



# County of Albany

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

## Legislation Text

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**File #:** TMP-2421, **Version:** 1

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### REQUEST FOR LEGISLATIVE ACTION

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

Requesting Legislative Action to conditionally authorize the sale of tax foreclosed properties

Date:	April 5, 2021
Submitted By:	David Reilly
Department:	Management and Budget
Title:	Commissioner
Phone:	518-447-7040
Department Rep.	Anthony DiLella
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.

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

If yes, explain: Yes ☐ No ☐  
Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: 188  
Date of Adoption: 5/11/2020

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

The County of Albany has taken "in rem" judgments of foreclosure against tax delinquent properties located at 50 Railroad Avenue (Tax Map No. 53.05-4-24) in the Town of Colonie and 54 Railroad Avenue (Tax Map No. 53.05-1-15) in the Town of Guilderland. These properties are part of a NYSDEC partially remediated environmentally contaminated "Brownfields" site that still contains hazardous soil contamination. Store Away Warehousing at Guilderland, LLC has offered \$100,000 to acquire these properties from the County to economically redevelop and maintain them per NYSDEC requirements and direction for constructing warehouses.

Request for legislative action is being made to obtain a permissive sale authorization resolution similar to that granted by Resolution No 188 of 2020. Store Away Warehousing at Guilderland, LLC has requested the following terms be approved for this resolution:

Within 180 Days of certified Legislative sale approval:

- Store Away Warehousing at Guilderland, LLC will negotiate a Liability Release regarding the outstanding public funds owed to the NYSDEC for the environmental contamination remediation which it conducted on these properties.
- Store Away Warehousing at Guilderland, LLC will coordinate a Site Management Plan with NYSDEC for the ongoing environmental obligations associated with these properties upon their acquisition.

Upon the County Executive receiving notice that Store Away at Warehousing at Guilderland, LLC has reached an agreement with NYSDEC regarding said Release and Plan, Store Away Warehousing at Guilderland, LLC will remit the sum of \$100,000 in certified funds to Albany County to acquire these properties from it by Deed by Assignment.

In the event that the terms of said Release and Plan have not been fully negotiated with the NYSDEC at the end of said 180-day period, authorization is requested to grant the County Executive the authority to extend these terms for an additional 180 days conditioned upon submission by Store Away Warehousing at Guilderland, LLC of documented proof of ongoing progress having been made by it regarding the negotiation of said Release and Plan for these properties.

This transfer is in accordance with Resolution No. 29 of 2019 which states "Properties which will be discretionally conveyed by the County to individuals or entities for economic development purposes " .

A proposed resolution created by the Department of Law for this transfer is attached to this request.