Resolution No. 487 December 15, 2015

Declaring Certain County-Owned Real Property Located In The Town of Wawarsing, Acquired by the County Through the Greater Catskill Flood Remediation Program To Be Surplus Property And Authorizing The Commissioner Of Finance To Sell Said Real Property To The Highest Bidder Pursuant to Section 215 (6) Of New York State County Law

Referred to: The Laws and Rules, Governmental Services Committee (Chairman Richard Parete and Legislators Donaldson, Greene, Roberts and Ronk), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Belfiglio, Briggs, Gregorius, Maio, Maloney and R. Parete)

Chairman of the Ways and Means Committee, Richard A. Gerentine, and Deputy Chairman Donald J. Gregorius offer the following:

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

WHEREAS, the County of Ulster is in the process of completing Phase II of a grant from the New York State Housing and Trust Fund Corporation more commonly known as The Greater Catskill Flood Remediation Program (the "Program"), which grant was supplemented by funding from the New York City Department of Environmental Protection, for the same purposes articulated in Resolution No. 281 of September 10, 2008, for Phase I of the Program; and

WHEREAS, Resolution No. 268 of 2014 approved the sale of the properties acquired through the Program at public auction in September of 2014; and

WHEREAS, the following four properties were approved for sale at the September public auction but had not completed all phases of the Program by the date of the public auction:

Town of Wawarsing:

Address	SBL(s)
1. 7034 Rt. 209, Wawarsing	75.4-1-23.200
2. 10 Foordmore Rd., Wawarsing	75.4-4-8
3. 5 Lundy Rd., Wawarsing	75.18-1-5
4. 30 Foordmore Rd., Kerhonkson	75.4-4-16

WHEREAS, the conditions of the grant Program require that the acquired properties be restricted to, dedicated to, and maintained in perpetuity for use that is compatible with open space, recreation, flood mitigation and/or wetlands management preservation; and

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WHEREAS, in accordance with both the provisions of the State Environmental Quality Review Act, 6 NYCRR Part 627 (SEQRA), and the County of Ulster's SEQRA Type II List, Section 4.1.1, adopted by Resolution No. 118 of April 20, 2010, the Ulster County Legislature has examined the properties list herein and has determined the transfer of said properties is an unlisted action with no significant impact on the environment; and

WHEREAS, the County is desirous of selling said properties with no reserve, to the highest bidder, through a public auction or sealed competitive bid process pursuant to Section 215 (6) of the County Law; and

WHEREAS, the Ulster County Legislature found in resolution No. 268 of 2014 the real property described herein to be surplus property, intended to be conveyed and sold to successful bidders; and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of the members voting approval; now, therefore, be it

RESOLVED, that such properties shall be conveyed to the highest qualified bidder, requiring that they be subject to the same restrictions for use of the properties as are imposed by the Program upon the County, with the following terms and conditions included in the deed: "that the property be restricted to, dedicated to, and maintained in perpetuity for us that is compatible with open space, recreation, flood mitigation and/or wetlands preservation management, and no structures shall be erected thereon, and all the foregoing shall inure to the benefit of the Grantor herein and not to the benefit of the Grantees herein and shall be binding upon the Grantee's heirs, assigns and successors forever;" and, be it further

RESOLVED, that the Ulster County Commissioner of Finance is hereby authorized to conduct the auction or solicit bids, and such authorization shall include the required notices and any other procedures in relation thereto; and, be it further

RESOLVED, that the Chairman of the Ulster County Legislature is authorized on behalf of the County to execute the deeds and any agreements and/or documents related to the conveyances, in the forms filed with the Clerk of the Ulster County Legislature or as modified by the County Attorney; and, be it further

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RESOLVED, that all of the County's rights, title and interest in said real properties shall promptly be sold to the highest bidders after public advertisement, as provided for in Section 215 (6) of the County Law,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: NOES:

Passed Committee: Laws and Rules, Governmental Services on December 14, 2015

Passed Committee: Ways and Means on _____.

FINANCIAL IMPACT:
NONE