

Authorizing The Chair Of The Ulster County Legislature To Execute A Cooperative Agreement With The New York State Department Of Conservation For The Implementation Of Environmental Benefit Projects On The Lower Esopus As Provided For In The DEC Order On Consent – Department Of Planning

Referred to: The Economic Development, Planning, Education, Employment, Arts and Agriculture Committee (Chairman Cahill and Legislators Corcoran, Criswell, Hewitt, Litts, Maloney and Sperry), The Energy, Environment and Sustainability Committee (Chairwoman Greene and Legislators Hansut, Erner, Maloney, and Stewart), The Public Works, Capital Projects and Transportation Committee (Chairwoman Petit and Legislators Fabiano, Litts, Nolan, and Stewart), and The Ways and Means Committee (Chairman Gavaris and Legislators Cahill, Fabiano, Ronk, and Walter)

Chairman of the Economic Development, Planning, Education, Employment, Arts and Agriculture Committee, Brian B. Cahill, and Deputy Chair Herbert Litts, III offer the following:

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

WHEREAS, the Order on Consent - DEC Case No: D007-0001-11 (“the Order”) entered into between the New York City Department of Environmental Protection (NYCDEP) and the New York State Department of Environmental Conservation (DEC) provided for \$290,000.00 in Environmental Benefit Projects funds provided by NYCDEP to fund specific projects benefiting the Lower Esopus Creek; and

WHEREAS, the Order also provided that Ulster County may act as fiscal agent to manage this funding, by entering into an agreement with NYSDEC to do so, and the County accepted this role as authorized in Resolution 99 of 2014 as well as establishing and funding Capital Project No. 407; and

WHEREAS, the existing 2014 intermunicipal cooperative agreement (CA00542) has expired while \$211,042 funds remain for a Lower Esopus Creek Stream Management Plan; now, therefore, be it

RESOLVED, the Chair of the Ulster County Legislature is hereby authorized to execute a new Cooperative Agreement, and any amendments thereto, with the NYSDEC for Ulster County to act as fiscal agent to implement the Environmental Benefit Projects, specifically the Lower Esopus Stream Management Plan, in the form as filed with the Clerk of the Legislature, or as modified with the approval of the County Attorney,

Resolution No. 252 May 17, 2022

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and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: Economic Development, Planning, Education, Employment, Arts
and Agriculture on May 3, 2022

Passed Committee: Energy, Environment and Sustainability on May 5, 2022

Passed Committee: Public Works, Capital Projects and Transportation on May 9, 2022

Passed Committee: Ways and Means on May 10, 2022

FINANCIAL IMPACT:

\$211,042.00 – BUDGETED CAPITAL FUND REVENUE DOLLARS

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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 17th Day of May in the year Two Thousand Twenty-Two, 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 19th Day of May in the year Two Thousand Twenty-Two.

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

Submitted to the County Executive this
19th Day of May 2022.

Approved by the County Executive this
25th Day of May 2022.

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

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