STATE OF NEW YORK

8349--A

2025-2026 Regular Sessions

IN SENATE

June 4, 2025

Introduced by Sens. PALUMBO, MATTERA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 easement 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 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, with an appropriate reversion interest to preserve the DOT's ability to construct New York State Route 25A, at its discretion.

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

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(b) Not withstanding any other provision of law, the Commissioner of Transportation is authorized to transfer and convey said easement to the MTA, without appraisal, in consideration of one dollar.

(c) The DOT's grant of an easement over that portion of the Greenway, shall include language:

(1) reserving to the DOT such rights as may be required in the event DOT elects to have a bridge constructed over the current Greenway 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;

(2) acknowledging that the MTA shall construct said bridge to DOT specifications;

(3) 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; and

(4) acknowledging that the MTA shall reroute the Greenway, which is presently being utilized as a pedestrian and bicycle path, to the parcel south of the current Greenway location.

(d) The DOT is authorized and directed to work with the MTA 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 and preserving the DOT's ability to construct New York State Route 25A at its discretion.

§ 5. This act shall take effect immediately.