

**Authorizing Right-Of-Way Acquisition Of Certain Real Property For The Purpose Of Replacing The Sundown Bridge, Town Of Denning – Department Of Public Works (Highways & Bridges)**

Referred to: The Public Works, Capital Projects and Transportation Committee (Chairwoman Petit and Legislators Fabiano, Litts, Nolan, and Stewart), and The Ways and Means Committee (Chairman Gavaris and Legislators Cahill, Fabiano, Ronk, and Walter)

Chairwoman of the Public Works, Capital Projects and Transportation Committee, Laura Petit, and Deputy Chair Dean J. Fabiano offer the following:

WHEREAS, pursuant to Resolution No. 104 dated April 16, 2013, the Ulster County Legislature established Capital Project No. 390 for the Sundown Bridge Replacement on Sundown Road over the Rondout Creek in the Town of Denning, BIN 3346720 (herein and after known as the “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, the project engineer has identified certain land acquisition needs, which consist of one (1) temporary easement, one (1) permanent easement, and two (2) fee acquisitions to construct the project; and

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

WHEREAS, based upon examination by the Ulster County Legislature, the County’s funding of this Project constitutes a Type II action as defined under Sections 4.5.5 of the County of Ulster’s State Environmental Quality Review Act (SEQRA) Type II List, which was adopted pursuant to Resolution No. 118 dated April 20, 2010; and

WHEREAS, Ulster County has determined that this funding action does not pose a significant potential environmental impact and may be progressed as a Type II action in accordance with 6 NYCRR Part 617 of SEQRA, and does not require any further determination or procedure under SEQRA; now, therefore, be it

RESOLVED, that the Ulster County Legislature hereby authorizes the County Attorney to complete negotiations with property owners, relating to the Sundown Bridge replacement project, for the acquisition of the property and to purchase and acquire the property on behalf of the County; and, be it further

**Resolution No. 117      March 16, 2022**

**Authorizing Right-Of-Way Acquisition Of Certain Real Property For  
The Purpose Of Replacing The Sundown Bridge, Town Of Denning  
– Department Of Public Works (Highways & Bridges)**

RESOLVED, that should any negotiations 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:    23                      NOES:    0

Passed Committee: Public Works, Capital Projects and Transportation on March 1, 2022

Passed Committee: Ways and Means on March 8, 2022

**FINANCIAL IMPACT:**

**\$10,000.00 – COUNTY CAPITAL FUND APPROPRIATIONS**

**\$10,000.00 – COUNTY REVENUE – SERIAL BONDS**

**(FUNDING ACCOUNTED FOR VIA RESOLUTION NOS. 112 & 113 OF 2022)**

