



**COMBINED: LEGISLATIVE MEMORANDUM,  
CERTIFICATE OF AVAILABILITY OF FUNDS  
AND RESOLUTION COVER MEMO**

**To: Executive Committee**

**Fr: Joshua Potosek, County Manager**

**Re: To authorize the return to the County from Sullivan County Funding Corp.**

**Date: June 12, 2018**

**Purpose of Resolution:**

**To authorize the return to the County from Sullivan County Funding Corporation certain Real Property known as Phase II Landfill Expansion Parcels.**

**Is subject of Resolution mandated? Explain:**

No

**Does Resolution require expenditure of funds? No**

**If "Yes", provide the following information**

**Amount to be authorized by Resolution:**

**Are funds already budgeted?**

**If "Yes" specify appropriation code(s):**

**If "No", specify proposed source of funds:**

**Estimated Cost Breakdown by Source**

**County:**

**Grant(s):**

**State:**

**Other:**

**Federal Government:**

**(Specify):**

**Specify Compliance with Procurement Procedures:**

N/A

**Person(s) responsible for monitoring contract (Title): Joshua Potosek County Manager**

**INTRODUCED BY EXECUTIVE COMMITTEE TO AUTHORIZE THE RETURN TO THE COUNTY FROM SULLIVAN COUNTY FUNDING CORPORATION CERTAIN REAL PROPERTY KNOWN AS PHASE II LANDFILL EXPANSION PARCELS**

**WHEREAS**, in November 2013, the County Legislature adopted Resolution No. 408-13 which authorized the transfer of a number of parcels located in the vicinity of the old Apollo Plaza and the Sullivan County Landfill, collectively referred to as the “East Broadway Development Properties”, to the Sullivan County Funding Corporation (“SCFC”), subject to conditions; and

**WHEREAS**, Resolution No. 408-13 reflected the existence of a term sheet for the potential re-sale of the parcels from SCFC to an entity known as Sullivan Property Acquisitions I, LLC (SPA-I), with the sales being separated into two phases-Apollo Plaza Parcels and Phase II Landfill Expansion Parcels.

**WHEREAS**, the County’s Phase II Landfill Expansion Parcels included real property previously located in both the Town of Thompson and Village of Monticello and previously identified as: Thompson 31.-1-94; Thompson 31.-1-10.2; Thompson 31.-1-10.3; Thompson 130.-1-19 and Thompson 130.-1-17 (the “Parcels”), and

**WHEREAS**, the County petitioned to have Town of Thompson parcels 31.-1-94, 31.-1-10.2 and 31.-1-10.3 (“Thompson Parcels”) annexed into the Village of Monticello, which petition was approved in 2013 and recorded in the Office of the County Clerk in 2014, and

**WHEREAS**, in February 2014, the East Broadway Development Properties were transferred to SCFC; and

**WHEREAS**, in March 2014, the annexation into the Village of the Thompson Parcels resulted in those SBLs being voided and the creation of new identifying SBLs in County Real Property Tax records as Town of Thompson (Monticello) parcel IDs 130.-1-23, 130.-1-22, and 130.-1-21, respectively, and

**WHEREAS**, in February 2015, the Apollo Plaza Parcels identified as Monticello 130.-1-9.1, 130.-1-9.2 and a portion of 130-1-14 were sold by SCFC to SPA-I; and

**WHEREAS**, in 2015, a lot line change was approved with regard to 130.-1-19, pursuant to which a portion of Tax Map parcel 130.-1-14, on which there exists an old C&D landfill, was removed from Tax Map Section 130.-1-14 and incorporated into Tax Map Section 130.-1-19; and

**WHEREAS**, conditions for re-sale of the Parcels to SPA-I were not met and the SCFC has inquired as to whether the County wishes to have the Parcels returned to it; and

**WHEREAS**, County Legislature believes it is in the best interest of the County of Sullivan to have all of the Parcels, as currently constituted and identified, returned to it.

**NOW THEREFORE BE IT RESOLVED**, the Sullivan County Legislature hereby authorizes the Chairman of the Legislature to execute any and all documents necessary for the transfer of all the Parcels, as currently constituted, from the SCFC to the County of Sullivan, in such form as approved by the County Attorney.