

**Authorizing The Chair Of The Ulster County Legislature To Enter Into An Agreement With The New York Environmental Protection And Spill Compensation Fund For Distributions Of Proceeds From Tax Foreclosure Sale – Department Of The Environment**

Referred to: The Energy and Environment Committee (Chairwoman Greene and Legislators Bruno, Criswell, Petit, and Wawro), and The Ways and Means Committee (Chairman Gavaris and Legislators Archer, Bartels, Haynes, Maio, Parete, Ronk, and Walter)

Chairwoman of the Energy and Environment Committee, Manna Jo Greene, and Deputy Chair Mary Wawro offer the following:

WHEREAS, this resolution has been submitted at the request of the County Executive on behalf of the Department of the Environment; and

WHEREAS, Ulster County is owed real property and school taxes, together with, as applicable, accrued interest and penalties as of June 1, 2021, with respect to the Cedar Ridge Site, at 11 Tow Path Road, Accord, tax map number 77.9-1-24.200 (the “Site”), in the amount of \$154,154.82; and

WHEREAS, the Site is subject to cleanup and removal costs for the discharge of petroleum product and is known as New York State Department of Environmental Conservations (DEC) Spill No. 17-06533; and

WHEREAS, the New York Environmental Protection And Spill Compensation Fund (the “Fund”) has performed the required remediation and the DEC has listed the spill status as closed; and

WHEREAS, the Fund has agreed to release the County and its eligible successors from any liability relating to the Site for a distribution of the auction sales proceeds to partially offset the cleanup and removal costs expended by the Fund; and

WHEREAS, in consideration of this agreement, the County shall pay to the Fund fifty percent of the sale price received at auction; now, therefore be it

RESOLVED, that the Chair of the Ulster County Legislature is hereby authorized to enter into an agreement with the Fund relative to the division of proceeds of the sale of said parcel, in the form as filed with the Clerk of the Legislature or as modified with the approval of the County Attorney and Legislative Counsel,

and move its adoption.

**Resolution No. 351      August 17, 2021**

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ADOPTED BY THE FOLLOWING VOTE:

AYES: 18                      NOES: 0  
(Absent: Legislators Archer, Bruno, Delaune,  
Maio, and Wawro)

Passed Committee: Energy and Environment on August 2, 2021

Passed Committee: Ways and Means on August 10, 2021

**FINANCIAL IMPACT:  
50% OF REVENUE FROM SALE OF PROPERTY**

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 17<sup>th</sup> Day of August in the year Two Thousand Twenty-One, 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 20<sup>th</sup> Day of August in the year Two Thousand Twenty-One.

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

Submitted to the County Executive this  
20<sup>th</sup> Day of August 2021.

Approved by the County Executive this  
25<sup>th</sup> Day of August 2021.

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

|s| Patrick K. Ryan  
Patrick K. Ryan, County Executive