



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
ECONOMIC DEVELOPMENT, CONSERVATION AND PLANNING
112 STATE STREET – ROOM 1310
ALBANY, NEW YORK 12207-2021
(518) 447-5670 - FAX (518) 447-5662

March 27, 2024

Hon. Joanne Cunningham
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairwoman Cunningham,

Please find enclosed a Request for Legislative Action to be considered at the April 2024 Conservation, Sustainability and Green Initiatives Committee meeting.

Three parcels are proposed to be conveyed to NYS Department of Environmental Conservation for conservation purposes: **Town of Berne:** Cook Hill Road Tax Map No. 112.-2-3, Bradt Hollow Road Tax Map No. 100.-1-6 **Town of Rensselaerville:** SR 145 Tax Map No. 158.-1-12.10 Pursuant to Resolution # 408 of 2011, foreclosed properties located in the Town of Berne, Cook Hill Road Tax Map No. 112.-2-3 and Bradt Hollow Road Tax Map No. 100.-1-6 were declared no longer needed for county use. These properties were then authorized to be conveyed to the NYS DEC pursuant to Resolution No. 409 of 2011. These parcels were recommended for conservation as they are vacant land within a State Reforestation Area and the state-owned Partridge Run Wildlife Management Area respectively.

Pursuant to Resolution No. 103 of 2013 tax foreclosed property located in the Town of Rensselaerville known as SR 145 Tax Map No. 158.-1-12.10 was authorized for conveyance to the NYS Department of Environmental Conservation. This parcel was recommended for conveyance to establish public fishing rights.

As these conveyances were never completed and NYS Department of Environmental Conservation is again requesting these properties, legislative action is being requested in two parts:

First, to declare property located in the Town of Rensselaerville known as SR 145 Tax Map No. 158.-1-12.10 no longer necessary for public use pursuant to County Code S65-3
Secondly, to rescind the sales as specified in Resolutions No. 409 of 2011 and 103 of 2013 and transfer all three properties together to the NYS Department of Environmental Conservation for \$1.00 each

Sincerely,

Laura DeGaetano



County of Albany

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

Legislation Text

File #: TMP-5339, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Conveyance of real property for conservation

Date: 3/27/2024
Submitted By: Laura DeGaetano
Department: Economic Development, Conservation and Planning
Title: Sr. Natural Resource Planner
Phone: 518-447-5670
Department Rep.
Attending Meeting: Laura DeGaetano

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:

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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

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

Previous requests for Identical or Similar Action:

Resolution/Law Number: 408, 409, 103
Date of Adoption: 10/11/2011, 10/11/2011, 4/8/13

Justification: (state briefly why legislative action is requested)

Three parcels are proposed to be conveyed to NYS Department of Environmental Conservation for conservation purposes: **Town of Berne:** Cook Hill Road Tax Map No. 112.-2-3, Bradt Hollow Road Tax Map No. 100.-1-6 **Town of Rensselaerville:** SR 145 Tax Map No. 158.-1-12.10

Pursuant to Resolution # 408 of 2011, foreclosed properties located in the Town of Berne, Cook Hill Road Tax Map No. 112.-2-3 and Bradt Hollow Road Tax Map No. 100.-1-6 were declared no longer needed for county use. These properties were then authorized to be conveyed to the NYS DEC pursuant to Resolution No. 409 of 2011. These parcels were recommended for conservation as they are vacant land within a State Reforestation Area and the state-owned Partridge Run Wildlife Management Area respectively.

Pursuant to Resolution No. 103 of 2013 tax foreclosed property located in the Town of Rensselaerville known as SR 145 Tax Map No. 158.-1-12.10 was authorized for conveyance to the NYS Department of Environmental Conservation. This parcel was recommended for conveyance to establish public fishing rights.

