

**Amending The 2011 Ulster County Budget To Restore Funds For Retaining Outside Counsel – County Attorney**

The Ways and Means Committee (Chairman Gerentine and Legislators Bernardo, Frey, Hansut, Harris, Maio, Maloney, Lomita, Provenzano, Rodriguez and Sheeley) offers the following:

WHEREAS, the County Attorney's Office budgeted \$10,000.00 in its 2011 Budget for retaining outside legal counsel, and

WHEREAS, due to the release of turbid water by the New York City Department of Environmental Protection (the "DEP") and the subsequent damage to Ulster County's waterways, it was necessary to expend \$5340.95 to engage a law firm with significant experience in environmental matters of this type in order to provide proper and immediate notice of the County's intent to sue the DEP in the event such releases did not immediately cease, and

WHEREAS, this expense, together with other, anticipated routine needs for outside counsel, has resulted in an inadequate balance for such expenses for the remainder of 2011, and

WHEREAS, the County Attorney's office requests that its budget be restored for the unforeseen and unexpected expense to engage counsel to protect the County's waterways, and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of the members voting approval, now, therefore, be it

RESOLVED, that the 2011 Ulster County Budget is hereby amended to transfer \$5341.00 from the Contingent Account to the County Attorney's budget line for outside counsel as follows:

**TRANSFER**

**FROM**

A4-1331-4553  
(App. #)

Contingent Account

**AMOUNT**

\$5341.00

**TO**

A4-1146-4351  
(App. #)

Legal Services

\$5341.00

Resolution No. 149 June 21, 2011

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and moves it adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 31 NOES: 0  
(Absent: Legislators Aiello and Wadnola)

**FINANCIAL IMPACT:**

**\$5341.00 – BUDGETED 2011 COUNTY DOLLARS**

**TRANSFER FROM CONTINGENT ACCOUNT**

0612

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 21<sup>st</sup> day of June, 2011, 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 23<sup>rd</sup> Day of June in the year Two Thousand and Eleven.

/s/ Karen L. Binder  
Karen L. Binder, Clerk  
Ulster County Legislature

Submitted to the County Executive this

23<sup>rd</sup> Day of June, 2011.

/s/ Karen L. Binder  
Karen L. Binder, Clerk  
Ulster County Legislature

Approved by the County Executive this

29<sup>th</sup> Day of June, 2011.

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