

**Authorizing The Purchase Of Land For Road Realignment For Barlow Bridge Reconstruction – Amending Capital Project No. 237 – Highways And Bridges**

The Public Works Committee (Chairman Berardi and Legislators Bischoff, Cahill, Dart, Lomita, Stoeckeler, Fabiano, Felicello and McAfee) offers the following:

WHEREAS, the Ulster County Legislature authorized the reconstruction of the Barlow Bridge, County Bridge No. 28, on Bruynswick Road, over the Kline Kill Creek, in the Town of Gardiner, and created Capital Project No. 237, for such reconstruction, pursuant to Resolution No. 129, April 10, 2003, and

WHEREAS, it is necessary to acquire lands belonging to Watchtower Bible and Tract Society of New York, Inc. (Watchtower) and Valley Farms Corporation (VFC) , for realignment of Bruynswick Road, County Route 7, for the Barlow Bridge reconstruction, and

WHEREAS, the Commissioner of Ulster County Highways and Bridges has executed an work permit from Watchtower and VFC to proceed with bridge reconstruction as permitted by Highway Law, on such lands as needed for realignment, and

WHEREAS, after successful completion of the bridge work, and under the terms of the work permit, the County may acquire such lands for County purposes, with a purchase agreement, and

WHEREAS, the Barlow Bridge has been completed satisfactorily under the terms of the permit by Ulster County Highways and Bridges, and

WHEREAS, the Commissioner of hereby requests authorization to purchase lands as agreed on in the work permit, for a payment of \$2,500.00.00 for a portion of parcel number 93.3-1-19 and a payment of \$2,500.00 for a portion of parcel number 100.1-3-23, as described in the survey rendered by Richard I. Eldred, LLS, on behalf of Watchtower and VFC, and

WHEREAS, the Commissioner of Highways and Bridges requests payment of any fees for title reports, and title insurance associated with the purchase of these lands, and

WHEREAS, the Public Works Committee has been polled and reviewed said request with a majority of the of the members voting approval, and

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

RESOLVED, that the Chairman of the Ulster County Legislature or the Commissioner of Highways and Bridges is authorized to execute any and all documents, necessary to acquire such lands, as approved by the County Attorney, and

FURTHER RESOLVED, that the Commissioner of Highways and Bridges is authorized to pay any amounts needed for the purchase of these lands, and any fees associated with such purchase from Miscellaneous Costs within Capital Project No. 237, as amended, so long as the amount does not exceed \$7,000.00, and

FURTHER RESOLVED, that the Capital Project Fund is hereby amended as follows:

**TRANSFER**

<b><u>FROM</u></b>		<b><u>AMOUNT</u></b>
H4-0237-2932 (App. #)	Bridge Materials	\$7,000.00
<b><u>TO</u></b>		<b><u>AMOUNT</u></b>
H4-0237-2978 (App. #)	Miscellaneous Costs	\$7,000.00

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 30                      NOES: 0  
(Legislator Gerentine left at 9:31 PM)  
(Legislator Felicello left at 9:33 PM)  
(Absent: Legislator Liepmann)

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FINANCIAL IMPACT:

\$7,000.00 – BUDGETED IN CAPITAL PROJECT NO. 237

0634