As these conveyances were never completed and NYS Department of Environmental Conservation is again requesting these properties, legislative action is being requested in two parts:

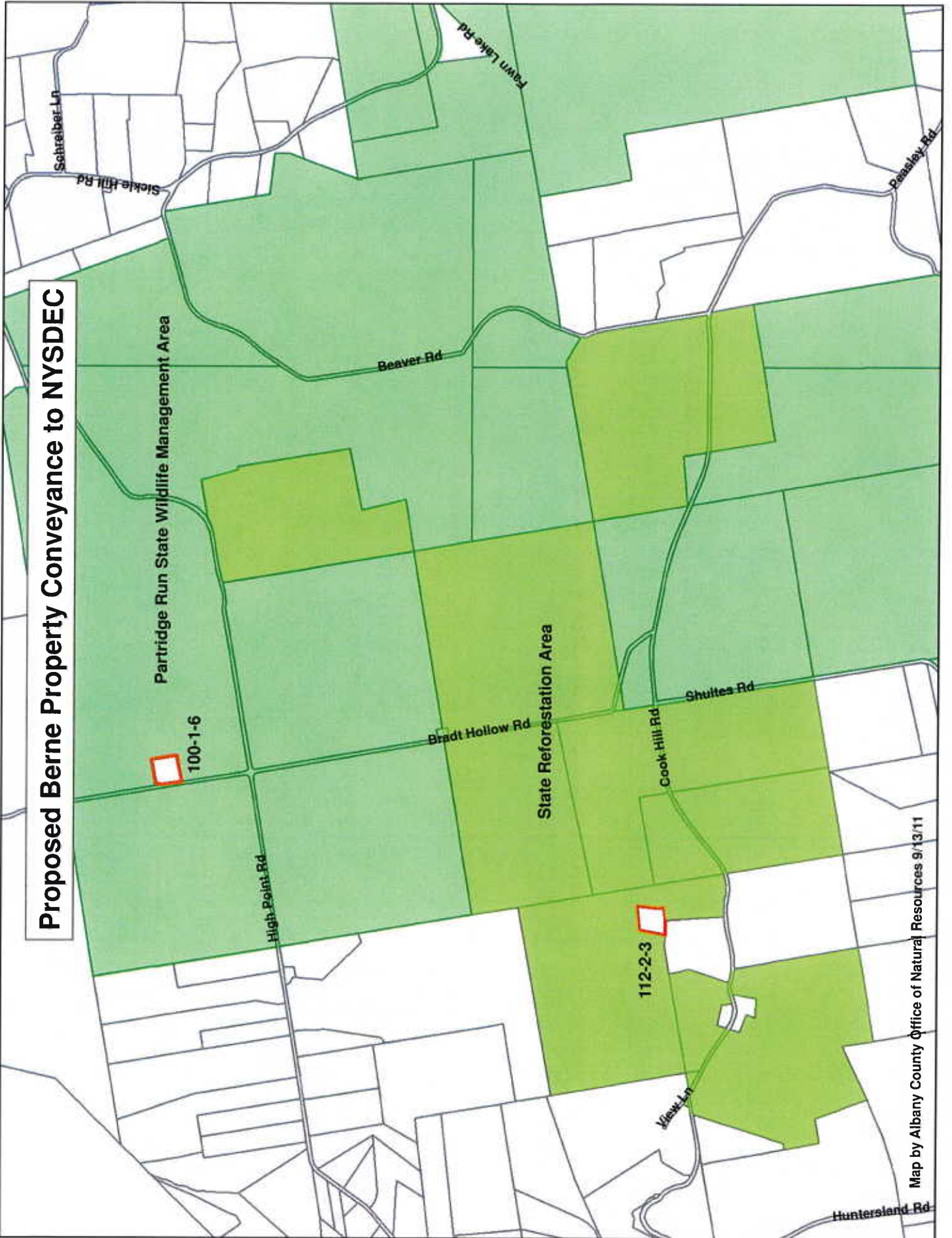
First, to declare property located in the Town of Rensselaerville known as SR 145 Tax Map No. 158.-1-12.10 no longer

