

**Authorizing The Acquisition Of Right-Of-Way Interests Over Certain Real Property For The Hudson Valley Rail Trail West: Phase 4 In The Town of Lloyd – Department Of Planning**

Referred to: The Economic Development, Tourism, Housing, Planning, and Transit Committee (Chairman Maloney and Legislators Berky, Delaune, Lapp, Litts, Maio, and Rodriguez), The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Greene, Litts, Loughran, and Maloney), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Bartels, Belfiglio, Briggs, Maio, and Maloney)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman Peter M. Loughran 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 adopted Resolution No. 139 of 2015 thereby establishing Capital Project No. 451 for the design and right-of-way incidental work for the Hudson Valley Rail Trail West: Phase 4 in the Town of Lloyd, County of Ulster, State of New York (hereinafter the “Project”); and

WHEREAS, the Ulster County Legislature adopted Resolution No. 141 of 2015 thereby authorizing an agreement between the County of Ulster (hereinafter the “County”) and the New York State Department of Transportation (hereinafter “NYSDOT”) to fund design and right-of-way incidentals for the Project; and

WHEREAS, the Ulster County Legislature adopted Resolution No. 45 of 2016 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 (hereinafter the “Negative Declaration”); and

WHEREAS, the Ulster County Legislature adopted Resolution No. 237 of 2016 authorizing the County to pay in the first instance 100% of the federal and non-federal share of the cost of right-of-way acquisition work for the Project (hereinafter the “Resolution No. 237”); and

WHEREAS, Resolution No. 237 appropriated and made the sum of \$84,835.00 available from Capital Project No. 451 to cover the cost of the right-of-way acquisition work; and

**Resolution No. 343      July 19, 2016**

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WHEREAS, the Ulster County Legislature adopted Resolution No. 270 of 2016 thereby authorizing the Ulster County Legislature to conduct a public hearing for the proposed acquisitions for public purpose of real property for the Project on June 21, 2016; and

WHEREAS, said public hearing was conducted on June 21, 2016 at 7:00 P.M.; and, now, therefore be it

RESOLVED, that the Ulster County Commissioner of Finance is authorized to make payments associated with the right-of-way acquisitions; and, be it further,

RESOLVED, the Ulster County Legislature hereby authorizes the Chairman of the Ulster County Legislature to execute, on behalf of the County of Ulster, any and all documents related to the right-of-way acquisitions as approved by the County Attorney,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:                      NOES:

No Action Taken in Committee: Economic Development, Tourism, Housing, Planning, and Transit on July 5, 2016

Passed Committee: Economic Development, Tourism, Housing, Planning, and Transit on \_\_\_\_\_.

Passed Committee: Public Works and Capital Projects on \_\_\_\_\_.

Passed Committee: Ways and Means on \_\_\_\_\_.

FINANCIAL IMPACT:

\$84,835.00 – BUDGETED CAPITAL APPROPRIATIONS-  
80% REIMBURSABLE

(\$67,868.00- BUDGETED FEDERAL REVENUE DOLLARS,  
\$16,967.00 COUNTY SHARE)