

**Declaring Certain County-Owned Real Property Located In The Town of Wawarsing, Acquired By The County Through The Greater Catskill Flood Remediation Program To Be Surplus Property And Authorizing The Commissioner Of Finance To Sell Said Real Property To The Highest Bidder At Public Auction Pursuant to Section 215 (6) Of New York State County Law – Department of Public Works**

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

Chairman of the Ways and Means Committee, Richard A. Gerentine, and Deputy Chairman Tracey A. Bartels 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 purchased thirty-three (33) parcels of real property and is in the process of procuring nine (9) additional parcels located in the Town of Wawarsing, pursuant to Phase II of a grant from the New York State Housing and Trust Fund Corporation more commonly known as The Greater Catskill Flood Remediation Program (the “Program”), which grant was supplemented by funding from the New York City Department of Environmental Protection, for the same purposes articulated in Resolution No. 281 of September 10, 2008, for Phase I of the Program; and

WHEREAS, the thirty-three (33) parcels of real property currently owned by the County and the nine (9) additional parcels are as follows:

**Town of Wawarsing:**

**(Owned Properties)**

<b><u>Address</u></b>	<b><u>SBL(s)</u></b>
1. 62 Plank Rd., Napanoch	83.6-5-79
2. 39 Smith Rd., Wawarsing	75.82-1-21
3. 36 Fox Hill Rd., Wawarsing	75.4-1-58
4. 23 Smith Rd., Wawarsing	75.82-1-29
5. 7115 Rt. 209, Wawarsing	75.81-2-14
6. 33 Smith Rd., Wawarsing	75.82-1-28
7. 14 Foordmore Rd., Kerhonkson	75.4-4-9
8. 65 Deer Run Ln., Wawarsing	83.2-2-52
9. 7023 Rt. 209, Wawarsing	75.82-1-32

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10. 43 Smith Rd., Wawarsing	75.82-1-20
11. 11 Smith St., Wawarsing	75.82-1-31
12. 7007 Rt. 209, Wawarsing	75.82-1-35
13. 7009 Rt. 209, Wawarsing	75.82-1-36
14. 50 Fox Hill Rd., Wawarsing	75.4-1-13
15. 22 Kelsey Lane, Wawarsing	83.2-1-43.3
16. 7058 Rt. 209, Wawarsing	75.4-1-18
17. 29 Smith Rd., Wawarsing	75.82-1-24
18. 32 Smith Rd., Wawarsing	75.82-1-18
19. 8 Kagan Ln., Wawarsing	75.4-1-32
20. 7041 Rt. 209, Wawarsing	75.4-1-7
21. 9 Kagan Ln., Wawarsing	75.4-1-28
22. 30 Fox Hill Rd., Wawarsing	75.4-1-15
23. 12 Smith Rd., Wawarsing	75.82-1-13
24. 14 Smith Rd., Wawarsing	75.82-1-14
25. 42 smith Rd., Wawarsing	75.82-1-19
26. 30 Smith Rd., Wawarsing	75.82-1-17
27. 10 Smith Rd., Wawarsing	75.82-1-12
28. 15 Smith Rd., Wawarsing	75.82-1-30
29. 60 Old Queens Hwy., Kerhonkson	75.4-2-42
30. 7056 Rt. 209, Wawarsing	75.4-1-19
31. 7019 Rt. 209, Wawarsing	75.82-1-33
32. 27 Smith Rd., Wawarsing	75.82-1-26
33. 7 Foordmore Rd., Wawarsing	75.82-3-19

**(In Process)**

33. 6990 Rt. 209, Wawarsing	75.4-1-30.2
34. 11 Plank Rd., Napanoch	83.10-3-4
35. 7034 Rt. 209, Wawarsing	75.4-1-23.200
36. 6902 Rt. 209, Wawarsing	75.4-1-.35
37. 10 Foordmore Rd., Wawarsing	75.4-4-8
38. 5 Lundy Rd., Wawarsing	75.18-1-5
39. 11 Fox Hill Rd., Wawarsing	75.4-1-10
40. 5 Foordmore Rd., Wawarsing	75.4-3-18
41. 30 Foordmore Rd., Kerhonkson	75.4-4-16

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

WHEREAS, in accordance with the provisions of the State Environmental Quality Review Act, 6 NYCRR part 627 (SEQRA), this project was determined, as set forth in Resolution No. 60 of March 20, 2012, to be an unlisted action, and pursuant to SEQRA, a programmatic environmental assessment was completed of the entire Program, including the ultimate resale of the acquired properties; and

WHEREAS, said review resulted in a finding and determination that the Program would not have a significant adverse environmental impact, and further resulted in the adoption and filing of a Negative Declaration pursuant to 6 NYCRR Part 617.12; and

WHEREAS, The County is desirous of selling said properties with no reserve, to the highest bidder, through a public auction process pursuant to Section 215 (6) of the County Law; now, therefore, be it

RESOLVED, that the Ulster County Legislature hereby finds the real property described herein to be surplus property, intended to be conveyed and sold to successful bidders at Public Auction by the Ulster County Finance Department In September of 2014; and, be it further

RESOLVED, that such properties shall be conveyed to the highest qualified bidders at public auction, requiring that they be subject to the same restrictions for use of the properties as are imposed by the Program upon the County, 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 preservation management***; and, be it further

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RESOLVED, that the Ulster County Commissioner of Finance is hereby authorized to conduct the auction, and such authorization shall include the required notices and any other procedures in relation thereto; and, be it further

RESOLVED, that the Chairman of the Ulster County Legislature is authorized on behalf of the County to execute the deeds and any agreements and/or documents related to the conveyances, in the forms filed with the Clerk of the Ulster County Legislature or as modified by the County Attorney; and, be it further

RESOLVED, that all of the County's rights, title and interest in said real properties shall promptly be sold to the highest bidders at public auction after public advertisement, as provided for in Section 215 (6) of the County Law, with said high offers at auction being subject to acceptance or rejection by the Ulster County Legislature; and, be it further

RESOLVED, that is resolution shall take effect immediately,  
and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21                      NOES: 0  
(Absent: Legislators Loughran and Roberts)

Passed Committee: Public Works and Capital Projects on July 3, 2014

Passed Committee: Ways and Means as amended on July 9, 2014

FINANCIAL IMPACT:  
NONE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 15<sup>th</sup> Day of July, 2014, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 16<sup>th</sup> Day of July in the year Two Thousand and Fourteen.

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

Submitted to the County Executive this  
17<sup>th</sup> Day of July, 2014.

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

Approved by the County Executive this  
23<sup>rd</sup> Day of July, 2014.

|s| Michael P. Hein  
Michael P. Hein, County Executive