



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 200 - 13**

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

**ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1,  
PRINT NO. 1 OF 2013, ENTITLED "A LOCAL LAW AUTHORIZING  
THE LEASING OF REAL PROPERTY OF THE COUNTY OF SARATOGA  
TO CHRIST EPISCOPAL CHURCH OF THE DIOCESE OF ALBANY"**

WHEREAS, Resolution 178-13 introduced and presented a proposed Local Law identified as Introductory No. 1, Print No. 1 of 2013, to this Board of Supervisors and scheduled a public hearing thereon for October 9, 2013 at 4:50 P.M. in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

WHEREAS, notice of that public hearing was duly published and posted as required by law; and

WHEREAS, the scheduled public hearing was held and all persons appearing or desiring to be heard have been heard by this Board; now, therefore, be it

RESOLVED, that this Board of Supervisors, on this 15<sup>th</sup> day of October, 2013 hereby adopts a Local Law identified as Introductory No. 1, Print No. 1 of 2013, as set forth in the annexed Schedule A.

BUDGET IMPACT STATEMENT: No budget impact.

**SCHEDULE A**

**COUNTY OF SARATOGA  
LOCAL LAW 1 - 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.