordance with the
39 provisions of article 8 of the labor law to the same extent and in the
40 same manner as a contract of the state, and compliance with all the
41 provisions of article 8 of the labor law shall be required of any
42 lessee, sublessee, contractor or subcontractor on the project, including
43 the enforcement of prevailing wage requirements by the fiscal officer as
44 defined in paragraph e of subdivision 5 of section 220 of the labor law
45 to the same extent as a contract of the state.

46 § 5. Notwithstanding any law, rule or regulation to the contrary, the
47 state university of New York shall not contract out to the ground lessee
48 or any subsidiary for the instruction or any pedagogical functions or
49 services, or any administrative services, and similar professional
50 services currently being performed by state employees. All such func-
51 tions and services shall be performed by state employees. Nothing in
52 this act shall result in the displacement of any currently employed
53 state worker or the loss of position (including partial displacement
54 such as reduction in the hours of non-overtime, wages or employment
55 benefits), or result in the impairment of existing contracts for
56 services or collective bargaining rights pursuant to existing agreements

1 as provided under article 14 of the civil service law. All positions
2 currently at the state university of New York in the unclassified
3 service and classified service of the civil service law shall not be
4 reclassified as a result of this act. No pedagogical or other services
5 or work on the property described in this act currently performed by
6 public employees or future work that is similar in scope and nature to
7 the work being currently performed by public employees shall be
8 contracted out or privatized by the state university of New York or by
9 an affiliated entity or associated entity of the state university of New
10 York. All such future work shall be performed by public employees.

11 § 6. For the purposes of this act:

12 (a) "project" shall mean work at the property authorized by this act
13 to be leased to the ground lessee as described in section twelve of this
14 act that involves the design, construction, reconstruction, demolition,
15 excavation, rehabilitation, repair, renovation, alteration or improve-
16 ment of such property.

17 (b) "project labor agreement" shall mean a pre-hire collective
18 bargaining agreement between a contractor and a labor organization,
19 establishing the labor organization as the collective bargaining repre-
20 sentative for all persons who will perform work on the project, and
21 which provides that only contractors and subcontractors who sign a pre-
22 negotiated agreement with the labor organization can perform project
23 work.

24 § 7. Nothing in this act shall be deemed to waive or impair any rights
25 or benefits of employees of the state university of New York that other-
26 wise would be available to them pursuant to the terms of agreements
27 between the certified representatives of such employees and the state of
28 New York pursuant to article 14 of the civil service law; all work
29 performed on such property that ordinarily would be performed by employ-
30 ees subject to article 14 of the civil service law shall continue to be
31 performed by such employees.

32 § 8. Notwithstanding the provisions of any general, special, or local
33 law or judicial decision to the contrary, the ground lessee shall
34 require the use of a project labor agreement, as defined in subdivision
35 1 of section 222 of the labor law, for all contractors and subcontrac-
36 tors on the project, consistent with paragraph (a) of subdivision 2 of
37 section 222 of the labor law.

38 § 9. Without limiting the determination of the terms and conditions of
39 such contracts or leases, such terms and conditions may provide for
40 leasing, subleasing, construction, reconstruction, rehabilitation,
41 improvement, operation and management of and provision of services and
42 assistance and the granting of licenses, easements and other arrange-
43 ments with regard to such grounds and facilities by the ground lessee,
44 and parties contracting with the ground lessee, and in connection with
45 such activities, the obtaining of funding or financing, whether public
46 or private, unsecured or secured, including, but not limited to, secured
47 by leasehold mortgages and assignments of rents and leases, by the
48 ground lessee and parties contracting with the ground lessee for the
49 purposes of completing the project described in this act.

50 § 10. Such lease shall include an indemnity provision whereby the
51 lessee or sublessee promises to indemnify, hold harmless and defend the
52 lessor against all claims, suits, actions, and liability to all persons
53 on the leased premises, including tenant, tenant's agents, contractors,
54 subcontractors, employees, customers, guests, licensees, invitees and
55 members of the public, for damage to any such person's property, whether

1 real or personal, or for personal injuries arising out of tenant's use
2 or occupation of the demised premises.

3 § 11. Any contracts entered into pursuant to this act between the
4 ground lessee and parties contracting with the ground lessee shall be
5 awarded by a competitive process.

