

Authorizing The Chairman 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. 165 And 166 – Department Of Public Works

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Greene, Litts, Loughran, and Maloney), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Bartels, Belfiglio, Briggs, Maio, and Maloney)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman Peter M. Loughran 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), as part of a statewide program for strengthening the highway network by enhancing the durability of highway bridges, has identified the State Route 28 bridge crossing Esopus Creek at S/B/L 5.018-1-57 in the Town of Shandaken, County of Ulster, State of New York as requiring extensive repair or replacement in order to help protect this bridge from future storm events (hereinafter the “Project”); 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 Maps No. 165 and No. 166 as Parcels No. 276 and 277, respectively, totaling approximately 1.076 acres; and

WHEREAS, said property parcels were appropriated by New York State in accordance with Section 502 of the Eminent Domain Procedure Law, and title to the property, easement, or right indicated on the Acquisition Maps was vested in the name of the People of the State of New York on May 16, 2016; 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 \$5,150.00 (Five Thousand, One Hundred Fifty 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. 201 May 16, 2017

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WHEREAS, as a prerequisite to the payment of the sum of \$5,150.00 (Five Thousand, One Hundred Fifty and 00/100 Dollars) to the County, as the owner of the property affected by said appropriation, certain documents must be executed by the County and delivered to the New York State Attorney General; and, now, therefore be it

RESOLVED, the Ulster County Legislature hereby authorizes the Chairman of the Ulster County Legislature to execute, on behalf of the County of Ulster, any and all documents related to the appropriation and necessary to secure payment of the claims as approved by the County Attorney,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Delaune and Fabiano)

Passed Committee: Public Works and Capital Projects on May 3, 2017

Passed Committee: Ways and Means on May 9, 2017

FINANCIAL IMPACT:

\$5,160.00 – ADDITIONAL 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 16th Day of May in the year Two Thousand and Seventeen, 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 18th Day of May in the year Two Thousand and Seventeen.

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

Submitted to the County Executive this
18th Day of May, 2017.

Approved by the County Executive this
23rd Day of May, 2017.

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

[s] Michael P. Hein
Michael P. Hein, County Executive