

*Monroe County*  
*Clerk of the Legislature*

**Jack Moffitt**  
Clerk



**David Grant**  
Deputy Clerk

**MEMORANDUM**

**TO:** Legislators, Directors, Staff and Media  
**FROM:** Jack Moffitt, Clerk of the Legislature *JM*  
**DATE:** June 2, 2021  
**RE:** Matters of Urgency – File Nos. 21-0213 through 21-0214

---

- 21-0213      Home Rule Message for Assembly Bill No. A.6213-A Entitled "AN ACT in relation to authorizing town of Webster, county of Monroe, to alienate certain lands used as parkland and to dedicate certain other lands as parklands" – As a Matter of Urgency – County Executive Adam J. Bello, County Legislator Matthew Terp, and County Legislator George J. Hebert
- 21-0214      Home Rule Message for Senate Bill No. S.5127-A Entitled "AN ACT in relation to authorizing town of Webster, county of Monroe, to alienate certain lands used as parkland and to dedicate certain other lands as parklands" – As a Matter of Urgency – County Executive Adam J. Bello, County Legislator Matthew Terp, and County Legislator George J. Hebert

Per Dr. Joe Carbone, President of the Monroe County Legislature, the attached communications are declared to be Matters of Urgency pursuant to Section 545-24(A)(3) of the Rules of the Monroe County Legislature and will be considered for appropriate action at the June 3, 2021 Special Meeting of the Monroe County Legislature.

Attachments



# Office of the County Executive Monroe County Legislature

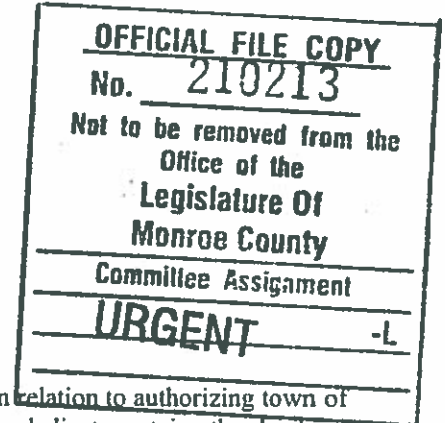
Adam J. Bello  
County Executive

Matthew Terp  
Legislator – District 8

George J. Hebert  
Legislator – District 15

June 2, 2021

To The Honorable  
Monroe County Legislature  
407 County Office Building  
Rochester, New York 14614



Subject: Home Rule Message for Assembly Bill No. A.6213-A Entitled "AN ACT in relation to authorizing town of Webster, county of Monroe, to alienate certain lands used as parkland and to dedicate certain other lands as parklands"

Honorable Legislators:

We recommend that this Honorable Body adopt a home rule message in regard to the above bill which will allow the County of Monroe ("County") to exchange real property with the Town of Webster ("Webster").

The Town has submitted a Home Rule Request to New York State to alienate an approximately 16,970 square feet parcel of parkland along the northwest side of Lake Road, to be used as right of way for Lake Road. Per Resolution 171 of 2021, Monroe County has approved the acceptance of the parcel of parkland from the Town of Webster once it has been alienated and will transfer to the Town of Webster of approximately 21,141 square feet parcel along the southeast side of Lake Road that will be dedicated as parkland.

The specific legislative action required is to adopt a home rule message resolution for Assembly Bill No. A.6213-A Entitled "AN ACT in relation to authorizing town of Webster, county of Monroe, to alienate certain lands used as parkland and to dedicate certain other lands as parklands."

This action is a Type I Action under the New York State Environmental Quality Review Act ("SEQRA"). The Town of Webster conducted a coordinated review and found that the proposed action will not result in any significant adverse environmental impacts. The Town of Webster has therefore issued a Negative Declaration for this action and no further action under SEQRA is required.

This action will have no impact on the revenues or expenditures of the current Monroe County budget.

We recommend that this matter receive favorable action by this Honorable Body.

