MEMORANDUM

March 20, 2019

TO: Members of the Board of Trustees

FROM: Kristina M. Johnson, Chancellor

SUBJECT: Acquisition of Real Property by Gift-Clinton Community College

Action Requested

The proposed resolution approves the site and value of a gift of real property for Clinton Community College to be used for an athletic field expansion.

Resolution

I recommend that the Board of Trustees adopt the following resolution:

Whereas New York State Education Law §6306(4) provides that a community college may acquire real property suitable for carrying out the programs and purposes of the college; and

Whereas the regulations of the State University of New York, set forth in section 603.5(a) of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York, provide that real property may be acquired for community college facilities by gift only after the State University Board of Trustees has approved the selection of the site; and

Whereas NYS Education Law §6306(4) provides that the use of real property given to the board of trustees of a community college to provide any part of the local sponsor's share of capital or operating costs shall be subject to the consent of the State University of New York Board of Trustees; and

Whereas NYS Education Law §6304(1)(c) provides that where the local sponsor provides all or a portion of its share of capital or operating costs in real property, the valuation of such property for the purpose of determining the amount of state aid shall be made by the State University Board of Trustees; and
Whereas the 2015/16 New York State Capital Projects Budget (L. 2015, Ch. 54) included an appropriation for athletic facilities renovation at Clinton County Community College, authorizing an estimated state share of up to $150,000; and

Whereas the Clinton Community College Board of Trustees (“CCC Trustees”) seeks to acquire property by gift from Maureen Dade and to renovate such property to construct a regulation-sized soccer field; and

Whereas the Clinton County Legislature, acting on behalf of the local sponsor Clinton County, has acknowledged the gift of the subject real property for the County’s contribution for the College’s capital projects, which is to be matched dollar for dollar by the state; and

Whereas the subject real property (the “site”) consists of one parcel of approximately 2.6 acres located on Bellamine Drive in the town of Plattsburgh, New York; and

Whereas the CCC Trustees seek approval of the use of such site for its athletic facilities renovation; and

Whereas the CCC Trustees seek consent that the site be considered the local sponsor’s contribution for the capital project under section 6306(4) and a determination of the value of such site for state aid purposes under section 6304(1)(c); and

Whereas two appraisals of the site were obtained by Clinton Community College; now, therefore, be it

Resolved that the selection of the site be, and hereby is, approved; and, be it further

Resolved that the use of the site by the local sponsor for its capital contribution to be matched with state aid be, and hereby is, approved; and, be it further

Resolved that based upon the two appraisals provided by Clinton Community College, the value of the site for purposes of section 6304(1)(c) is determined to be seven thousand dollars ($7,000).
Background

Clinton Community College seeks to acquire by gift property donated by Maureen Dame. The College has been using this approximately 2.6 acre portion of the Dame property, which is adjacent to the campus, for athletic field usage since 1973. Acquisition of this property will permit the College to renovate and construct a new regulation-sized soccer field. The 2015/16 New York State Capital Projects Budget (L. 2015, Ch. 54) included an appropriation for athletic facilities renovation at the College, authorizing an estimated state share for this project of up to $150,000.

The College obtained two appraisals of the subject property, the lower of which is $7,000, which represents the local sponsor’s share of the capital project. The total cost and schedule for this project is still being finalized. The 50% local match for these project costs will be covered using the value of this property, along with additional funds raised by the College Foundation and the Faculty Student Association.