

Authorizing The Chairman Of The Ulster County Legislature To Execute An Assignment Of Claim And Release – New York State Acquisition Maps Nos. 172, 173, And 174 – Department Of Public Works

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Greene, Litts, Loughran, and Maloney), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Bartels, Belfiglio, Briggs, Maio, and Maloney)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman Peter M. Loughran offer the following:

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

WHEREAS, the New York State Department of Transportation (NYSDOT), as part of a statewide program for strengthening the highway network by enhancing the durability of highway bridges, has identified the State Route 28 bridge crossing Esopus Creek at S/B/L 5.013-1-23 in the Town of Shandaken, County of Ulster, State of New York as requiring extensive repair or replacement in order to help protect this bridge from future storm events (hereinafter the “Project”); and

WHEREAS, NYSDOT has identified certain property that New York State must acquire in order to construct the planned improvements; and

WHEREAS, the County of Ulster has been identified as having a possible interest in the property parcels identified on NYSDOT Acquisition Maps No. 172, 173, and 174, Parcels No. 283, 284, 285, and 286, respectively; and

WHEREAS, said property parcels were appropriated by New York State in accordance with Section 502 of the Eminent Domain Procedure Law, and title to the property, easement, or right indicated on the Acquisition Maps was vested in the name of the People of the State of New York on May 16, 2016; and

WHEREAS, the property identified in Acquisition Maps Nos. 172, 173, and 174 is owned by Robert L. Jones and Barbara E. Jones; and

WHEREAS, the property is subject to a New York Main Street Program Property Maintenance Grant provided to the County under the New York Main Street Revitalization Program; and

WHEREAS, for purposes of this acquisition, the County does not have an interest in the acquired property; now, therefore be it

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RESOLVED, the Ulster County Legislature hereby authorizes the Chairman of the Ulster County Legislature to execute, on behalf of the County of Ulster, an Assignment of Claim and Release which will allow Robert L. Jones and Barbara E. Jones, to secure payment of their claim as owners of the property identified in Acquisition Maps Nos. 172, 173, and 174,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Delaune and Fabiano)

Passed Committee: Public Works and Capital Projects on May 3, 2017

Passed Committee: Ways and Means on May 9, 2017

FINANCIAL IMPACT:

NONE

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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 16th Day of May in the year Two Thousand and Seventeen, 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 18th Day of May in the year Two Thousand and Seventeen.

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

Submitted to the County Executive this
18th Day of May, 2017.

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

Approved by the County Executive this
23rd Day of May, 2017.

[s] Michael P. Hein
Michael P. Hein, County Executive