Sincerely,

Adam J. Bello  
Monroe County Executive

Matthew Terp  
Legislator – District 8

George J. Hebert  
Legislator – District 15

AJB:db

By Legislators \_\_\_\_\_ and \_\_\_\_\_

Intro. No. \_\_\_\_

RESOLUTION NO. \_\_\_\_ OF 2021

**REQUESTING THE LEGISLATURE OF THE STATE OF NEW YORK PURSUANT TO ARTICLE IX OF THE CONSTITUTION TO ENACT INTO LAW ASSEMBLY BILL NO. A.6213-A ENTITLED "AN ACT IN RELATION TO AUTHORIZING TOWN OF WEBSTER, COUNTY OF MONROE, TO ALIENATE CERTAIN LANDS USED AS PARKLAND AND TO DEDICATE CERTAIN OTHER LANDS AS PARKLANDS"**

RESOLVED, that pursuant to Article IX of the Constitution, the Legislature of the County of Monroe

does hereby request the enactment of legislation as follows:

Assembly Bill No. A.6213-A Entitled "AN ACT in relation to authorizing town of Webster, county of Monroe, to alienate certain lands used as parkland and to dedicate certain other lands as parklands"

and be it further

RESOLVED, that this resolution shall take effect in accordance with Section C2-7 of the Monroe

County Charter.

Matter of Urgency

File No. 21-\_\_\_\_.s

ADOPTION: Date: \_\_\_\_\_, 2021 Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

# STATE OF NEW YORK

6213--A

2021-2022 Regular Sessions

## IN ASSEMBLY

March 10, 2021

Introduced by M. of A. LUNSFORD -- 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 town of Webster, county of Monroe, to alienate certain lands used as parkland and to dedicate certain other lands as 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 town of Webster,  
2 located in the county of Monroe, acting by and through its governing  
3 body and upon such terms and conditions as determined by such body, is  
4 hereby authorized to discontinue as parklands and alienate the lands  
5 more particularly described in section three of this act, and convey to  
6 the county of Monroe, for the purpose of fulfilling and assisting the  
7 completion of REDI Project MO.56 Lake Road Retirement Project.

8 § 2. The authorization provided in section one of this act shall be  
9 effective only upon the condition that the county of Monroe convey to  
10 the town of Webster and that the town of Webster acquire and dedicate  
11 the lands described in section four of this act as parklands, provided  
12 that neither the county nor the town of Webster has ever used such lands  
13 for public open space or park purposes.

14 § 3. The parklands authorized by section one of this act to be alien-  
15 ated as parklands are described as follows:

16 All that certain tract or parcel of land containing 16,970 square feet  
17 or 0.389 acres ±, situated in the town of Webster, county of Monroe,  
18 state of New York, and being more particularly bounded and described as  
19 follows:

20 Commencing at a point on the northerly right-of-way of lake road, a  
21 variable width right-of-way, at its intersection with the westerly line  
22 of lands now or formerly Kenneth J. & Linda M. Lill (tax acct.  
23 063.060-001-003.1) and the easterly line of lands now or formerly of the

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

LBD09077-02-1



PRINTED ON RECYCLED PAPER

1 town of Webster (tax acct. 063.090-001-078.13); thence, south 62° 49'  
2 52" west, along said right-of-way line, a distance of 20.28 feet to the  
3 point of beginning; thence, south 52° 10' 06" west along said right-of-  
4 way, a distance of 296.82 feet to a point; thence, south 56° 41' 34"  
5 west along said right-of-way, a distance of 315.18 feet to a point;  
6 thence, departing the right-of-way of lake road through the lands now or  
7 formerly of the town of Webster in a northeasterly direction, along a  
8 non-tangent curve to the left, having a radius of 897.04 feet, arc  
9 length of 132.73 feet, delta 8° 28' 40", to a point of reverse curva-  
10 ture, said curve having a chord bearing of north 45°56'52" east and a  
11 chord distance of 132.61 feet; thence, in a northeasterly direction,  
12 along a non-tangent curve to the right, having a radius of 780.00 feet,  
13 arc length of 281.07 feet, delta 20° 38' 48", to a point of tangency;  
14 said curve having a chord bearing of north 52°30'31" east and a chord  
15 distance of 279.55 feet; thence, north 62° 49' 52" east, a distance of  
16 203.14 feet to the point and place of beginning.

