

RESOLUTION 224 - 12

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

INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS  
INTRODUCTORY NO. 3, PRINT NO. 1 OF 2012, AUTHORIZING  
THE LEASING OF REAL PROPERTY FROM SARATOGA PRIME  
PROPERTIES, LLC FOR A TERM OF TEN YEARS, AND SETTING  
A DATE FOR A PUBLIC HEARING THEREON

WHEREAS, Resolution 207-12 authorized the County to enter into a lease with Saratoga Prime Properties, LLC for the lease of the premises located at 135 South Broadway, in the City of Saratoga Springs, for a term of five years for the use and operation of the Saratoga County Mental Health Center; and

WHEREAS, the building on the premises is a former automobile dealership, and requires extensive renovations to make it suitable for use as office space and treatment facilities by the Mental Health Center; and

WHEREAS, Saratoga Prime Properties, LLC originally proposed a ten year lease for the property, with the option to renew for two additional five year periods, in order to provide it with the financial security needed to undertake and pay for the extensive renovations required to the property; and

WHEREAS, County Law §215 restricts counties to leasing private property for county purposes for terms not exceeding five years; and

WHEREAS, the County cannot agree to provide the financial assurances requested by Saratoga Prime Properties, LLC to guarantee payment of the property's renovation costs 6 – 10 years from now; and

WHEREAS, New York State Comptroller's Opinion 68-857 authorizes a county, to enter into a lease of private property for county purposes for a term in excess of five years by adoption of a local law authorizing the county to do so; and

WHEREAS, our Buildings and Grounds Committee has stated its support for leasing the premises at 135 South Broadway, Saratoga Springs, for county purposes for a period of ten years; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 3, Print No.1 of 2012, entitled "A LOCAL LAW AUTHORIZING THE LEASING OF REAL PROPERTY OF SARATOGA PRIME PROPERTIES, LLC LOCATED AT 135 SOUTH BROADWAY, IN THE

CITY OF SARATOGA SPRINGS, FOR A TERM OF TEN YEARS”, is hereby introduced before this Saratoga County Board of Supervisors, and this Board of Supervisors shall hold a Public Hearing thereon on December 12, 2012 at 4:40 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 Local Law, and the Clerk of this Board of Supervisors is hereby directed to give notice of such Public Hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: No budget impact.

INTRODUCTORY NO. 3

PRINT NO. 1

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

COUNTY OF SARATOGA  
LOCAL LAW NO.        OF 2012

A LOCAL LAW AUTHORIZING THE LEASING OF REAL PROPERTY OF  
SARATOGA PRIME PROPERTIES, LLC LOCATED AT 135 SOUTH BROADWAY,  
IN THE CITY OF SARATOGA SPRINGS, FOR A TERM OF TEN YEARS

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

SECTION 1: The County of Saratoga leases space from Saratoga Care, Inc. for the use and operation of the County's Mental Health Center. Saratoga Care, Inc. has exercised its option to terminate the County's lease effective May 31, 2013. After soliciting and entertaining competitive proposals for the lease of new space for the County Mental Health Center, the Saratoga County Board of Supervisors accepted the proposal of Saratoga Prime Properties, LLC for the lease of the premises known as 135 Broadway, Saratoga Springs, New York, being a portion of the City of Saratoga Springs Inside District Tax Map, Section 178.27, Block 1, Parcel 42. Said premises were formerly the site of an automobile dealership, and the building on the property requires extensive interior and exterior renovations to make it suitable for use as office space and treatment facilities for the County Mental Health Center. The proposal of Saratoga Prime Properties, LLC that was accepted by the Saratoga County Board of Supervisors includes as part of the monthly rent for the premises a pro-rated portion of the renovation costs of the building over a period of ten years. Due to said extensive renovation costs, it is not financially feasible for Saratoga Prime Properties, LLC to enter into a lease for its premises for a term of less than ten years.

SECTION 2. Notwithstanding the provisions of Section two hundred fifteen of the County Law, or any other law of the State of New York, or of Resolution 207-12 of the Saratoga County Board of Supervisors, authorization is hereby given to the Chairman of the Saratoga County Board of Supervisors to execute a lease of the real property owned by Saratoga Prime Properties, LLC located at 135 South Broadway in the City of Saratoga Springs, and identified on the City of Saratoga Springs Inside Tax District Tax Map as being a portion of Section 178.27, Block 1, Parcel 42, for a term of ten years, with an option to renew for two additional five year terms, for the County of Saratoga's municipal purpose of operating its Saratoga County Mental Health Center and providing mental health services to individuals in need. Such lease shall be subject to the approval of the County Attorney. Rental payments for said premises shall be in accordance with Resolution 207-12 of the Saratoga County Board of Supervisors, or any amendment(s) thereof.

SECTION 3. This Local Law shall take effect after it is filed as provided in Section 27 of the Municipal Home Rule Law.