

B.

LOCAL LAW NO. 10 - 2010

AMENDING LOCAL LAW NO. 2-2008 AUTHORIZING THE SALE OF PROPERTY TO DESTINY USA RESEARCH AND DEVELOPMENT PARK, LLC, TO SELL APPROXIMATELY 3.2 ACRES OF SAID PROPERTY TO THE TOWN OF SALINA TO IMPLEMENT A REMEDIATION PLAN FOR THE TOWN OF SALINA LANDFILL

BE IT ENACTED BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. By Local Law No. 2-2008, this Onondaga County Legislature authorized the transfer of approximately 50.92 ± acres of property located in the Town of Salina (the "property"), as shown on a map entitled "Proposed Town of Salina Research and Development Park" and as also set forth in the legal description entitled "Conveyance of Onondaga County Property, Ley Creek – 7<sup>th</sup> North Street, Town of Salina" both on file with the Clerk of the Onondaga County Legislature, to Destiny USA Research and Development Park, LLC for use as a Research and Development Park.

Section 2. Following adoption of Local Law No. 2-2008, the Town of Salina conducted an investigation for the design and implementation of a remediation plan for the Town of Salina Landfill. That remediation plan, which has been approved by the New York State Department of Environmental Conservation, requires the Town to cap 3.2 ± acres along the western border of said property adjacent to the Landfill.

Section 3. The County, the Town of Salina and Destiny USA Research and Development Park, LLC have agreed to sever the 3.2 ± acres from said property, and to sell that 3.2 ± acres to the Town of Salina for the sum of one (\$1.00) U.S. dollar, payment waived, to implement that remediation plan.

Section 4. The County hereby transfers to the Town of Salina the property consisting of two (2) portions of the parcel identified as Tax Parcel No. 074.-03-03.1 located in the Town of Salina, consisting of one portion containing approximately 2.440± acres of land designated as Parcel II, and the second portion containing approximately 0.805± acres of land designated as Parcel III, as depicted on a map and legal description, copies of which are on file with the Clerk of this Legislature, for a consideration of one dollar (\$1.00), payment waived, subject to any easements of record, to implement the remediation plan for the Town of Salina Landfill. The transfer of said 3.2 ± acres of property is subject to the following conditions.

a. The Town of Salina having agreed and executed appropriate documents to hold harmless, defend and indemnify the County from any and all claims arising from any hazardous material located on said 3.2± acres of property; and

b. The purchaser having agreed and executed appropriate documents to provide that any future costs associated with the transfer and remediation of the property shall be at the sole cost and expense of the purchaser.

Section 5. Local Law No. 2-2008 hereby is amended in Section 4 to strike "50.92± acres" and substitute therefore "47.72± acres".

Section 6. The County Executive is authorized to enter into agreements to implement this local law.

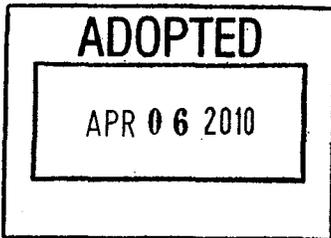
Section 7. The Town of Salina shall, as lead agency, take any action required pursuant to the New

York State Environmental Quality Review Act.

Section 8. This local law supercedes Section 215 of the County Law.

Section 9. This local law shall be filed and take effect in accordance with provisions of the Municipal Home Rule Law and is subject to a permissive referendum.

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I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6<sup>th</sup> DAY OF April, 2010.

*Deborah A. Matus*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK

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