

Authorizing Track Removal For The Ulster County Midtown Linear Park (PIN 8761.82) In The City Of Kingston – Department Of Planning

Referred to: The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Cahill and Legislators Archer, Corcoran, Delaune, Litts, Maio, and Uchitelle)

Chairman of the Economic Development, Tourism, Housing, Planning, and Transit Committee, Brian B. Cahill, and Deputy Chair Herbert Litts, III offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Planning; and

WHEREAS, the Ulster County Legislature unanimously adopted Resolution No. 488 of 2015 designating the Ulster & Delaware Railroad Corridor (“U&D Corridor”) from Cornell Street to the east end of Kingston Plaza for construction of trail only (“Midtown Linear Park”); and

WHEREAS, the Ulster County Legislature adopted Resolution No. 503 of 2017 establishing Capital Project No. 479 for the design and right-of-way incidentals work for the Ulster County Midtown Linear Park (PIN 8761.82), a federal-aid transportation project to construct a paved, accessible shared-use trail in the City of Kingston along the Ulster & Delaware Corridor from the Kingston Plaza to Cornell Street (hereinafter the “Project”), for which work is anticipated to be approved by the New York State Department of Transportation to advance to bidding and construction in late 2020; and

WHEREAS, pursuant to Resolution No. 362 of 2018, the Ulster County Legislature authorized removal of the track and ties in approximately one-half of the Project area, stretching from Colonel Chandler Drive (I-587 Underpass) to Downs Street (approximately 0.35 miles), that allowed the County to remove all track in this segment and install an interim unpaved trail to improve public safety, while track continues to remain from Downs Street to Cornell Street; and

WHEREAS, the Ulster County Legislature adopted Resolution No. 391 of 2019 pursuant to 6 NYCRR Part 617 et seq. of the Regulations of Article 8 of the Environmental Conservation Law of New York State (hereinafter “SEQRA”) thereby adopting and issuing a determination of non-significance under SEQRA for the Project; and

WHEREAS, in order to construct the Midtown Linear Park, the County will need to remove the approximately 0.45 miles of track that remains between Downs Street and Cornell Street; and

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WHEREAS, the County would like to provide sufficient time and opportunity prior to bidding and construction of the Project for the Catskill Mountain Railroad Company, Inc. (“CMRR”) to carefully dismantle and remove re-usable track and tie materials in the remaining Project area for installation in its Tourism Permit area; and

WHEREAS, pursuant to Resolution 275 of 2014, the Ulster County Legislature required that any removal of track from the U&D Corridor requires a resolution authorizing said removal; now, therefore be it

RESOLVED, the Ulster County Legislature hereby authorizes the removal of the remaining track for the Ulster County Midtown Linear Park from Downs Street, milepost 3.23, to the east side of Cornell Street, milepost 2.98, in the City of Kingston for the Ulster County Midtown Linear Park; and, be it further

RESOLVED, following passage of this Resolution, the Commissioner of Public Works is authorized to execute a Side Letter Agreement to the Tourism Railroad Permit with the Catskill Mountain Railroad Company, Inc. (“CMRR”) as approved by the County Attorney that will allow CMRR to dismantle and remove re-usable track and tie materials, including switching mechanisms and joint bars, for use on County property in the Tourism Railroad Permit area prior to bidding and construction of the Project,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 1
(Noes: Legislator Petit)

Passed Committee: Economic Development, Tourism, Housing, Planning and Transit
as amended on July 7, 2020

FINANCIAL IMPACT:
NONE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 21st Day of July in the year Two Thousand Twenty, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 23rd Day of July in the year Two Thousand Twenty.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
23rd Day of July, 2020.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Approved by the County Executive this
24th Day of July, 2020.

|s| Patrick K. Ryan
Patrick K. Ryan, County Executive