

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Saratoga County Board of Supervisors will hold a public hearing on Wednesday, October 9, 2013 at 4:50 p.m. at the Board of Supervisors Chambers, 40 McMaster Street, Ballston Spa, New York on a proposed local law “Authorizing the Leasing of a portion of Real Property of the County of Saratoga to Christ Episcopal Church of the Diocese of Albany”.

TAKE FURTHER NOTICE, that at this hearing, all persons wishing to speak will be heard. Copies of this proposed local law are available in the Office of the Clerk of the Board and on line at www.saratogacountyny.gov.

Pamela A. Hargrave, Clerk
Board of Supervisors



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 178 - 13

Introduced by Supervisors Wright, Barrett, Hargrave, Jenkins, Lewza, Lucia and Raymond

INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1, PRINT NO. 1 OF 2013 AUTHORIZING THE LEASING OF REAL PROPERTY OF THE COUNTY OF SARATOGA TO CHRIST EPISCOPAL CHURCH OF THE DIOCESE OF ALBANY, AND SETTING A PUBLIC HEARING THEREON

WHEREAS, the Christ Episcopal Church of the Diocese of Albany has requested that the County lease a portion of the County's property on West High Street in the Village of Ballston Spa, Town of Ballston, to the Church for the Church's use as a parking lot for a day care center the Church proposes to construct on its adjoining property, as well as for parking for Church services and social functions that will be needed due to an anticipated loss of parking spaces along West High Street caused by the creation of a right hand turn lane from West High Street eastbound onto Church Avenue southbound; and

WHEREAS, the County's lease of the requested portion of its property to the Church would serve the municipal and public purposes of: 1) facilitating the creation of a right hand lane requested by the New York State Department of Transportation from New York State Route 67 (West High Street) eastbound onto New York State Route 50 (Church Avenue) southbound, thereby alleviating traffic congestion anticipated to be caused by proposed commercial development along New York State Route 50 in the Town of Ballston; and 2) alleviating parking congestion around the Saratoga County Municipal Complex; and

WHEREAS, our Buildings and Grounds Committee has indicated its support of such use and the leasing of the requested portion of such County property appears to be in the County's interests; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 1, Print No. 1 of 2013, entitled "A LOCAL LAW AUTHORIZING THE LEASING OF A PORTION OF REAL PROPERTY OF THE COUNTY OF SARATOGA TO CHRIST EPISCOPAL CHURCH OF THE DIOCESE OF ALBANY", is hereby introduced before this Saratoga County Board of Supervisors, and this Board of Supervisors shall hold a Public Hearing thereon on October 9, 2013 at 4:50 p.m. at the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York, 12020, on the matter of the adoption of such proposed Local Law, and the Clerk of the Board of Supervisors be and she hereby is directed to give notice of such Public Hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: No budget impact.

RES09-04-13LL

INTRODUCTORY NO. 1

PRINT NO. 1

**INTRODUCED BY: Supervisors Wright, Barrett, Hargrave, Jenkins, Lewza,
Lucia and Raymond**

**COUNTY OF SARATOGA
LOCAL LAW - 2013**

**A LOCAL LAW AUTHORIZING THE LEASING OF A PORTION
OF REAL PROPERTY OF THE COUNTY OF SARATOGA TO
CHRIST EPISCOPAL CHURCH OF THE DIOCESE OF ALBANY**

BE IT ENACTED by the Saratoga County Board of Supervisors as follows:

