

Warren County Board of Supervisors

RESOLUTION NO. 68 OF 2014

Resolution introduced by Supervisors Merlino, Conover, Wood, Taylor, Frasier, Dickinson, Simpson, Sokol and Vanselow

**AMENDING RESOLUTION NO. 166 OF 2007 - INCREASING
JUST COMPENSATION AMOUNT FOR RUSSELL O'CONNER
AND JAMES O'CONNER FOR LAND ACQUISITIONS RELATED
TO THE CORINTH ROAD/MAIN STREET/BROAD STREET (CR 28)
RECONSTRUCTION PROJECT (PIN #1753.80)**

WHEREAS, Resolution No. 166 of 2007, authorized the Chairman of the Board of Supervisors to execute correspondence from R.K. Hite & Company, Inc. acknowledging the just compensation amounts for properties, among others, for Russell O'Conner and James O'Conner - Map No. 76 (collectively "O'Conner") in an amount of Sixty-One Thousand Dollars (\$61,000), and

WHEREAS, the Town of Queensbury purchased a portion of the O'Conner property, which covered the appraised value of said property, and

WHEREAS, based on the lower appraised value, the amount paid to O'Conner was Forty-Seven Thousand Three Hundred Dollars (\$47,300), and

WHEREAS, the property was reappraised as part of the claim defense by O'Conner at a higher value of Sixty-Nine Thousand Three Hundred Dollars (\$69,300) and R.K. Hite & Company, Inc. has negotiated with the attorneys for O'Conner wherein the additional just compensation for O'Conner has been agreed to in the amount of Twenty-Two Thousand Dollars (\$22,000) and the Department of Public Works has received approval to amend the grant agreement with the New York State Department of Transportation to cover ninety-five percent (95%) of the cost of the additional just compensation, and

WHEREAS, the Superintendent of the Department of Public Works is requesting to amend Resolution No. 166 of 2007 as it pertains to the O'Conner property to increase the just compensation in an amount of Eight Thousand Three Hundred Dollars (\$8,300), and is requesting that payment be made payable to Bartlett, Pontiff, Stewart & Rhodes, P.C. on behalf of Russell O'Conner and James O'Conner, now, therefore, be it

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RESOLVED, that Resolution No. 166 of 2007 is hereby amended to increase the amount of the just compensation to Russell O'Conner and James O'Conner in the amount of Eight Thousand Three Hundred Dollars (\$8,300), and be it further

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute any and all necessary documents to increase the just compensation to Russell O'Conner and James O'Conner in a form approved by the County Attorney, and be it further

RESOLVED, that other than the aforescribed amendment, Resolution No. 166 of 2007 shall remain in full force and effect.