

Authorizing The Chair To Execute A License Agreement With Santa Fe Uptown Restaurant For Usage Of County Owned Property For A Patio Project - Department Of Public Works (Buildings And Grounds)

Referred to: The Public Works, Capital Projects and Transportation Committee (Chair Nolan and Legislators Donaldson, Kovacs, Litts, and McCollough), and The Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, and Roberts)

Chair of the Public Works, Capital Projects and Transportation Committee, Kathy Nolan, and Deputy Chair Herbert Litts, III offer the following:

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

WHEREAS, the County of Ulster owns a lot on the northerly side of Main Street in the City of Kingston, adjacent to premises located at 11 Main Street, Kingston, New York; and

WHEREAS, Santa Fe Uptown Restaurant is currently operating on the ground floor of the structure at 11 Main Street pursuant to a lease agreement between David Weiss, James Demos, Andrea Demosthenes, and 11 Main Kingston LLC d/b/a Santa Fe Uptown; and

WHEREAS, James Demos (the Applicant) seeks to license the County-owned property located alongside the building, three (3) defined parking spaces situated in the front of the parking lot adjacent to the guardrail and front Main Street, for the purpose of operating an outdoor patio café; and

WHEREAS, as per section 2.26 of the County's Type II List, this action does not pose a significant potential environmental impact and may be progressed as a Type II action in accordance with 6 NYCRR Part 617 of SEQRA; and

WHEREAS, Ulster County has determined that this funding action does not pose a significant potential environmental impact and may be progressed as a Type II action in accordance with 6 NYCRR Part 617 of SEQRA, and does not require any further determination or procedure under SEQRA; now therefore, be it

RESOLVED, that the Ulster County Legislature hereby finds and determines that said parking spaces are not currently necessary for County use; and, be it further

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RESOLVED, that the Chair of the Ulster County Legislature is hereby authorized to execute a five-year revocable License Agreement, and any amendments thereto, with the Applicant, granting the use of the above mentioned three defined parking spots, in the form as on file with the Clerk of the Legislature or as modified with the approval of the County Attorney; and, be it further

RESOLVED, that the Applicant shall pay the sum of \$6,400.00 annually for the License period; and, be it further

RESOLVED, the granting of the License shall be subject to the Applicants obtaining any and all permits or approvals from any governing entity that may have jurisdiction,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Corcoran)

Passed Committee: Public Works, Capital Projects and Transportation on February 5, 2024

Passed Committee: Ways and Means on February 8, 2024

FINANCIAL IMPACT:

\$6,400.00 – BUDGETED 2024 REVENUE DOLLARS
\$6,400.00 – ANTICIPATED 2025 REVENUE DOLLARS
\$6,400.00 – ANTICIPATED 2026 REVENUE DOLLARS
\$6,400.00 – ANTICIPATED 2027 REVENUE DOLLARS
\$6,400.00 – ANTICIPATED 2028 REVENUE DOLLARS

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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 13th Day of February in the year Two Thousand Twenty-Four, 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 16th Day of February in the year Two Thousand Twenty-Four.

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

Submitted to the County Executive this
16th Day of February 2024.

Approved by the County Executive this
22nd Day of February 2024.

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

[s] Jen Metzger
Jen Metzger, County Executive