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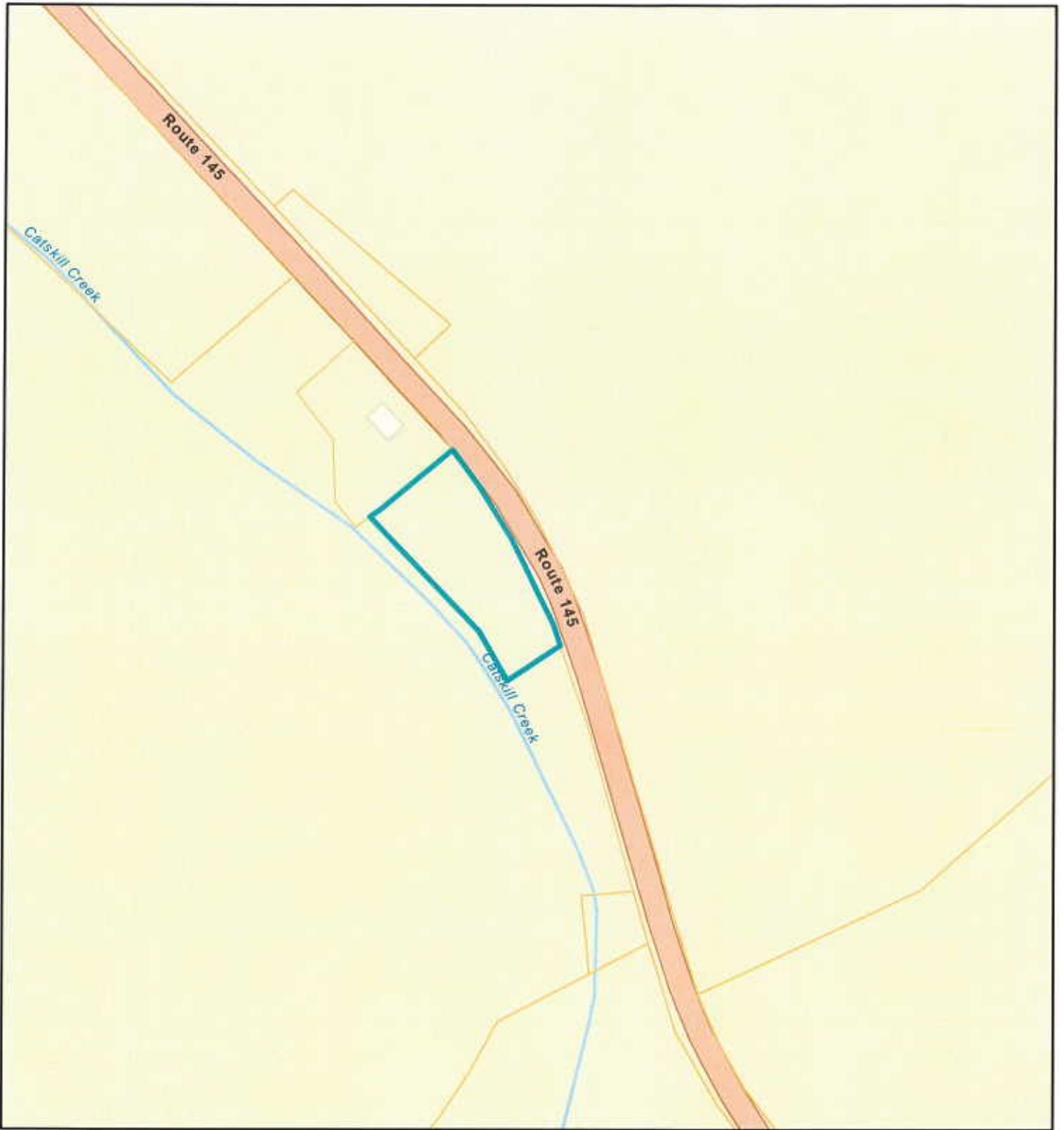
necessary for public use pursuant to County Code S65-3

Secondly, to rescind the sales as specified in Resolutions No. 409 of 2011 and 103 of 2013 and transfer all three properties together to the NYS Department of Environmental Conservation for \$1.00 each

Proposed Berne Property Conveyance to NYSDEC



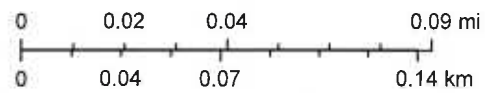
Rensselaerville - 158.-1-12.10- .74 acres



3/27/2024, 2:24:30 PM

 Tax Parcels - 2023

1:3,601



RESOLUTION NO. 408

DETERMINATION THAT TWO PARCELS LOCATED ON BRADT HOLLOW ROAD AND COOK HILL ROAD IN THE TOWN OF BERNE ARE NO LONGER REQUIRED FOR COUNTY USE

Introduced: 10/11/11

By Mr. Gordon:

