

**Authorizing The Acquisition Of A Right-Of-Way Over Certain Real Property For The Purpose Of Replacing The Bridge On Mud Tavern Road Over The Dwaarkill – Department Of Public Works**

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano, and Legislators Briggs, Maloney, Roberts, and Parete) and The Ways and Means Committee (Chairman Gerentine and Legislators Gregorius, Harris, Maio, Maloney, Provenzano and Rodriguez)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman John Parete offer the following:

WHEREAS, the Ulster County Legislature approved Resolution Nos. 100 and 101 on April 16, 2013 authorizing a bond resolution and amending Capital Project 262 (the “Project”) to increase funding for Right of-Way acquisitions for the Project to replace the bridge on Mud Tavern Road; and

WHEREAS, the project engineer has identified specific parcels of real property over which the County needs to acquire permanent easements in order to accomplish the Project; and

WHEREAS, appraisals have been conducted to determine the fair and reasonable value of the easements over the properties in order to calculate the just compensation under the circumstances for each; and

WHEREAS, the County has negotiated with the owners of these parcels for the acquisition of permanent easements over the parcels; and

WHEREAS, the owners of these parcels, identified below, have accepted the County’s offer and are willing to convey the permanent easements to the County as follows:

<u>Name</u>	<u>Property</u>	<u>Property Interest</u>	<u>Offer</u>
A) Francine Del Vescovo	258 Lippincott Rd. Wallkill, NY 12589	Permanent Easement	\$ 550
B) Wendy C. Sutherland	242 Lippincott Rd. Wallkill, NY 12589	Permanent Easement	\$ 900;

and

WHEREAS, the Ulster County Department of Public Works as lead agency under the State Environmental Quality Review Act (SEQRA) has determined that the project is a Type II action under SEQRA, and as such will not have a significant effect on the environment; 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, any and all documents accepting the conveyance of the subject real property interest as filed with the Clerk of the Ulster County Legislature, or as modified with the approval of the County Attorney,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23                      NOES: 0  
(Legislator Robert Parete arrived at 7:45 PM)

Passed Committee: Public Works and Capital Projects on July 10, 2013

Passed Committee: Ways and Means on July 16, 2013

**FINANCIAL IMPACT:**

**\$1,450.00 – ADDITIONAL 2013 APPROPRIATIONS (FEDERAL AND STATE FUNDS)**

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 23<sup>rd</sup> Day of July, 2013, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 24<sup>th</sup> Day of July in the year Two Thousand and Thirteen.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
26<sup>h</sup> Day of July, 2013.

Approved by the County Executive this  
5<sup>th</sup> Day of August, 2013.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

|s| Michael P. Hein  
Michael P. Hein, County Executive