



DANIEL P. MCCOY  
COUNTY EXECUTIVE

COUNTY OF ALBANY  
DEPARTMENT OF MANAGEMENT AND BUDGET  
112 STATE STREET, ROOM 1200  
ALBANY, NEW YORK 12207  
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M. DAVID REILLY, JR  
COMMISSIONER

July 5, 2023

Honorable Andrew Joyce  
Chair, Albany County Legislature  
112 State St., Rm. 710  
Albany, NY 12207

Dear Chairman Joyce:

Legislative authorization is requested to transfer property abandoned by the State of New York to the County of Albany located in the Town of Westerlo, known as SR 32 to an abutting property owner.

If you have any questions regarding this request, I can make myself available at your earliest convenience. Thank you for your consideration.

Sincerely Yours,

M. David Reilly, JR  
Commissioner

cc:

Hon. Dennis Feeney, Majority Leader  
Hon. Frank Mauriello, Minority Leader  
Majority Counsel  
Minority Counsel



# County of Albany

Harold L. Joyce  
Albany County Office  
Building  
112 State Street - Albany,  
NY 12207

## Legislation Text

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**File #:** TMP-4518, **Version:** 1

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### REQUEST FOR LEGISLATIVE ACTION

**Description (e.g., Contract Authorization for Information Services):**

Requesting Legislative Action to Authorize the Conveyance of Abandoned Property located in the Town of Westerlo

Date:	August 14, 2023
Submitted By:	David Reilly
Department:	Management and Budget
Title:	Commisioner
Phone:	518-447-7040
Department Rep.	Michael McLaughlin
Attending Meeting:	David Reilly/Michael McLaughlin

**Purpose of Request:**

- ☐ Adopting of Local Law
- ☐ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☐ Budget Amendment
- ☐ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☒ Property Conveyance
- ☐ Other: (state if not listed) Click or tap here to enter text.

**CONCERNING BUDGET AMENDMENTS**

**Increase/decrease category (choose all that apply):**

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe
- ☐ Personnel

- ☐ Personnel Non-Individual  
☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.  
Source of Funds: Click or tap here to enter text.  
Title Change: Click or tap here to enter text.

### **CONCERNING CONTRACT AUTHORIZATIONS**

#### **Type of Contract:**

- ☐ Change Order/Contract Amendment  
☐ Purchase (Equipment/Supplies)  
☐ Lease (Equipment/Supplies)  
☐ Requirements  
☐ Professional Services  
☐ Education/Training  
☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- ☐ Settlement of a Claim  
☐ Release of Liability  
☐ Other: (state if not listed) Click or tap here to enter text.

#### **Contract Terms/Conditions:**

Party (Name/address):  
Click or tap here to enter text.

Additional Parties (Names/addresses):  
Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.  
Scope of Services: Click or tap here to enter text.

Bond Res. No.: Click or tap here to enter text.  
Date of Adoption: Click or tap here to enter text.

### **CONCERNING ALL REQUESTS**

Mandated Program/Service: Yes ☐ No ☐  
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☐ No ☐  
Anticipated in Current Budget: Yes ☐ No ☐

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Original Awarding Agency / Funder:

Click or tap here to enter text.

New York State Pass-Through Agency (if applicable):

Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.

Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation

Yes ☐ No ☐

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

**Justification:** (state briefly why legislative action is requested)

Legislative action is requested to authorize the transfer of property abandoned by the State of New York to the County of Albany located in the Town of Westerlo Known as SR 32 Tax Map No. 152.00-2-40 to an abutting property owner Mr. John Dolce, 567 Hale Road, Rensselaerville, NY 12147 for \$1,500.

Mr. Dolce whose property abuts SR 32 Tax Map No. 152.00-2-40 per his submission, indicates that he is willing to acquire this parcel to merge with his abutting property to put in parking and utilities for his business in Town of Westerlo .

