

Warren County Board of Supervisors

RESOLUTION NO. 150 OF 2019

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, SIMPSON, STROUGH, DICKINSON, McDEVITT, MERLINO, LOEB, HOGAN AND HYDE

AUTHORIZING CONSENT ORDER/STIPULATION WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION CONCERNING PETROLEUM CONTAMINATION AT TOWN OF CHESTER TAX MAP PARCEL NO. 104.10-4-5 ON BEHALF OF REAL PROPERTY TAX SERVICES

RESOLUTION TABLED

WHEREAS, Warren County, through its tax foreclosure process, plans to foreclose upon Parcel No. 104.10-4-5, located in the Town of Chester, Warren County, New York, and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) alleges that the absent owner or its predecessor has discharged petroleum on the property in violation of Navigation Law §173, and

WHEREAS, the tanks on the property have not been in use for more than twelve (12) months and must be removed pursuant to Petroleum Bulk Storage (PBS) regulations, and

WHEREAS, Warren County, without admitting or denying the allegations made and the violations described here, agrees to enter into a Consent Order to have NYSDEC address the petroleum contamination at, arising from, or relating to this property, and

WHEREAS, the County shall be liable for the remedial costs incurred up to an amount not to exceed Ten Thousand Dollars (\$10,000), to be paid upon receipt of documentation from NYSDEC of the costs incurred, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute a Consent Order/Stipulation with the New York State Department of Environmental Conservation concerning the discharge of petroleum and removal of tanks at Parcel No. 104.10-4-5 located in the Town of Chester with terms of the Consent Order/Stipulation including payment by Warren County of remedial costs incurred on the property in an amount not to exceed Ten Thousand Dollars (\$10,000), to be paid upon receipt of documentation of costs incurred for remediation from NYSDEC, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds will be expended from Budget Code A.1355 470, Real Property Tax Service Agency, Contract.