

**Authorizing The Chairman Of The Ulster County Legislature To Execute An Easement And A Memorandum Of Agreement (MOA) With The Town Of Ulster, New York For A Fire Training Center – Department Of Public Works (Buildings and Grounds)**

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Maio and Legislators Collins, Eckert, Fabiano, and Haynes), The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Greene, Litts, Nolan, and Roberts), and The Ways and Means Committee (Chairman Gerentine and Legislators Archer, Bartels, Lopez, Maio, James Maloney, Joseph Maloney, and Petit)

Chairman Kenneth J. Ronk, Jr. offers the following:

WHEREAS, this Resolution has been submitted by the County Executive on behalf of the Department of Public Works; and

WHEREAS, the approved 2018-2023 Capital Improvement Program includes a project entitled “Fire Training Center” in the amount of \$4,551,000.00 for the construction of a fire training center; and

WHEREAS, pursuant to Resolution No. 379 dated August 16, 2016, the County established Capital Project No. 483, which provided funding in the amount of \$152,000.00 for the site alternative analysis, concept plans, and necessary environmental work for the fire training center, and declared the County’s intent to serve as lead agency pursuant to 6 NYCRR Part 617.6(b) (3) of the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the County has completed its alternative site analysis for the location of the fire training centers to include sites at SUNY Ulster in the Town of Marletown and at 250 Ulster Landing Road in the Town of Ulster; and

WHEREAS, the County has completed its preliminary design work for the Town of Ulster location and desires to develop detailed designs that include the preparation of bid documents for the Town of Ulster Site; and

WHEREAS, the County has coordinated with the Town of Ulster to develop a fire training center easement (the “Easement”) for the construction and operation of a fire training center on lands owned by the Town of Ulster located at 250 Ulster Landing Road;

WHEREAS, the County has coordinated with the Town of Ulster to develop a Memorandum of Agreement (the “MOA”) for the operations of the fire training center, to ensure access to the center by the fire services in the Town and preserve access to the existing law enforcement shooting range; and

**Resolution No. 395      October 16, 2018**

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WHEREAS, Ulster County has examined the proposed action consisting of the approval of the Easement and the MOA in consideration of this action being a lawful segmented review pursuant to the SEQRA Regulations at 6 NYCRR Part 617.3(g)(1); and

WHEREAS, the Ulster County Legislature has reviewed the Environmental Record prepared for the Easement and the MOA currently on file with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Ulster County Legislature, based on the review of the Environmental Record, the Easement and the MOA themselves, and the requirements of 6 NYCRR Part 617, determines that approval of the Easement and the MOA is a discrete action that can be considered separate and apart from any construction of a fire training center, and that as such a segmented review is warranted and will be no less protective of the environment nor will it commit the Legislature to any future course of action; and, be it further

RESOLVED, that the Ulster County Legislature, based on the review of the Environmental Record, finds that the execution of the Easement and the MOA constitutes an unlisted action and its approval will not have an adverse impact on the environment, and hereby authorizes the issuance of a negative declaration as provided in 6NYCRR 617.7; and, be it further

RESOLVED, the Chairman of the Ulster County Legislature is hereby authorized to execute the Easement and the MOA with the Town of Ulster in the form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney; and, be it further

RESOLVED, all notices, requests and/or approvals required by the Easement or the MOA that are sent by, or delivered to the Ulster County Executive and/or the Ulster County Attorney shall be forwarded promptly to the Clerk of the Ulster County Legislature,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22                      NOES: 0  
(Absent: Legislator Roberts)

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Passed Committee: Law Enforcement and Public Safety on October 3, 2018

Passed Committee: Public Works and Capital Projects on October 3, 2018

Passed Committee: Ways and Means on October 9, 2018

**FINANCIAL IMPACT:**

**\$30,000.00 – BUDGETED CAPITAL FUND APPROPRIATIONS**

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 16<sup>th</sup> Day of October in the year Two Thousand and Eighteen, 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 17<sup>th</sup> Day of October in the year Two Thousand and Eighteen.

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

Submitted to the County Executive this  
17<sup>th</sup> Day of October, 2018.

Approved by the County Executive this  
23<sup>rd</sup> Day of October, 2018.

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

|s| Michael P. Hein  
Michael P. Hein, County Executive