As part of this sale, Mr. Mr. John Dolce will be subject to:

All closing costs

A pro-rated share of any current real property taxes which are owed on the property as of the closing date.

my name is John Dolce and i am the abutting owner to parcel 152.00-2-40. I am interested in purchasing this parcel from the county for \$1500, so i can annex it to my parcel 152.-2-37. The reason for my bid of 1500.00 is the following:

the county property does not have access from route 32. there is a guardrail prohibiting access.

the property is to be annexed to property that i currently own.

the property was taken from the property that i own to change route 32 leaving only .3 ac

by annexing the property to mine i will be able to make viable use of the 150 year old building which i have already made repairs to preserve and safeguard.

Also so i can have enough land to put in parking and utilities for another business in westerlo. i currently own town line motorsports, town line auto, town line self-storage and the shepard farm. I employ 25 people here. I would like this business to become an event center serving the hill towns.

thank you

john dolce 518 257 6072

567 hale road

rensselaerville ny 12147

## DiLella, Anthony

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**From:** Davis, John K.  
**Sent:** Wednesday, March 22, 2023 3:12 PM  
**To:** Westerlo Town Assessor (assessor@townofwesterlony.com)  
**Cc:** DiLella, Anthony; McGuire, Michael  
**Subject:** WESTERLO 2023 -152.00-2-40 (ABANDONED PARCEL)  
**Attachments:** WESTERLO 2023 - 152.00-2-40 (ABANDONED PARCEL).pdf

Melanie:

I have attached a PDF of the parcel maintenance for the creation of the subject parcel.

The following is a brief history of this new parcel.

Around 1916 the State of New York constructed or improved Dormamsville - South Westerlo State Highway No 1404, commonly known as State Route 32. In the early 1900's and up to around 1935, the County of Albany acquired the highway right of way for the state highways within the County of Albany. I believe after 1935, the state then acquired right of way for state highway project in accordance with Highway Law Chapter 544.

In 1992, the State of New York realigned and reconstructed SR 32 in the Town of Westerlo. The realignment of SR 32 created land no longer required by the State of New York for highway purposes, thus, the State of New York abandoned all its rights title interest and obligation to the County of Albany by Official Order H2333 of the New York State Highway Department dated August 4, 1994. The order was delivered the Clerk of the Legislature and to the Superintendent of Highways. I was not able to find any record of this order in the Journal of the County Legislature or the County Clerk's records.

We only became aware of this information in 2022, when John Dolce contacted the County of Albany about acquiring what is will be parcel 152.00-2-40, a 1.84 parcel. Mr. Dolce and his surveyor, Joe Hammond, LS. Of the Great Outdoor Land Surveying Company, PLLC, provided all the backup information referred to in this e-mail.

Please add the new parcel to the 2023 Assessment Roll.

*John K. Davis*  
*Coordinator of Tax Mapping Services*  
*Real Property Tax Service Agency*  
*County of Albany*  
*112 State Street, Room 1350*  
*Albany, NY 12207*  
*518-447-4882 (Voice)*  
*518-447-2503 (Fax)*

[John.Davis@AlbanyCountyny.gov](mailto:John.Davis@AlbanyCountyny.gov)  
[www.albanycounty.com](http://www.albanycounty.com)



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**DEPARTMENT OF MANGEMENT AND BUDGET**

**Purchaser Review**

**PROPERTY INFORMATION**

**Municipality** — Town of Westerlo

**Address of Properties** —SR 32

**Tax Map Number**-152.-2-40

**Property Description**-Rural Vacant Land

**PROSPECTIVE BUYER NAME AND PROPERTIES OWNED BY PROSPECTIVE BUYER**

**Purchaser**-John Dolce

**Town of Westerlo**-25 Barnside Rd, 6003 RT 32 , 6284 RT 32, 6272 RT 32

6501 RT 32, 6798-6873 RT 32, 6047 RT 32

**CODE ENFORCEMENT INFORMATION**

There are no outstanding violations-Verified Westerlo Code Enforcement Officer 5/18/2023

**DELINQUENT TAX INFORMATION**

No delinquent taxes-Verified with Albany County Tax Records Supervisor 5/18/2023

**COUNTY FORECLOSURE INFORMATION**

Not Applicable as properties were never delinquent

Signed- <sup>1</sup>

**ANTHONY DILELLA**

**Property Manager**

**DATE**---May 18, 2023

