

Authorizing Right-Of-Way Acquisition Of Certain Real Property For The Purpose Of Replacing The Kerhonkson Bridge On County Route 77, Over Rondout Creek, Town Of Wawarsing – HBRR (Highway Bridge Replacement And Rehabilitation) PIN 8756.19, BIN 3346530

The Public Works and Capital Projects Committee (Chairman Loughran and Legislators Cahill, Decker, Lomita, Fabiano, Felicello and Roberts) and Legislators Briggs, Cummings, Sheeley and Stoeckeler offer the following:

WHEREAS, pursuant to Resolution No. 297 dated October 14, 1999, the Chairman of the Ulster County Legislature executed an agreement with the New York State Department of Transportation approving a Federal Aid Highway Replacement Project not on the State Highway System and authorizing Ulster County to fund for Preliminary Engineering and Right-of-Way Incidentals for Bridge Replacement on County Road 77 (CR&&), over Rondout Creek (Kerhonkson), Town of Wawarsing, (PIN 8756.19), BIN 3346530 (herein and after known as the “Project”), and

WHEREAS, the costs for such project were to be borne at the ration of 80% Federal funds and 20% non-federal funds and Ulster County agreed to advance the project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering and Right-of-Way Incidental work, and

WHEREAS, the County has established Capital Project No. 234 for this purpose and has set aside certain funds for this project within that capital project, and

WHEREAS, the project engineer has identified specific real property which the County shall need to acquire in fee or as permanent easements or as temporary easements in order to accomplish this project, and

WHEREAS, appraisals have been conducted to determine the fair and reasonable value of the property as just compensation under the circumstances for each of the parcels identified as necessary to be acquired for this project, and

WHEREAS, the County has been negotiating with the owners of these necessary parcels for their acquisition, and

WHEREAS, it appears that the owners of these certain parcels, the same of which are specifically set forth in the schedule which is annexed hereto and made a part hereof, have indicated a willingness to convey this property to the County in consideration for certain payments offered by the County as just compensation for the purchase of the property, and

Resolution No. 105 April 9, 2008

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WHEREAS, the Ulster County Department of Highways and Bridges (now known as the Department of Public Works) as lead agency under the State Environmental Quality Review Act (SEQRA) has determined that the project, a Type I action under SEQRA, will not have a significant effect on the environment and has adopted a negative declaration pursuant to 6NYCRR Section 617.7 under SEQRA with respect to the project, and

WHEREAS, the Public Works and Capital Projects Committee has met and reviewed said request with a majority of the members voting approval, and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of the members voting approval.

RESOLVED, that the Ulster County Legislature hereby authorizes the County Attorney to complete negotiations with the subject property owners for the acquisition of the property and to purchase and acquire the property on behalf of the County; and it is

FURTHER RESOLVED, that should any purchase attempt prove unsuccessful, the County Attorney is hereby authorized to commence eminent domain proceedings for the purpose of acquiring this property,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 30 NOES: 0
(Absent: Legislators Donaldson, Gerentine and Kraft)

FINANCIAL IMPACT:

\$96,339.00 – BUDGETED APPROPRIATION DOLLARS

CAPITAL PROJECT NO. 234

\$91,522.00 – BUDGETED FEDERAL AND STATE REVENUE DOLLARS

\$ 4,817.00 – BUDGETED COUNTY DOLLARS

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