

Authorizing The Chair Of The Ulster County Legislature To Execute A Claim For Payment And Any Additional Documents Necessary To Secure Payment From New York State For The Appropriation Of County Property – New York State Acquisition Maps Nos. 37 And 38 – Department Of Public Works

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Cahill, Greene, Heppner, and Litts), and The Ways and Means Committee (Chairwoman Archer and Legislators Bartels, Gavaris, Haynes, Maio, Ronk, and Walter)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chair Manna Jo Greene offer the following:

WHEREAS, this Resolution has been submitted by the County Executive on behalf of the Department of Public Works; and

WHEREAS, the New York State Department of Transportation (NYSDOT) desires to progress a project known as the Empire State Trail; and

WHEREAS, NYSDOT has identified certain property that New York State must acquire in order to construct the planned improvements; and

WHEREAS, the County of Ulster has been identified as the reputed owner of property parcels identified on NYSDOT Acquisition Map No. 37 as Parcels No. 37 and 38, respectively, totaling approximately 0.033 acres; and

WHEREAS, said property parcels are being appropriated by New York State in accordance with Section 502 of the Eminent Domain Procedure Law and said maps became official on February 18, 2020, and title to the property, easement, or right indicated on the Acquisition Maps will be vested in the name of the People of the State of New York when filed with the County Clerk; and

WHEREAS, NYSDOT has determined the value of the property appropriated and the legal damages caused by said appropriation; and

WHEREAS, pursuant to Section 304 of the Eminent Domain Procedure Law, the New York State Comptroller has deposited the sum of \$500.00 (Five Hundred and 00/100 Dollars) in an Eminent Domain account as the amount of New York State's offer for its eminent domain acquisition of the property interest described in the aforementioned Acquisition Maps; and

Resolution No. 185 May 19, 2020

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WHEREAS, as a prerequisite to the payment of the sum of \$500.00 (Five Hundred and 00/100 Dollars) to the County, as the owner of the property affected by said appropriation, certain documents as required by the New York State Attorney General's Office, must be executed by the County and delivered to the New York State Department of Transportation; now, therefore be it

RESOLVED, the Ulster County Legislature hereby authorizes the Chair of the Ulster County Legislature to execute, on behalf of the County of Ulster, any and all documents related to the appropriation of lands as shown on Maps No. 37 and 38, and necessary to secure payment of the claims as approved by the County Attorney,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: Public Works and Capital Projects on May 6, 2020

Passed Committee: Ways and Means on May 12, 2020

FINANCIAL IMPACT:

\$500.00 – 2020 ADDITIONAL COUNTY REVENUE DOLLARS

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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 19th Day of May in the year Two Thousand Twenty, 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 22nd Day of May in the year Two Thousand Twenty.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
22nd Day of May, 2020.

Approved by the County Executive this
27th Day of May, 2020.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

/s/ Patrick K. Ryan
Patrick K. Ryan, County Executive