

**Authorizing An Easement Across The Lands Owned By Ulster County Associated With Ulster Delaware Railroad Corridor Near Mile Point 5.1, City Of Kingston To The Central Hudson Gas And Electric Company – 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 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, Central Hudson Gas and Electric Corporation (Central Hudson) is in the process of rebuilding electric transmission lines in the area of the Ulster and Delaware Railroad Corridor (U&D Corridor); and

WHEREAS, the existing overhead electric transmission lines currently cross the U&D Corridor owned by Ulster County at Mile Point 5.1, the area being immediately west of the underpass of the U&D Corridor at the New York State Thruway; and

WHEREAS, Central Hudson has determined that a deficiency exists in their rights to cross the U&D Corridor at the location noted above and have requested that Ulster County grant an easement (the Disposition) for this crossing and allow them maintain vegetation underneath the transmission lines; and

WHEREAS, the Disposition requested provides for the protection and continuation of rail use in the U&D Corridor as well as accommodation of future uses in the U&D Corridor as determined necessary by the County; and

WHEREAS, the ability to maintain utility rights of way so as to improve the reliability of electricity service constitutes a public benefit; and

WHEREAS, Central Hudson has not proposed alteration of the existing configuration of transmission lines and such alteration if occurring in the future would require a determination of environmental impact by the Public Service Commission; now, therefore be it

**Resolution No. 415      August 16, 2022**

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RESOLVED, that the County Legislature has identified the Disposition as an “Unlisted Action” as said term is defined pursuant to 6 NYCRR Part 617.6 of the Regulations of Article 8 of the Environmental Conservation Law of New York State (“SEQRA”); and has conducted an uncoordinated review pursuant to NYCRR Part 617.6(b)(4); and, be it further

RESOLVED, that the Ulster County Legislature hereby determines that the Disposition will not have a significant adverse environmental impact, will not require the preparation of a Draft Environmental Impact Statement, and has made a determination of non-significance under SEQRA (“Negative Declaration”) a copy of which is annexed to this Resolution and made a part hereof; and, be it further

RESOLVED, that the Chair of the Ulster County Legislature and is hereby authorized to execute the proposed easement as filed with the Clerk of the Legislature as well as any and all documents related to Disposition solely for the purpose for overhead electric transmission facilities and any amendments thereto as approved by the County Attorney and the Legislative Counsel,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23                      NOES: 0

Passed Committee: Economic Development, Planning, Education, Employment, Arts and Agriculture on August 2, 2022

Passed Committee: Public Works, Capital Projects and Transportation on August 8, 2022

Passed Committee: Ways and Means on August 9, 2022

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 16<sup>th</sup> Day of August 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 18<sup>th</sup> Day of August in the year Two Thousand Twenty-Two.

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

Submitted to the County Executive this  
18<sup>th</sup> Day of August 2022.

Approved by the County Executive this  
22<sup>nd</sup> Day of August 2022.

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

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