STATE OF NEW YORK

11056--A

IN ASSEMBLY

April 24, 2026

Introduced by M. of A. ANGELINO -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing the village of New Berlin 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 village of New Berlin is hereby authorized, acting by and through its governing body, and upon such terms and conditions as determined by such governing body, to discontinue the use as parkland and alienate the lands described in section three of this act, and to sell and convey such lands at fair market value to Good Shepherd Communities for the purpose of the construction of a skilled nursing and rehabilitation facility.

§ 2. The authorization contained in section one of this act shall only be effective on the condition that the village of New Berlin 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 capital improvements to existing parklands and recreational facilities within the village of New Berlin.

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

Portion of the lands now or formerly conveyed to the Village of New Berlin as recorded in the Chenango County Clerk's Office as Instrument No. 2004-00000434

All that certain piece, parcel, or tract of land situate in the Village of New Berlin, Town of New Berlin, County of Chenango, State of New York being more particularly bounded and described as follows:

A. Beginning at a capped iron rod set at the intersection of the division lines between the lands now or formerly conveyed to the Village of New Berlin as recorded in the Chenango County Clerk's Office as Instrument No. 2004-00000434 on the southeast, the lands now or formerly conveyed to Blue Chip Enterprises Inc. as recorded in the Chenango County Clerk's Office as Instrument No. 2012-00001710 on the northeast, and

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

LBD15579-04-6

the lands now or formerly conveyed to Melvin W. Stewart as recorded in the Chenango County Clerk's Office as Instrument No. 2012-00001710 on the west;

B. Thence running along division line between the Village of New Berlin on the south and Blue Chip Enterprises Inc. on the north and extending the said division line through the lands of the Village of New Berlin, N88°39'33"E a distance of 485.51 to a capped iron rod set on the approximate westerly edge of an existing gravel driveway (2026);

C. Thence running through the lands now or formerly of the Village of New Berlin along the following five (5) courses and distances generally along the westerly of an existing gravel driveway (2026):

1. S28°04'27"E a distance of 55.20 feet to a point;
2. S48°12'52"E a distance of 90.12 feet to a point;
3. S65°36'47"E a distance of 173.51 feet to a point;
4. S45°22'11"E a distance of 72.65 feet to a capped iron rod set;
5. S05°32'46"E a distance of 178.19 feet to an iron rod found marking the southeasterly corner of the property to be conveyed and in the division line between the Village of New Berlin (Instr. No. 2004-00000434) on the north and the lands now or formerly conveyed to the Village of New Berlin as recorded in the Chenango County Clerk's Office in Liber 562, Page 262 on the south;

D. Thence running along the division line between the Village of New Berlin (Instr. No. 2004-00000434) on the north and the Village of New Berlin (Liber 562, Pg. 262) on the south, N88°38'20"W a distance of 115.58 feet set an iron rod found;

E. Thence running along the division line between Village of New Berlin (Instr. No. 2004-00000434) on the north and the Village of New Berlin (Liber 562, Pg. 262), the lands now or formerly conveyed to the Village of New Berlin as recorded in the Chenango County Clerk's Office as Instrument No. 2021-00001792 and the lands now or formerly conveyed to Andrew C. Orzeck as recorded in the Chenango County Clerk's Office as Instrument No. 2003-00002379 on the south, S83°29'38"W a distance of 799.75 feet to an iron pipe found marking the southwest corner of the property to be conveyed;

F. Thence running the division line between the Village of New Berlin (Instr. No. 2004-00000434) on the east and Andrew C. Orzeck on the west, N13°53'08"E a distance of 404.70 feet to an iron rod found marking the intersection of the division lines between the Village of New Berlin (Instr. No. 2004-00000434) on the east, Andrew C. Orzeck on the southwest and the aforementioned lands of Melvin W. Stewart on the northwest;

G. Thence running along the division line between the Village of New Berlin (Instr. No. 2004-00000434) on the east and Melvin W. Stewart on the west, N04°39'33"E a distance of 92.74 feet to the point of beginning, containing 7.54 acres more or less.

§ 4. In the event that the village of New Berlin 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 village of New Berlin 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.