SECTION 1. The County of Saratoga is the owner of real property located in the Village of Ballston Spa in the Town of Ballston which is identified on the Tax Maps of the Village of Ballston Spa, Town of Ballston, as Section 216.40, Block 3, Parcel 3, which was conveyed to the County of Saratoga by Warranty Deed from Harold N. VanAernem, recorded in the Saratoga County Clerk's Office in Book 768 of Deeds at Page 497 on April 2, 1965. There is a 7,406 ± sq. ft. section of vacant land located on said premises, and described in Schedule A annexed to this local law, that the Christ Episcopal Church of the Diocese of Albany has requested be leased to it for the purposes of using as a parking lot for the Church's proposed child care center, and for parking for Church services and Church social events, as well as for replacement parking spaces for spaces the Church will lose along West High Street as a result of New York State Department of Transportation actions seeking the creation of a right hand turn lane from New York State Route 67 (West High Street) eastbound onto New York State Route 50 (Church Avenue) southbound. The term of such lease is for an initial period of five (5) years, with an option of renewal for additional five (5) year terms upon the mutual agreement of the County of Saratoga and the Christ Episcopal Church of the Diocese of Albany. The rent to be paid to the County of Saratoga shall be One Thousand Two Hundred (\$1,200) Dollars per year, which may be paid at the Tenant's option at the rate of One Hundred (\$100) Dollars per month. The Tenant shall be responsible for maintaining the leased premises, including, but not limited to, grading the property, laying down a gravel base, striping the parking spaces, and plowing, and shall be responsible for all costs associated therewith. At the conclusion of the term of the lease, or any renewal thereof, Tenant shall be responsible for restoring the leased premises to the condition it was in prior to the commencement of the lease. The form and content of the lease agreement shall be subject to the approval of the County Attorney. The Tenant's actions in creating this new parking area will facilitate the municipal and public purposes of: 1) creating a right hand turn lane from New York State Route 67 eastbound onto New York State Route 50 southbound, thereby alleviating traffic congestion anticipated to be caused by proposed commercial development along New York State Route 50 in the Town of Ballston; and 2) alleviating parking congestion around the Saratoga County Municipal Complex.

SECTION 2. Notwithstanding the provisions of Section two hundred fifteen of the County Law, or any other law of the State of New York, authorization is hereby given to the Chairman of the Board of Supervisors to execute a lease of a 7,406± sq. ft. portion of the real

property identified on the Tax Maps of the Village of Ballston Spa, Town of Ballston, County of Saratoga, State of New York, as Section 216.40, Block 3, Parcel 3, which portion is more fully described in Schedule A annexed to this local law and made a part hereof, to the Christ Episcopal Church of the Diocese of Albany for its use as a parking lot for a day care center the Church proposes to construct on its adjoining property, as well as for parking for Church services and social events, and for the municipal and public purposes of: 1) facilitating the creation of a right hand turn lane requested by the New York State Department of Transportation from New York State Route 67 eastbound onto New York State Route 50 southbound, thereby alleviating traffic congestion anticipated to be caused by proposed commercial development along New York State Route 50 in the Town of Ballston; and 2) alleviating parking congestion around the Saratoga County Municipal Complex, with such lease to be subject to the approval of the County Attorney.

SECTION 3. This Local Law is subject to permissive referendum as provided in Section 24 of the Municipal Home Rule Law.

SECTION 4. This Local Law shall take effect after it is filed as provided in Section 27 of the Municipal Home Rule Law.

SCHEDULE A

LEASE DESCRIPTION

A Portion of Lands of the
County of Saratoga
Village of Ballston Spa, Town of Ballston, Saratoga County, New York

All that certain tract, piece of parcel of land, situate in the Village of Ballston Spa, Town of Ballston, County of Saratoga, State of New York, being a portion of lands of the County of Saratoga, lying southerly of West High Street and being further bounded and described as follows:

Beginning at a point on the common line of the lands of the County of Saratoga, on the south, and the lands of Christ Episcopal Church of the Diocese of Albany, on the north, said point being situate the following two courses from the point of intersection of the common line of the lands of the County of Saratoga, on the west and the lands of Christ Episcopal Church of the Diocese of Albany, as described in Book 974 of Deeds at Page 576 with southerly line of West High Street, 1.) South 07 deg. 22 min. 00 sec. West, 173.54 feet; and 2.) South 84 deg. 06 min. 00 sec. East, 12.32 feet; and runs thence from said point of beginning along the common line of the lands of the County of Saratoga, on the south, and the lands of Christ Episcopal Church of the Diocese of Albany, on the north, South 84 deg. 06 min. 00 sec. East, 92.00 feet to a point; thence along the common line of the lands of the County of Saratoga, on the west and the lands now or formerly of William and Lorraine M. Canty, as described in Book 1448 of Deeds at Page 339, on the east, South 06 deg. 07 min. 00 sec. West, 80.50 feet to a point; thence through the lands of the County of Saratoga the following two (2) courses: 1.) North 84 deg. 06 min. 00 sec. West, 92.00 feet to a point; and 2.) North 06 deg. 07 min. 00 sec. East, 80.50 feet to the point and place of beginning and containing 7,406± Square feet of land.