



Resolution
Board of Supervisors
County of Columbia
New York

RESOLUTION NO. : 318-2011
FROM THE FLOOR

DATE: September 28, 2011

AUTHORIZATION TO NEGOTIATE THE PURCHASE OF
25 RAILROAD AVENUE, CITY OF HUDSON SUBJECT TO A
PHASE II ENVIRONMENTAL ANALYSIS

WHEREAS, the Columbia County Department of Social Services occupies a building located at 25 Railroad Avenue, City of Hudson, NY; and

WHEREAS, the County occupies this building under a lease arrangement which began in or around August 1991; and,

WHEREAS, the County's 20-year lease for 25 Railroad Avenue expired at the end of August 2011; and,

WHEREAS, the County has been evaluating alternative locations to house the County's Department of Social Services upon expiration of the 20-year lease; and,

WHEREAS, beginning in 2007 the County has evaluated many alternatives to the current location including but not limited to: the former Ockawamick school building in the Town of Claverack, the former Schroder Chevrolet building in the City of Hudson, the former W.B. McGuire property in the City of Hudson, a new Greenfield building at the County's commerce center in the Town of Ghent, the One City Center property in the City of Hudson, the former Village Dodge property in the City of Hudson, the John L. Edwards school in the City of Hudson, the former Match factory property in the Town of Greenport, the former Greenport Elementary school in the Town of Greenport, the former St. Mary's school in the City of Hudson, the former St. Mary's Rectory in the City of Hudson, the former V&O Press building in the Town of Greenport, the former L&B building in the City of Hudson and the former Wal-Mart building in the Town of Greenport; and,

WHEREAS, after careful study the Columbia County Board of Supervisors purchased the former Ockawamick property in the Town of Claverack in 2008 for the purpose of relocating the County's Department of Social Services together with other County departments; and,

WHEREAS, after purchase of the Ockawamick property, public sentiment persuaded the County Board of Supervisors to abandon plans to locate the County's Department of Social Services to the Ockawamick building; and,

WHEREAS, the County remains without an answer as to where to house the County's Department of Social Services even in the face of an expired lease at 25 Railroad Avenue; and,

WHEREAS, the County is currently evaluating two alternatives: purchase and renovation of the former Wal-Mart property located at 353 Fairview Avenue, Town of Greenport and, purchase of 25 Railroad Avenue, City of Hudson; and,

WHEREAS, the County has conducted a Phase I Environmental Assessment of the 25 Railroad Avenue property in 2007 which revealed suspect environmental liabilities associated with the property; and,

WHEREAS, the County has undertaken a soil vapor intrusion study at the 25 Railroad Avenue property in August 2011 for the purpose of understanding the extent to which the environmental surroundings at the site influence the indoor air quality within the building; and,

WHEREAS, any further consideration for purchase needs to be coupled with a complete due diligence which includes but may not necessarily be limited to a Phase II Environmental Assessment, a structural analysis and a building conditions report; and,

WHEREAS, the current owner of 25 Railroad Avenue has offered to conduct at his sole expense, a Phase II Environmental Assessment to further study the extent to which environmental liabilities exist at the site; and,

WHEREAS, the County encourages the Owner to undertake the Phase II Environmental Assessment and will consider the results of the Phase II Environmental Assessment provided the Owner conducts the Phase II Environmental Assessment in accordance with the scope proposed by the County; and,

WHEREAS, if site remediation is needed as part of the Phase II Environmental Assessment in the opinion of the County remediation will be completed by the Owner to the satisfaction of the County at Owner's sole expense; and,

WHEREAS, after all due diligence is complete, should the County wish to purchase the property, the County will pay and the owner agrees to accept fair market value based upon an appraisal commissioned and paid for by the County.

NOW THEREFORE BE IT

RESOLVED that the Chairman of the Board of Supervisors is authorized to negotiate an Agreement of Sale with the property owner after which time the proposed Agreement of Sale will be brought to the Full Board of Supervisors for consideration; and be it further

RESOLVED that the Columbia County Board of Supervisors authorizes the Chairman of the Board of Supervisors to undertake appropriate due diligence in regard to the possible purchase of the 25 Railroad Avenue property which shall include but not necessarily limited to: property survey, structural inspection and report, building conditions inspection and report, update the 2007 Phase I Environmental Assessment so that it is current for the possible purchase, and undertake a Phase II Environmental Assessment; and be it further

RESOLVED that the Chairman of the Board of Supervisors is authorized to propose the scope work which the County would accept for a the Phase II Environmental Assessment with the property owner should the Owner wish to defray this work from the County; and be it further

RESOLVED that the purchase price will be equal to the fair market appraised value not to exceed 1.3 million dollars as determined by an updated property appraisal commissioned by the County upon satisfactory completion of the due diligence work, the price adjusted by necessary remediation costs expended by the County unless such costs are paid by the owner; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Commissioner of Public Works, the Columbia County Attorney, and the Columbia County Treasurer.

Approved:

County Attorney

**Resolution
Committee**

