STATE OF NEW YORK

7873

2025-2026 Regular Sessions

IN SENATE

May 12, 2025

Introduced by Sen. PALUMBO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT in relation to authorizing the town of Brookhaven, county of Suffolk, 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, in the county of Suffolk, 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 to lease at fair market value to LI Smart Solutions LLC for a term not to exceed thirty years, the lands more particularly described in section three of this act for the placement and operation of a wireless communication tower.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the town of Brookhaven dedicates an amount equal to or greater than the fair market value of the parklands being discontinued towards the acquisition of new parklands and/or towards capital improvements to existing parkland and recreational facilities.

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

LEASE AREA A -

A PORTION OF ROLLING HILLS GOLF COURSE, ROCKY POINT

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED LYING AND BEING AT ROCKY POINT AND BEING IN THE TOWN OF BROOKHAVEN, COUNTY OF SUFFOLK AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF NORTH COUNTRY ROAD (NEW YORK STATE ROUTE 25-A) AT THE EXTREME SOUTHERLY END OF THE ARC OF A CURVE HAVING A RADIUS OF 20.00 FEET AND A LENGTH OF 32.07 FEET WHICH

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

LBD11775-02-5

CONNECTS THE NORTHERLY SIDE OF NORTH COUNTRY ROAD (NEW YORK STATE ROUTE 25-A) AND THE WESTERLY SIDE OF FAIRWAY DRIVE.

RUNNING THENCE ALONG THE NORTHERLY SIDE OF NORTH COUNTRY ROAD (NEW YORK STATE ROUTE 25-A) IN A WESTERLY DIRECTION A DISTANCE TO THE WEST 1129.33 FEET TO A POINT.

THENCE RUNNING NORTH 10 DEGREES 11 MINUTES 22 SECONDS EAST 250.38 FEET TO A POINT.

RUNNING THENCE NORTH 10 DEGREES 11 MINUTES 22 SECONDS EAST 50.00 FEET TO THE POINT OR PLACE OF BEGINNING.

RUNNING THENCE NORTH 79 DEGREES 48 MINUTES 38 SECONDS WEST 50.00 FEET TO A POINT.

RUNNING THENCE NORTH 10 DEGREES 11 MINUTES 22 SECONDS EAST 50.00 FEET TO A POINT.

RUNNING THENCE SOUTH 79 DEGREES 48 MINUTES 38 SECONDS EAST 50.00 FEET TO A POINT.

RUNNING THENCE SOUTH 10 DEGREES 11 MINUTES 22 SECONDS WEST 50.00 FEET TO THE POINT OR PLACE OF BEGINNING.

EASEMENT AREA A -

A 15-foot-wide easement for vehicular and pedestrian access to Lease Area A and for utilities to service the structures in Lease Area A along the existing roadway which runs from North Country Road to the Lease Area A, said easement area being described as follows:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED LYING AND BEING AT ROCKY POINT AND BEING IN THE TOWN OF BROOKHAVEN, COUNTY OF SUFFOLK AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF NORTH COUNTRY ROAD (NEW YORK STATE ROUTE 25-A) AT THE EXTREME SOUTHERLY END OF THE ARC OF A CURVE HAVING A RADIUS OF 20.00 FEET AND A LENGTH OF 32.07 FEET WHICH CONNECTS THE NORTHERLY SIDE OF NORTH COUNTRY ROAD (NEW YORK STATE ROUTE 25-A) AND THE WESTERLY SIDE OF FAIRWAY DRIVE.

RUNNING THENCE ALONG THE NORTHERLY SIDE OF NORTH COUNTRY ROAD (NEW YORK STATE ROUTE 25-A) IN A WESTERLY DIRECTION A DISTANCE OF 1164.33 FEET TO THE PLACE OR POINT OF BEGINNING.

RUNNING THENCE NORTH 79 DEGREES 48 MINUTES 38 SECONDS WEST 15.00 FEET TO A POINT.

RUNNING THENCE NORTH 10 DEGREES 11 MINUTES 22 SECONDS EAST 299.98 FEET TO A POINT.

RUNNING THENCE SOUTH 79 DEGREES 48 MINUTES 38 SECONDS EAST 15.00 FEET TO A POINT.

RUNNING THENCE SOUTH 10 DEGREES 11 MINUTES 22 SECONDS WEST 299.98 FEET TO THE POINT OR PLACE OF BEGINNING.

§ 4. Should the lands described in section three of this act cease to be used for the purposes described in section one of this act, the lease shall terminate and those lands shall revert to the town of Brookhaven for public park and recreational purposes. At the time of such reversion, the removal of such wireless communication tower shall take place and the property shall be returned to its previous state, consistent with park and recreational purposes.

§ 5. 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 parkland 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 parkland, 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.

§ 6. This act shall take effect immediately.