WHEREAS, It has been determined that two parcels located on Cook Hill Road and Bradt Hollow Road in the Town of Berne are surplus property no longer required for County use and should be sold to the NYS Department of Environmental Conservation, the owner of an adjacent parcel of property, and

WHEREAS, The Cook Hill Road property is approximately 3.1 acres and is landlocked and surrounded by the NYS Department of Environmental Conservation Reforestation Area, and

WHEREAS, The Bradt Hollow Road property is completely surrounded by the Partridge Run State Wildlife Management Area and the NYS Department of Environmental Conservation has expressed an interest in adding this land to the Partridge Run open space, now, therefore be it

RESOLVED, That the Albany County Legislature declares a 3.1 acre parcel north of Cook Hill Road in the Town of Berne, tax map number 112.00-2-3, as surplus property no longer needed for public use, and, be it further

RESOLVED, That the Albany County Legislature declares a 3.0 acre parcel on Bradt Hollow Road in the Town of Berne, tax map number 100.00-1-6, as surplus property no longer needed for public use, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote. 10/11/11

RESOLUTION NO. 409

AUTHORIZING THE CONVEYANCE OF TWO PARCELS LOCATED ON BRADT HOLLOW ROAD AND COOK HILL ROAD IN THE TOWN OF BERNE TO THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Introduced: 10/11/11

By Mr. Gordon:

WHEREAS, By Resolution No. 408 for 2011, this Honorable Body declared two parcels located on Cook Hill Road and Bradt Hollow Road in the Town of Berne as surplus property no longer required for County use which allows the County to sell the parcels to the adjacent property owner, the NYS Department of Environmental Conservation, and

WHEREAS, The Wild Turkey Federation has authorized the contribution of \$2,500 to the State of New York for the purchase of the two parcels, and

WHEREAS, As part of the sales agreement with the Department of Environmental Conservation, the County of Albany will retain the mining rights to the Bradt Hollow Road parcel for a period of ten (10) years which rights shall be assigned to the Town of Berne together with the right of the Town of Berne to store equipment and materials on the site for mining operations and when working on Town property for a period of ten (10) years, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute all necessary documents to convey a 3.1 acre parcel on Cook Hill Road in the Town of Berne, tax map number 112.00-2-3, and a 3.0 acre parcel on Bradt Hollow Road, tax map number 100.00-1-6 to the NYS Department of Environmental Conservation for \$2,500 in accordance with the terms as aforesaid, and, be it further

RESOLVED, That the deed conveying the Bradt Hollow Road parcel retain both mining rights and the right of the Town of Berne to store equipment and materials on site for a period of ten (10) years, and, be it further

RESOLVED, That the County Executive is authorized to execute the necessary documents to assign the rights retained to the Town of Berne, and, be it further

RESOLVED, That the County Attorney is authorized to approve said conveyance and agreements as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote. 10/11/11

RESOLUTION NO. 103

**AUTHORIZING THE CONVEYANCE OF A PARCEL OF REAL PROPERTY
IN THE TOWN OF RENSSELAERVILLE TO THE NYS DEPARTMENT OF
ENVIRONMENTAL CONSERVATION**

Introduced: 4/8/13

By Conservation and Improvement Committee and Ms. Busch:

WHEREAS, The County of Albany has acquired, through in rem foreclosure, title to a parcel of real property tax map number 158-1-12.1 in the Town of Rensselaerville, and

WHEREAS, The NYS Department of Environmental Conservation has expressed an interest in acquiring the aforementioned property, which is currently impaired as a result of the impact of Tropical Storms Irene and Lee, in order that 350 feet of frontage on the Catskill Creek may be developed for public fishing access, and

WHEREAS, In exchange for the property, the NYS Department of Environmental Conservation will clean up and dispose of all on-site building and other flood debris, conduct necessary site-grading and stabilization work, and develop a public fishing access site including an off-road parking area and information kiosk, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute on behalf of the County any documents necessary to convey tax map number 158-1-12.1 in the Town of Rensselaerville to the NYS Department of Environmental Conservation in order that 350 feet of storm-impaired frontage on the Catskill Creek may be developed for public fishing access, and, be it further

RESOLVED, That the County Attorney is authorized to approve said conveyance as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote. 4/8/13