

Authorizing The Chair Of The Ulster County Legislature To Execute A Memorialization Of Lease Agreement With The Palisades Interstate Park Commission For Leased Property In The Village Of Ellenville – Department Of Emergency Services

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Hansut and Legislators Hewitt, Maloney, McCollough and Walls), and The Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, and Roberts)

Chairwoman of the Law Enforcement and Public Safety Committee, Gina Hansut, and Deputy Chair Chris Hewitt offer the following:

WHEREAS, this resolution has been submitted at the request of the Ulster County Executive on behalf of the Department of Emergency Services; and

WHEREAS, the County entered into a Lease Agreement with the Village of Ellenville dated August 18, 1977 (the “Lease”) pursuant to which the County leased a portion of land owned by the Village of Ellenville for the purpose of erecting a radio tower; and

WHEREAS, the Lease states that the Lease was for a period of twenty-five (25) years for the sum of One and 00/100 (\$1.00) Dollar per year; and

WHEREAS, pursuant to the Lease, the County had the right to renew the Lease for an additional twenty-five (25) year period; and

WHEREAS, the County and the Village of Ellenville executed a Modification to Lease Agreement dated August 15, 1994 (the “Modification”); and

WHEREAS, the Modification provided that the County had the right to renew the Lease for an additional twenty-five (25) year period in addition to the twenty-five (25) year renewal provided for in the Lease; and

WHEREAS, the Village of Ellenville transferred the property to Beaverkill Conservancy, Inc. by deed dated October 24, 1997; and

WHEREAS, Open Space Conservancy, Inc., formerly known as Beaverkill Conservancy, Inc., transferred the property to the Palisades Interstate Park Commission (“PIPC”) by deed dated September 1, 2006; and

WHEREAS, PIPC assumed the Lease upon taking fee title to the Property; and

WHEREAS, PIPC and the County acknowledge that the Lease is still in full force and effect and that the first of the two renewal periods has been exercised; and

Resolution No. 116 March 19, 2024

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WHEREAS, PIPC and the County wish to execute a Memorialization of Lease Agreement in order to memorialize the exercise of the first of the two (2) twenty-five (25) year periods; now, therefore, be it

RESOLVED, that the County has exercised the initial twenty-five (25) year renewal period set forth in the Lease dated August 18, 1977, thereby extending the term of the Lease to August 17, 2027; and, be it further

RESOLVED, that the Chair of the Legislature is hereby authorized to execute a Memorialization of Lease Agreement with the Palisades Interstate Park Commission for the leased property in the Village of Ellenville, as filed with the Clerk of the Legislature or as modified with the approval of the County Attorney,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Litts)

Passed Committee: Law Enforcement and Public Safety on March 6, 2024

Passed Committee: Ways and Means on March 14, 2024

FINANCIAL IMPACT:

NONE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 20th Day of March in the year Two Thousand Twenty-Four, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 20th Day of March in the year Two Thousand Twenty-Four.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
20th Day of March 2024.

Approved by the County Executive this
28th Day of March 2024.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

[s] Jen Metzger
Jen Metzger, County Executive