

Authorizing The Chair Of The Ulster County Legislature To Request That The New York State Department Of Transportation Release Jurisdiction Over Unused Highway Lands Along Route 9W (Ulster Avenue) In The Town Of Ulster, At And Adjoining 1905 Ulster Avenue – Department Of Planning

Referred to: The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Cahill and Legislators Archer, Corcoran, Delaune, Litts, Maio, and Uchitelle), and The Ways and Means Committee (Chairwoman Archer and Legislators Bartels, Gavaris, Haynes, Maio, Ronk, and Walter)

Chairman of the Economic Development, Tourism, Housing, Planning, and Transit Committee, Brian B. Cahill, and Deputy Chair Herbert Litts, III offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Planning; and

WHEREAS, an abutting landowner has requested that lands originally purchased for highway purposes in the Town of Ulster, along Route 9W (Ulster Avenue) located in and around 1905 Ulster Avenue be considered no longer needed or useful for such purpose; and

WHEREAS, the New York State Department of Transportation (NYSDOT) has maintenance jurisdiction over the land requested for state highway purposes located on a portion of NYS Route 9W – State Highway No. 5000 in the Town of Ulster as depicted on Map No. 18.6 and 18.8; and

WHEREAS, NYSDOT has determined that a portion of the lands requested can be released from their maintenance and jurisdiction as the lands are no longer needed or useful for highway purposes; and

WHEREAS, Section 10(32) of Highway Law authorizes the New York State Commissioner of Transportation, upon proper request by a municipality, to release of lands from maintenance and jurisdiction to a municipality when such lands are no longer needed by or useful to the state highway system; and

WHEREAS, upon such release by NYSDOT, the lands in question would revert to Ulster County; and

WHEREAS, pursuant to Section 118-a of Highway Law, the County of Ulster may abandon lands no longer necessary for highway purposes to an abutting property owner; and

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WHEREAS, such a request has been made by the owner of lands located at 1905 Ulster Avenue for the purpose of establishing a car dealership parking area on the lands no longer needed for highway purposes; now therefore, be it

RESOLVED, the Chair of the Ulster County Legislature is hereby authorized to request that NYSDOT release jurisdiction over the portion of the parcels located in the Town of Ulster as shown of Exhibit 1 as filed with the Clerk of the Legislature; and, be it further

RESOLVED, the Chair of the Ulster County Legislature is hereby authorized to request NYSDOT to release jurisdiction over the portion of the parcels located in the Town of Ulster adjoining 1905 Ulster Avenue Ulster Avenue if so requested by those landowners and upon a finding that the lands are no longer needed for highway purposes by NYSDOT,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: Economic Development, Tourism, Housing, Planning and Transit on February 4, 2020

Passed Committee: Ways and Means on February 11, 2020

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 18th Day of February in the year Two Thousand and 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 20th Day of February in the year Two Thousand and Twenty.

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

Submitted to the County Executive this
20th Day of February, 2020.

Approved by the County Executive this
25th Day of February, 2020.

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

[s] Patrick K. Ryan
Patrick K. Ryan, County Executive