

Authorizing The Chairman To Execute A License Agreement With James Demos And Andrea Demosthenes For Usage Of County Owned Property For A Patio Project

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Greene, Litts, Nolan, and Roberts), and The Ways and Means Committee (Chairman Gerentine and Legislators Archer, Bartels, Lopez, Maio, James Maloney, Joseph Maloney, and Petit)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, offers the following:

WHEREAS, the County of Ulster owns a lot on the northerly side of Main Street in the City of Kingston, adjacent to premises owned by David Weiss, James Demos, and Andrea Demosthenes as tenants in common, known as 11 Main Street, Kingston, NY; and

WHEREAS, Santa Fe Uptown Restaurant is currently operating on the ground floor of the structure at 11 Main Street pursuant to a lease agreement between David Weiss, James Demos, Andrea Demosthenes, and 11 Main Kingston LLC d/b/a Santa Fe Uptown; and

WHEREAS, James Demos and Andrea Demosthenes (the Applicants) seek to license the County-owned property located alongside the building, three (3) defined parking spaces situated in the front of the parking lot adjacent to the guardrail and front Main Street, for the purpose of operating an outdoor patio café; and

WHEREAS, as per section 2.26 of the County's Type II List, this 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

WHEREAS, whenever permissible, the Ulster County Legislature is dedicated to helping Ulster County businesses expand and flourish, especially in a challenging economy; now, therefore be it

RESOLVED, that the Ulster County Legislature hereby finds and determines that said parking spaces are not currently necessary for County use; and, be it further

RESOLVED, that the Chairman of the Ulster County Legislature is hereby authorized to execute a five-year revocable License Agreement, and any amendments thereto, with the Applicants, granting the use of the above mentioned three defined parking spots, in the form as on file with the Clerk of the Legislature or as modified with the approval of the County Attorney; and, be it further

Resolution No. 514 of 2018 January 7, 2019

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RESOLVED, that the Applicants shall pay the sum of \$100.00 for each month of the License period; and, be it further

RESOLVED, the granting of the License shall be subject to the Applicants obtaining any and all permits or approvals from any governing entity that may have jurisdiction,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: Public Works and Capital Projects on December 5, 2018

Defeated in Committee: Ways and Means on December 11, 2018

Petition to Discharge Successfully Executed

FINANCIAL IMPACT:

\$ 1,200.00 – ANNUAL REVENUE DOLLARS

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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 7th Day of January in the year Two Thousand and Nineteen, 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 9th Day of January in the year Two Thousand and Nineteen.

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

Submitted to the County Executive this
9th Day of January, 2019.

Approved by the County Executive this
16th Day of January, 2019.

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

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