

Conveying Parcel Of County-Owned Real Property Acquired Through the Greater Catskills Flood Remediation Program To Napanoch Fire District

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Archer, Greene, Loughran, and Roberts)

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 County of Ulster is the owner of property formerly owned by Patricia Jordan, situated in the Town of Wawarsing at 11 Plank Road, Napanoch, New York, and designated as SBL No. 83.10-3-4; and

WHEREAS, this property was acquired by the County of Ulster through a state grant program known as the Greater Catskills Flood Remediation Program; and

WHEREAS, the conditions of the grant program require that acquired property be restricted to, dedicated to, and maintained in perpetuity for use that is compatible with open space, recreation, flood mitigation and/or wetlands management; and

WHEREAS, the Napanoch Fire District has requested that the County convey the subject property to it; and

WHEREAS, Section 72-h of New York State's General Municipal Law permits the Legislature of the County of Ulster to transfer the property described herein to another municipality, either without consideration or for such consideration and upon such terms and conditions as shall be approved by the Ulster County Legislature and the Napanoch Fire District; and

WHEREAS, the Napanoch Fire District adopted a resolution dated April 8, 2015, authorizing the Napanoch Fire District to accept the above referenced property from the County; and

WHEREAS, the Ulster County Legislature has determined that the subject property is surplus property that is not needed by the County of Ulster for county purposes; and

Resolution No. 242 June 16, 2015

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WHEREAS, Resolution No. 178, dated July 20, 2010, amended the project description for the Greater Catskills Floodplain Remediation Program to include the transfer of acquired properties to third parties and requiring that third-party purchasers be subject to the same restrictions upon use of the properties as are imposed by the program upon the County; and

WHEREAS, Resolution No. 178 also adopted an amended negative declaration that provides notice of the determination by the County that the project, as amended to include the transfer of property to third parties, is an unlisted action and has no significant impact on the environment; and

WHEREAS, in accordance with both the provisions of the State Environmental Quality Review Act, 6 NYCRR Part 627 (SEQRA), and the County of Ulster's SEQRA Type II List, adopted by Resolution No. 119 on April 20, 2010, the Ulster County Legislature has examined the proposed conveyance and determined it to be an unlisted action with no significant impact on the environment; now, therefore, be it

RESOLVED, that the Ulster County Legislature hereby finds and determines that the property described in the proposed annexed description and which is intended to be conveyed herein is surplus property and appropriate for conveyance to the Napanoch Fire District; and, be it further

RESOLVED, that such property shall be conveyed to the Napanoch Fire District without consideration and with the following terms and conditions included in the deed: that the property be restricted to, dedicated to, and maintained in perpetuity for use that is compatible with open space, recreation, flood mitigation and/or wetlands management; and, be it further

RESOLVED, that the Napanoch Fire District shall not name the subject property after any political figure, in light of the State funding used by the County to acquire the property from its former owners; and, be it further

RESOLVED, that the Chairman of the Ulster County Legislature is authorized on behalf of the County to execute the deed, and any agreements and/or documents regarding this conveyance, in the form as filed with the Clerk of the Ulster County Legislature or as modified by the County Attorney,

