

Authorizing The Required Steps For The Transfer Of Real Property Owned By Ulster County And Located At 21 Elizabeth Street City Of Kingston, NY (SBL 56.124-1-12) To The Ulster County Housing Development Corporation – Department Of Planning

Referred to: The Housing and Transportation Committee (Chairman Collins and Legislators Clinton, Corcoran, Harmon, Kitchen, McCollough, and Stewart), and The Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, Roberts, and Uchitelle)

Chairman of the Housing and Transportation Committee, Jeff Collins, and Deputy Chair Thomas Corcoran offer the following:

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

WHEREAS, it is the policy of the State of New York to promote the economic welfare and prosperity of its inhabitants and to actively promote, attract, encourage and develop economically sound commerce and industry; and

WHEREAS, it is the policy of the State of New York to create safe, healthy and affordable housing opportunities for all New Yorkers; and

WHEREAS, the availability of safe, healthy, and affordable housing is a key factor in increasing spending and employment in the surrounding economy, acts to ensure an available workforce, reduces costs to local governments associated with homelessness and crime, and can place regional economies at a competitive advantage; and

WHEREAS, Resolution No. 99 of March 16, 2022, authorized the acquisition by Ulster County of the property known as 21 Elizabeth Street in the City of Kingston for the purposes of providing supportive housing; and

WHEREAS, the American Rescue Plan Act was source of funding for the purchase of 21 Elizabeth Street; and

WHEREAS, pursuant to Resolution No. 468 of August 2023, the Ulster County Legislature amended Capital Project No. 645 to reduce the funding available indicating that it was not in the best interest of the County to pursue the renovation of 21 Elizabeth Street; and

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WHEREAS, the Planning Department issued a Request for Statement Qualifications (the “SOQ”) for potential developers of an affordable housing project at 21 Elizabeth Street Kingston New York (the “Site”) in January of 2025 consistent with the purposes of the American Plan Rescue Act funding for which there were two responses; and

WHEREAS, pursuant to Resolution No.136 of April 2025 the Ulster County Legislature set a public hearing on the sale of transfer of lands owned by Ulster County located at 21 Elizabeth Street to the Ulster County Housing Development Corporation for the purpose of providing for the development of affordable housing; and

WHEREAS, the Ulster County Housing Development Corporation has met and discussed the proposed responses to the SOQ and determining that a viable development proposal exists for the site; and

WHEREAS, the County Legislature has examined the Site and determined that the County no longer needs the Site now or in the future for the operation of the County; and

WHEREAS, the County of Ulster has the responsibility and burden to promote the health, safety and general welfare of the residents of the County by, among other things, preventing unemployment and economic deterioration, increasing and maintaining employment opportunities, and attracting and sustaining economically sound commerce; and

WHEREAS, Section 1411 of the Not-For-Profit Corporation Law of the State of New York (the “LDC Act”) authorizes the establishment of not-for-profit local development corporations operated exclusively for the charitable or public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, instructing or training individuals to improve or develop their capabilities for such jobs, carrying on scientific research for the purpose of aiding a community or geographical area by attracting new industry to the community or area or by encouraging the development of, or retention of, an industry in the community or area, and lessening the burdens of government and acting in the public interest; and

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WHEREAS, the LDC Act further authorizes the legislative body of a county, by resolution, to determine that certain real property of the County not required for use by the County may be sold or leased to a not-for-profit local development corporation for purposes that include lessening the burdens of government and acting in the public interest; and

WHEREAS, Section 1411(d) of the LDC Act further provides that the sale or lease may be on such terms as may be agreed upon by the County and a local development corporation, without appraisal or public bidding; and

WHEREAS, in furtherance of the public purposes set forth above, the County Legislature proposes to transfer its interest in certain portions of the land, buildings, equipment and assets of the Site to the Ulster County Housing Corporation, Local Development Corporation, formed pursuant to Section 1411(a) of the LDC Act (hereinafter the “Corporation”), subject to the County’s reserved leasehold interest in the Properties (collectively, the “Disposition”); and

WHEREAS, the County shall require that the net proceeds, if any, of the Disposition and of any eventual sale to a third party are paid to the County; and

WHEREAS, to accomplish the purposes and powers as set forth within the LDC Act and the purposes and powers of the Corporation, including relieving the burdens of the County and the undertaking of the Disposition, the County desires to task the Corporation with such burdens and responsibilities; and

WHEREAS, pursuant to and in accordance with Section 1411(d) of the LDC Act, a public hearing relating to the Disposition was duly scheduled, noticed and conducted by the Ulster County Legislature prior to the adoption of this resolution which hearing was held on Tuesday, May 20, 2025, at 7:10 PM; now, therefore, be it

RESOLVED, that the Ulster County Legislature hereby authorizes the following:

1. Pursuant to Section 1411(d) (1) of the LDC Act and upon due consideration of the presentations and comments received during the public hearing, the County Legislature hereby determines that title to the lands located at 21 Elizabeth Street and further identified as on the County’s Real Property Tax System as parcel 56.124-1-12 (the “Property”) is not required for use by the County; and

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2. Pursuant to Section 1411(d) of the LDC Act, the County of Ulster hereby authorizes the undertaking of the Disposition, including transfer of title and/or a leasehold of up to ninety-nine years, to the Property together with the equipment and assets situate thereon, to the Corporation pursuant to a deed and/or lease to be approved by the County Attorney (the “Deed” and /or “Lease”) provided however, that any sale or lease of these lands by the Corporation shall be in accordance with the goals of the County as articulated in this Resolution above; and
3. The County shall transfer title to the Corporation in fee unless in the event the County shall need any of the Property for a limited period of time, then the County may transfer a title and/or a leasehold; and
4. The Chair of the Ulster County Legislature and/or the County Executive, as may be set forth in the Ulster County Charter and Administrative Code and/or as may be required otherwise, are hereby authorized to execute any and all documents related to the Disposition, including the Deed and Lease Agreement(s), subject to approval by the County Attorney, along with any other agreements, forms, certificates or applications necessary to effectuate the foregoing; and, be it further

RESOLVED, that the County Legislature has identified the Disposition as an “Unlisted Action” as said term is defined pursuant to 6 NYCRR Part 617.6 of the Regulations of Article 8 of the Environmental Conservation Law of New York State (“SEQRA”); and has conducted an uncoordinated review of the Disposition pursuant to NYCRR Part 617.6(b)(4); and, be it further

RESOLVED, that the Ulster County Legislature hereby determines that the Disposition will not have a significant adverse environmental impact, will not require the preparation of a Draft Environmental Impact Statement with respect to the Disposition, and has made a determination of non-significance under SEQRA (“Negative Declaration”); and, be it further

RESOLVED, this resolution shall take effect immediately,
and moves its adoption.

