

# STATE OF NEW YORK

9943

## IN SENATE

April 16, 2026

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

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:

1 Section 1. Subject to the provisions of this act, the village of New  
2 Berlin is hereby authorized, acting by and through its governing body,  
3 and upon such terms and conditions as determined by such governing body,  
4 to discontinue the use as parkland and alienate the lands described in  
5 section three of this act, and to sell and convey such lands at fair  
6 market value to Good Shepherd Communities for the purpose of the  
7 construction of a skilled nursing and rehabilitation facility.

8 § 2. The authorization contained in section one of this act shall only  
9 be effective on the condition that the village of New Berlin dedicates  
10 an amount equal to or greater than the fair market value of the park-  
11 lands being discontinued towards the acquisition of new parklands and/or  
12 capital improvements to existing parklands and recreational facilities  
13 within the village of New Berlin.

14 § 3. The parklands authorized by section one of this act to be discon-  
15 tinued as parkland is described as follows:

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

19 A. Beginning at a capped iron rod set at the intersection of the divi-  
20 sion lines between the lands now or formerly conveyed to the Village of  
21 New Berlin as recorded in the Chenango County Clerk's Office as Instru-  
22 ment No. 2004-00000434 on the southeast, the lands now or formerly  
23 conveyed to Blue Chip Enterprises Inc. as recorded in the Chenango Coun-  
24 ty Clerk's Office as Instrument No. 2012-00001710 on the northeast, and  
25 the lands now or formerly conveyed to Melvin W. Stewart as recorded in  
26 the Chenango County Clerk's Office as Instrument No. 2012-00001710 on  
27 the west;

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

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

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

9 1. S28°04'27"E a distance of 55.20 feet to a point;

10 2. S48°12'52"E a distance of 90.12 feet to a point;

11 3. S65°36'47"E a distance of 173.51 feet to a point;

12 4. S45°22'11"E a distance of 72.65 feet to a capped iron rod set;

13 5. S05°32'46"E a distance of 178.19 feet to an iron rod found marking  
14 the southeasterly corner of the property to be conveyed and in the divi-  
15 sion line between the Village of New Berlin (Instr. No. 2004-00000434)  
16 on the north and the lands now or formerly conveyed to the Village of  
17 New Berlin as recorded in the Chenango County Clerk's Office in Liber  
18 562, Page 262 on the south;

19 D. Thence running along the division line between the Village of New  
20 Berlin (Instr. No. 2004-00000434) on the north and the Village of New  
21 Berlin (Liber 562, Pg. 262) on the south, N88°38'20"W a distance of  
22 115.58 feet set an iron rod found;

23 E. Thence running along the division line between Village of New  
24 Berlin (Instr. No. 2004-00000434) on the north and the Village of New  
25 Berlin (Liber 562, Pg. 262), the lands now or formerly conveyed to the  
26 Village of New Berlin as recorded in the Chenango County Clerk's Office  
27 as Instrument No. 2021-00001792 and the lands now or formerly conveyed  
28 to Andrew C. Orzeck as recorded in the Chenango County Clerk's Office as  
29 Instrument No. 2003-00002379 on the south, S83°29'38"W a distance of  
30 799.75 feet to an iron pipe found marking the southwest corner of the  
31 property to be conveyed;

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

38 G. Thence running along the division line between the Village of New  
39 Berlin (Instr. No. 2004-00000434) on the east and Melvin W. Stewart on  
40 the west, N04°39'33"E a distance of 92.74 feet to the point of begin-  
41 ning.

42 § 4. In the event that the village of New Berlin received any funding  
43 support or assistance from the federal government for the purchase,  
44 maintenance, or improvement of the parklands set forth in section three  
45 of this act, the discontinuance and alienation of such parklands author-  
46 ized by the provisions of this act shall not occur until the village of  
47 New Berlin has complied with any federal requirements pertaining to the  
48 alienation or conversion of parklands, including satisfying the secre-  
49 tary of the interior that the alienation or conversion complies with all  
50 conditions which the secretary of the interior deems necessary to assure  
51 the substitution of other lands shall be equivalent in fair market value  
52 and usefulness to the lands being alienated or converted.

53 § 5. This act shall take effect immediately.