

Authorizing The Chairman 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 - Amending The 2014-2019 Capital Program - Establishing Capital Project No. 407 - Lower Esopus Environmental Benefits Project – Department Of Planning

Referred to: The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Briggs and Legislators Allen, Archer, Litts, Maio, Maloney, and Rodriguez), The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Allen, Greene, Loughran and Roberts), The Ways and Means Committee (Chairman Gerentine and Legislators Bartels, Briggs, Belfiglio, Maio, Maloney, Provenzano and Rodriguez) and The Energy and Environment Committee (Chairman Bartels and Legislators Greene, R. Parete, Ronk, and Wawro)

Chairman of the Economic Development, Tourism, Housing, Planning and Transit Committee, Thomas J. Briggs, and Deputy Chairman James F. Maloney offer the following:

WHEREAS, this Resolution has been submitted by 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) provides for \$290,000.00 in Environmental Benefit Projects funds provided by NYCDEP to establish a fish stocking program on the Lower Esopus, engage a technical review consultant to assist the Ashokan Release Working Group (ARWG) to review and comment upon Draft Environmental Impact Statements (DEIS) and to develop a Lower Esopus Creek Management Plan; and

WHEREAS, the Order also provides 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 is willing to accept this role; now, therefore, be it

RESOLVED, that Capital Project No. 407 is hereby established and that the 2014 – 2019 Capital Program is amended as follows:

ADD

Capital Project No. 407	Lower Esopus Environmental Benefit Project \$290,000.00
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Resolution No. 99 March 18, 2014

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and, be it further

RESOLVED, that the 2014 Capital Project Fund be amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
H3-0407-2797 (Rev.#)	Other Local Government Revenue NYC Department of Environmental Agency	\$290,000.00
H4-0407-2974 (App.#)	Administration Costs Fish Stocking Program (\$10,000.00) Technical Review Consultant (\$80,000.00) Stream Management Plan (\$200,000.00)	\$290,000.00

and, be it further

RESOLVED, the Chairman of the Ulster County Legislature is hereby authorized to execute a Cooperative Agreement, and any amendments thereto, with the NYSDEC (NYS CA No. D007-0001-11), in order for Ulster County to act as fiscal agent to implement the Environmental Benefit Projects, in the form as filed with the Clerk of the Legislature, or as modified with the approval of the County Attorney;

and move its adoption

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

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Passed Committee: Economic Development, Tourism, Housing, Planning and Transit on March 4, 2014

Passed Committee: Public Works and Capital Projects on March 6, 2014

Passed Committee: Ways and Means on March 12, 2014

Passed Committee: Energy and Environment on March 17, 2014

FINANCIAL IMPACT:

\$290,000.00 – ADDITIONAL CAPITAL PROJECT APPROPRIATIONS

\$290,000.00 – ADDITIONAL REVENUES – NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION DOLLARS

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 18th Day of March, 2014, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 20th Day of March in the year Two Thousand and Fourteen.

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

Submitted to the County Executive this
20th Day of March, 2014.

Approved by the County Executive this
24th Day of March, 2014.

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

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