17 § 4. Prior to the discontinuance and alienation of the parklands  
18 described in section three of this act, the county of Monroe shall  
19 convey to the town of Webster and the town of Webster shall acquire and  
20 dedicate as parklands such land described as follows: All that tract or  
21 parcel of land containing 21,141 square feet or 0.462 acres ±, situated  
22 in the town of Webster, county of Monroe, state of New York, and being  
23 more particularly bounded and described as follows:

24 Commencing at a point on the northerly right-of-way of lake road, a  
25 variable width right-of-way, at its intersection with the westerly line  
26 of lands now or formerly Kenneth J. & Linda M. Lill (tax acct.  
27 063.060-001-003.1) and the easterly line of lands now or formerly of the  
28 town of Webster (tax acct. 063.090-001-078.13); thence, south 11° 48'  
29 17" east through the right-of-way of lake road, a distance of 72.12 feet  
30 to a point on the southerly right-of-way of lake road at its inter-  
31 section with the easterly line of lands now or formerly of the town of  
32 webster (tax acct. 063.090-001-037) and point of beginning; thence,  
33 along the southerly right-of-way of lake road the following courses in a  
34 southwesterly direction, along a non-tangent curve to the right, having  
35 a radius of 2257.59 feet, arc length of 97.36 feet, delta 2° 28' 15", to  
36 a point of tangency, said curve having a chord bearing of south  
37 51°18'15" west and a chord distance of 97.35 feet; thence, south 52° 32'  
38 22" west, a distance of 63.72 feet to a point; thence, south 55° 13' 14"  
39 west, a distance of 444.76 feet to a point; thence, north 42° 11' 01"  
40 east departing the southerly right-of-way through the right-of-way of  
41 lake road, a distance of 150.40 feet to a point of curvature; thence, in  
42 a northeasterly direction, along a tangent curve to the right, having a  
43 radius of 720.00 feet, arch length of 259.45 feet, delta 20° 38' 48", to  
44 a point of tangency; thence, north 62° 49' 52" east, a distance of  
45 107.56 feet to a point; thence, north 68° 27' 49" east, a distance of  
46 97.22 feet to the point of beginning.

47 § 5. In the event that the fair market value of the parklands  
48 described in section four of this act to be dedicated by the town of  
49 Webster pursuant to this act are not equal to or greater than the fair  
50 market value of the parklands to be alienated as described in section  
51 three of this act, the town of Webster shall dedicate the difference of  
52 the fair market value of the lands to be alienated and the lands to be  
53 dedicated for the acquisition of additional parklands and/or capital  
54 improvements to existing park and recreational facilities.

55 § 6. In the event that the town of Webster received any funding  
56 support or assistance from the federal government for the purchase,



1 maintenance or improvement of the parklands set forth in section three  
2 of this act, the discontinuance and alienation of such parkland author-  
3 ized by the provisions of this act shall not occur until the town of  
4 Webster has complied with any federal requirements pertaining to the  
5 alienation or conversion of parklands, including satisfying the secre-  
6 tary of the interior that the alienation or conversion complies with all  
7 conditions which the secretary of the interior deems necessary to assure  
8 the substitution of other lands shall be equivalent in fair market value  
9 and usefulness to the lands being alienated or converted.  
10 § 7. This act shall take effect immediately.





# Office of the County Executive Monroe County Legislature

Adam J. Bello  
County Executive

Matthew Terp  
Legislator – District 8

George J. Hebert  
Legislator – District 15

June 2, 2021

<b>OFFICIAL FILE COPY</b>
No. <u>210214</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
<b>URGENT</b> -L

To The Honorable  
Monroe County Legislature  
407 County Office Building  
Rochester, New York 14614

Subject: Home Rule Message for Senate Bill No. S.5127-A Entitled "AN ACT in relation to authorizing town of Webster, county of Monroe, to alienate certain lands used as parkland and to dedicate certain other lands as parklands"

Honorable Legislators:

We recommend that this Honorable Body adopt a home rule message in regard to the above bill which will allow the County of Monroe ("County") to exchange real property with the Town of Webster ("Webster").

The Town has submitted a Home Rule Request to New York State to alienate an approximately 16,970 square feet parcel of parkland along the northwest side of Lake Road, to be used as right of way for Lake Road. Per Resolution 171 of 2021, Monroe County has approved the acceptance of the parcel of parkland from the Town of Webster once it has been alienated and will transfer to the Town of Webster of approximately 21,141 square feet parcel along the southeast side of Lake Road that will be dedicated as parkland.

