

# Warren County Board of Supervisors

RESOLUTION NO. 308 OF 1998

Resolution introduced by Supervisors Casey, Monroe, O'Neill, Champagne,  
Belden, Montesi, Thomas, Rehm and O'Connor

## APPROVING AND AUTHORIZING WARREN COUNTY PROCEDURES TO IDENTIFY SURPLUS PROPERTY FOR ECONOMIC DEVELOPMENT AND SALE/LEASE TO A LOCAL DEVELOPMENT CORPORATION

WHEREAS, the Finance & Personnel Committee has considered a procedure by which Warren County could identify surplus property as eligible for use for economic development and sale or lease of the same to a local development corporation, and

WHEREAS, the aforesaid procedure was presented to the Finance & Personnel Committee and is on file with the Clerk of the Board of Supervisors, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves and authorizes the use of the written procedures developed to identify surplus property as possibly eligible to be used for economic development and sale or lease to a local development corporation.

ADOPTED BY UNANIMOUS VOTE.

WARREN COUNTY PROCEDURES TO IDENTIFY SURPLUS PROPERTY  
AS POSSIBLY ELIGIBLE TO BE USED FOR ECONOMIC DEVELOPMENT AND  
SALE/LEASE TO A LOCAL DEVELOPMENT CORPORATION PURSUANT  
TO NOT-FOR-PROFIT CORPORATION LAW §1411(d)

1. INITIAL COMMITTEE REVIEW: Property together with any improvements thereon that is no longer needed for County purposes shall first be reviewed by the Committee having jurisdiction of the said real property. If more than one (1) Committee has jurisdiction, all Committees shall review the property in question and render a determination(s) concerning whether the same is currently needed or is expected to be needed in the future for County purposes. If it determined that the property is no longer needed for County purposes the subject property together with any Committee determination(s) shall be referred to the Finance & Personnel Committee.
2. FINANCE & PERSONNEL COMMITTEE REVIEW: Upon receipt of a referral that certain property is no longer needed for County purposes, the Finance & Personnel Committee shall:
  - a. In the event this information is not yet available:
    - i) request an approximate value from the Director of the Real Property Tax Services and make a determination as to whether an appraisal should be obtained;
    - ii) request the preparation of a Short or Long Environment Review Assessment Form, (depending upon the nature or characteristics of the property);
    - iii) request any other Committee determinations that may be available concerning the property; and/or
    - iv) request input and information from the department head, if any, under whose jurisdiction the property was last used.
  - b. The Finance & Personnel Committee shall determine whether the best interests of the County may be served by:
    - i) retaining the property for potential future use;
    - ii) selling or leasing the property outright;
    - iii) selling or leasing the property to a local development corporation to further economic development; and/or
    - iv) using the property for some other lawful purpose.

- c. If the local development corporation is interested in acquiring the property, terms of the proposed sale or lease shall be drafted and reviewed with the Finance & Personnel Committee. The Committee shall make a recommendation as to whether the terms of sale are in the best interest of the County and shall then refer the matter to the Warren County Board of Supervisors to consider the aforesaid terms of sale or lease and complete any additional steps that may be deemed appropriate and/or required under the New York State Environmental Quality Review Act.

3. WARREN COUNTY BOARD ACTION:

- a. Following completion of the above, the Warren County Board of Supervisors shall, by resolution, first commence and/or complete any actions required under the New York State Environmental Quality Review Act.
- b. Following completion of the above, or if appropriate, as part of the environmental review process, the Warren County Board of Supervisors shall, by resolution, make an initial determination as to whether the subject property is not required for use by the County by 2/3 majority vote. If it is initially determined that the property is not needed, the Board shall also indicate whether it: i) has sufficient information to proceed; ii) desires to sell or lease the property pursuant to the Not-For-Profit Corporation Law §1411 upon the terms proposed or some other terms; and iii) is in the best interests of the County. If the Board determines that the property shall be sold or leased to a local development corporation, the Board shall then schedule a public hearing to consider the proposed sale or lease. Notice of such hearing shall be published at least ten (10) days before the date set for the hearing in such publication and in such a manner as may be designated by the Warren County Board of Supervisors.
- c. Following the public hearing, the Warren County Board of Supervisors shall: i) complete any final environmental quality review procedures that may be necessary; and ii) make a final determination as to whether the property is needed for County purposes, and whether the sale of the property should be made to the local development corporation upon the terms proposed. No sale of the property shall be considered final and the Board shall not be deemed bound until a final resolution is adopted.

4. AFTER SALE/LEASE: If a local development corporation purchases or leases the real property from the County, the local development corporation shall not, without the written approval of the County, use such real property for any purpose except the purposes set forth in the certificate of incorporation or re-incorporation of said local development corporation.