STATE OF NEW YORK

9007--A

2025-2026 Regular Sessions

IN ASSEMBLY

August 13, 2025

Introduced by M. of A. MORINELLO -- read once and referred to the Committee on Local Governments -- recommitted to the Committee on Local Governments in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing the town of Niagara to alienate and discontinue the use of certain parklands and to convey such parklands to David Gaines

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 Niagara, county of Niagara, 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 property interests in such lands at fair market value to David Gaines, for the purpose of residential improvements.

§ 2. The authorization contained in section one of this act shall only be effective on the condition that the town of Niagara dedicate an amount equal to or greater than the fair market value of the parklands being alienated pursuant to section one of this act towards the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

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

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Niagara, County of Niagara and State of New York, and being part of Lot No. 8, Township 13, Range 9 of the Holland Land Purchase so called, more particularly described as follows:

BEGINNING at a point which is located 242 feet east of the west line of Lot No. 8 and 927.7 feet south of the north line of Lot No. 8; thence

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

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running east along a line parallel to the north line of Lot No. 8 505 feet; thence north along a line parallel to the west line of Lot No. 8, 346.9 feet; thence west along a line parallel to the north line of Lot No. 8 505 feet; thence south along a line parallel to the west line of Lot No. 8 to the point of beginning;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Niagara, County of Niagara, and State of New York, being a part of Lot No. 8, Township 13, Range 5 of the Holland Land Purchase so called, more particularly described as follows:

BEGINNING at a point 66 feet east of the west line of Lot No. 8 and 927.7 feet south of the north line of Lot No. 8; thence easterly along a line parallel to the north line of Lot No. 8, 681 feet; thence south along a line parallel to the west line of Lot No. 8, 66 feet; thence west along a line parallel to the north line of Lot No. 8, 681 feet; thence north 66 feet to the point of beginning; and

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Niagara, County of Niagara and State of New York, and being part of Lot No. 8, Township 13, Range 5 of the Holland Land Purchase so called, more particularly described as follows:

BEGINNING at a point which is located 242 feet east of the west line of Lot No. 8 and 927.7 feet south of the north line of Lot No. 8; thence running east along a line parallel to the north of Lot No. 8, 505 feet; thence north along a line parallel to the west line of Lot No. 8, 346.9 feet; thence west along a line parallel to the north line of Lot No. 8, 505 feet; thence south along a line parallel to the west line of Lot No. 8 to the point of beginning. Containing a total of approximately 5.1 acres of land, more or less.

§ 4. In the event that the town of Niagara 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 town of Niagara 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.