The specific legislative action required is to adopt a home rule message resolution for Senate Bill No. S.5127-A Entitled "AN ACT in relation to authorizing town of Webster, county of Monroe, to alienate certain lands used as parkland and to dedicate certain other lands as parklands."

This action is a Type I Action under the New York State Environmental Quality Review Act ("SEQRA"). The Town of Webster conducted a coordinated review and found that the proposed action will not result in any significant adverse environmental impacts. The Town of Webster has therefore issued a Negative Declaration for this action and no further action under SEQRA is required.

This action will have no impact on the revenues or expenditures of the current Monroe County budget.

We recommend that this matter receive favorable action by this Honorable Body.

Sincerely,

Adam J. Bello  
Monroe County Executive

Matthew Terp  
Legislator – District 8

George J. Hebert  
Legislator – District 15

AJB:db

By Legislators \_\_\_\_\_ and \_\_\_\_\_

Intro. No. \_\_\_\_

RESOLUTION NO. \_\_\_\_ OF 2021

**REQUESTING THE LEGISLATURE OF THE STATE OF NEW YORK PURSUANT TO ARTICLE IX OF THE CONSTITUTION TO ENACT INTO LAW SENATE BILL NO. S.5127-A ENTITLED "AN ACT IN RELATION TO AUTHORIZING TOWN OF WEBSTER, COUNTY OF MONROE, TO ALIENATE CERTAIN LANDS USED AS PARKLAND AND TO DEDICATE CERTAIN OTHER LANDS AS PARKLANDS"**

RESOLVED, that pursuant to Article IX of the Constitution, the Legislature of the County of Monroe

does hereby request the enactment of legislation as follows:

Senate Bill No. S.5127-A Entitled "AN ACT in relation to authorizing town of Webster, county of Monroe, to alienate certain lands used as parkland and to dedicate certain other lands as parklands"

and be it further

RESOLVED, that this resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency  
File No. 21-\_\_\_\_.s

ADOPTION: Date: \_\_\_\_\_, 2021 Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_



# STATE OF NEW YORK

5127--A

Cal. No. 565

2021-2022 Regular Sessions

## IN SENATE

February 24, 2021

Introduced by Sen. HELMING -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT in relation to authorizing the town of Webster, county of Monroe, to alienate certain lands used as parkland and to dedicate certain other lands as 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 town of Webster,  
2 located in the county of Monroe, acting by and through its governing  
3 body and upon such terms and conditions as determined by such body, is  
4 hereby authorized to discontinue as parklands and alienate the lands  
5 more particularly described in section three of this act, and convey to  
6 the county of Monroe, for the purpose of fulfilling and assisting the  
7 completion of REDI Project MO.56 Lake Road Retirement Project.
- 8 § 2. The authorization provided in section one of this act shall be  
9 effective only upon the condition that the county of Monroe convey to  
10 the town of Webster and that the town of Webster acquire and dedicate  
11 the lands described in section four of this act as parklands, provided  
12 that neither the county nor the town of Webster has ever used such lands  
13 for public open space or park purposes.
- 14 § 3. The parklands authorized by section one of this act to be alien-  
15 ated as parklands are described as follows:
- 16 All that certain tract or parcel of land containing 16,970 square feet  
17 or 0.389 acres ±, situated in the town of Webster, county of Monroe,  
18 state of New York, and being more particularly bounded and described as  
19 follows:
- 20 Commencing at a point on the northerly right-of-way of lake road, a  
21 variable width right-of-way, at its intersection with the westerly line