6 § 12. The property authorized by this act to be leased to the ground
7 lessee is generally described as that parcel of real property with
8 improvements thereon consisting of a total of approximately 16.7217
9 acres of land situated on the campus of the state university of New York
10 at Stony Brook within the town of Brookhaven, county of Suffolk, state
11 of New York more particularly described as follows:

12 Beginning at a point within lot 2 of section 199, block 1 and being on
13 the southerly side of Circle Road, a private road of undesignated width,
14 having New York state plane (LI Zone) 1983 coordinate values of North
15 275669.8546 and East 1225232.3830. The said point being distant 295.88
16 feet on a bearing of North 42 degrees 47 minutes 36 seconds East from
17 the Northeast corner of section 198, block 7, lot 3 now or formerly
18 belonging to the town of Brookhaven as per liber 11011 at page 576, and
19 running from the said point of beginning; thence

20 Running the following nineteen (19) courses through said lot 2.6:

21 1) Following along the said Southerly side of said Circle Road, North
22 30 degrees, 13 minutes, 30 seconds East, a distance of 339.00 feet to a
23 point of curvature; thence

24 2) Following along the same, on a curve to the right having a radius
25 of 3148.50 feet, a central angle of 05 degrees 04 minutes 00 seconds and
26 an arc length of 278.42 feet to a point of non-tangency; thence

27 3) Leaving the said side of Circle Road, South 63 degrees 07 minutes
28 11 seconds East, a distance of 110.00 feet, thence

29 4) south 61 degrees 36 minutes 00 seconds east, a distance of 193.00
30 feet; thence

31 5) south 65 degrees 28 minutes 00 seconds east, a distance of 135.00
32 feet ; thence

33 6) South 61 degrees 17 minutes 00 seconds East a distance of 371.50
34 feet ; thence

35 7) South 28 degrees 43 minutes 00 seconds West a distance of 199.50
36 feet ; thence

37 8) south 07 degrees 38 minutes 00 seconds west, a distance of 25.00
38 feet to a point of non-tangent curvature; thence

39 9) on a curve to the left having a radius of 160.00 feet, a central
40 angle of 64 degrees 09 minutes 42 seconds and an arc length of 179.17
41 feet, the chord of which bears south 40 degrees 33 minutes 51 seconds
42 West for a distance of 169.66 feet to a point of tangency; thence

43 10) south 08 degrees 29 minutes 00 seconds west, a distance of 384.000
44 feet; thence

45 11) North 82 degrees 34 minutes 00 seconds west, a distance of 35.50
46 feet to a point of curvature; thence

47 12) on a curve to the left having a radius of 75.00 feet, a central
48 angle of 90 degrees 07 minutes 00 seconds, and an arc length of 117.96
49 feet to a point of tangency; thence

50 13) south 07 degrees 19 minutes 00 seconds west, a distance of 113.15
51 feet; thence

52 14) North 79 degrees 46 minutes 00 seconds West, a distance of 255.50
53 feet ; thence

54 15) North 37 degrees 39 minutes 00 seconds west, a distance of 42.50
55 feet; thence

1 16) North 06 degrees 38 minutes 00 seconds west, a distance of 104.50
2 feet to a point of curvature; thence

3 17) on a curve to the left having a radius of 230.00 feet, a central
4 angle of 30 degrees 52 minutes 00 seconds, and an arc length of 123.91
5 feet to a point of tangency; thence

6 18) north 37 degrees 30 minutes 00 seconds west, a distance of 412.80
7 feet; thence

8 19) North 25 degrees 35 minutes 00 seconds West, a distance of 118.00
9 feet to the point and place of Beginning.

10 The above-described lease area contains 728,396 square feet or 16.7217
11 acres of land.

12 The above-described development area was written in accordance with a
13 map entitled, "Boundary & Location Survey, District 200, section 199,
14 block 1, Part of Lot 2.6, at, Stony Brook University, Hamlet of Stony-
15 brook, town of Brookhaven, Suffolk county, state of New York" prepared
16 by Gallas Surveying Group.

17 § 13. The state university of New York shall not lease lands described
18 in this act unless any such lease shall be executed within 5 years of
19 the effective date of this act.

20 § 14. Insofar as the provisions of this act are inconsistent with the
21 provisions of any law, general, special or local, the provisions of this
22 act shall be controlling.

23 § 15. This act shall take effect immediately.