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

LBD09077-03-1

1 of lands now or formerly Kenneth J. & Linda M. Lill (tax acct.  
2 063.060-001-003.1) and the easterly line of lands now or formerly of the  
3 town of Webster (tax acct. 063.090-001-078.13); thence, south 62° 49'  
4 52" west, along said right-of-way line, a distance of 20.28 feet to the  
5 point of beginning; thence, south 52° 10' 06" west along said right-of-  
6 way, a distance of 296.82 feet to a point; thence, south 56° 41' 34"  
7 west along said right-of-way, a distance of 315.18 feet to a point;  
8 thence, departing the right-of-way of lake road through the lands now or  
9 formerly of the town of Webster in a northeasterly direction, along a  
10 non-tangent curve to the left, having a radius of 897.04 feet, arc  
11 length of 132.73 feet, delta 8° 28' 40", to a point of reverse curva-  
12 ture, said curve having a chord bearing of north 45°56'52" east and a  
13 chord distance of 132.61 feet; thence, in a northeasterly direction,  
14 along a non-tangent curve to the right, having a radius of 780.00 feet,  
15 arc length of 281.07 feet, delta 20° 38' 48", to a point of tangency;  
16 said curve having a chord bearing of north 52°30'31" east and a chord  
17 distance of 279.55 feet; thence, north 62° 49' 52" east, a distance of  
18 203.14 feet to the point and place of beginning.

19 § 4. Prior to the discontinuance and alienation of the parklands  
20 described in section three of this act, the county of Monroe shall  
21 convey to the town of Webster and the town of Webster shall acquire and  
22 dedicate as parklands such land described as follows: All that tract or  
23 parcel of land containing 21,141 square feet or 0.462 acres ±, situated  
24 in the town of Webster, county of Monroe, state of New York, and being  
25 more particularly bounded and described as follows:

26 Commencing at a point on the northerly right-of-way of lake road, a  
27 variable width right-of-way, at its intersection with the westerly line  
28 of lands now or formerly Kenneth J. & Linda M. Lill (tax acct.  
29 063.060-001-003.1) and the easterly line of lands now or formerly of the  
30 town of Webster (tax acct. 063.090-001-078.13); thence, south 11° 48'  
31 17" east through the right-of-way of lake road, a distance of 72.12 feet  
32 to a point on the southerly right-of-way of lake road at its inter-  
33 section with the easterly line of lands now or formerly of the town of  
34 webster (tax acct. 063.090-001-037) and point of beginning; thence,  
35 along the southerly right-of-way of lake road the following courses in a  
36 southwesterly direction, along a non-tangent curve to the right, having  
37 a radius of 2257.59 feet, arc length of 97.36 feet, delta 2° 28' 15", to  
38 a point of tangency, said curve having a chord bearing of south  
39 51°18'15" west and a chord distance of 97.35 feet; thence, south 52° 32'  
40 22" west, a distance of 63.72 feet to a point; thence, south 55° 13' 14"  
41 west, a distance of 444.76 feet to a point; thence, north 42° 11' 01"  
42 east departing the southerly right-of-way through the right-of-way of  
43 lake road, a distance of 150.40 feet to a point of curvature; thence, in  
44 a northeasterly direction, along a tangent curve to the right, having a  
45 radius of 720.00 feet, arch length of 259.45 feet, delta 20° 38' 48", to  
46 a point of tangency; thence, north 62° 49' 52" east, a distance of  
47 107.56 feet to a point; thence, north 68° 27' 49" east, a distance of  
48 97.22 feet to the point of beginning.

49 § 5. In the event that the fair market value of the parklands  
50 described in section four of this act to be dedicated by the town of  
51 Webster pursuant to this act are not equal to or greater than the fair  
52 market value of the parklands to be alienated as described in section  
53 three of this act, the town of Webster shall dedicate the difference of  
54 the fair market value of the lands to be alienated and the lands to be  
55 dedicated for the acquisition of additional parklands and/or capital  
56 improvements to existing park and recreational facilities.

1 § 6. In the event that the town of Webster received any funding  
2 support or assistance from the federal government for the purchase,  
3 maintenance or improvement of the parklands set forth in section three  
4 of this act, the discontinuance and alienation of such parkland author-  
5 ized by the provisions of this act shall not occur until the town of  
6 Webster has complied with any federal requirements pertaining to the  
7 alienation or conversion of parklands, including satisfying the secre-  
8 tary of the interior that the alienation or conversion complies with all  
9 conditions which the secretary of the interior deems necessary to assure  
10 the substitution of other lands shall be equivalent in fair market value  
11 and usefulness to the lands being alienated or converted.  
12 § 7. This act shall take effect immediately.

