

Establishing Capital Project No. 354 – Reconstruction Of Roads, Bridges, Culverts And Other Improvements Necessitated By Damages Incurred From Tropical Storm Irene Or To Prevent Damage From Encroachment Of Flood Or Storm Waters – Federal Emergency Management Agency (FEMA) – Department Of Public Works

The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Felicello, Maloney, Roberts, Hochberg, Loughran and Provenzano) and Co-Sponsors: The Governmental Services and Administration Committee (Chairman Roberts and Legislators Belfiglio, Fabiano, Ronk, Robert Parete, Madsen and Rodriguez) offer the following:

WHEREAS, the Ulster County Commissioner of Public Works requests funds for reconstruction and rehabilitation of County roads, bridges, culverts, embankments, tunnels, viaducts, underpasses, waterways, drainage works, dikes, bulkheads and incidental improvements and expenses for damages caused by Tropical Storm Irene, and

WHEREAS, President Obama issued a major disaster declaration for the State of New York, which authorizes the release of Federal funds from the Federal Emergency Management Agency to reimburse New York municipalities up to the amount of seventy-five (75%) percent for eligible costs associated with the reconstruction and rehabilitation of damages incurred, and

WHEREAS, New York State authorizes up to the amount of twelve and one-half (12.5%) percent through the New York State Office of Emergency Management, and

WHEREAS, this program will be managed by the Ulster County Commissioner of Public Works, and

WHEREAS, based upon examination by the Ulster County Legislature, the County's funding of this Project constitutes a Type II action as defined under Sections 2.33 of the County of Ulster's State Environmental Quality Review Act (SEQRA) Type II List, which was adopted pursuant to Resolution No. 118 dated April 20, 2010, and

WHEREAS, Ulster County has determined that this funding action does not pose a significant potential environmental impact and may be progressed as a Type II action in accordance with 6 NYCRR Part 617 of SEQRA, and does not require any determination or procedure under SEQRA, and

WHEREAS, the Public Works and Capital Projects Committee has met and reviewed the request with a majority of the members voting approval, and

Resolution No. 217 September 20, 2011

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WHEREAS, the Governmental Services and Administration Committee has met and reviewed said request with a majority of the members voting approval, 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 Capital Project No. 354 is hereby established and that the 2011 – 2016 Ulster County Capital Program be approved as follows:

ADD

Capital Project No.354	Highways Reconstruction And Rehabilitation – Tropical Storm Irene - \$15,000,000.00
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and be it further

RESOLVED, that the 2011 Capital Project Fund is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
H4-0354-2911 (App. #)	Construction	\$15,000,000.00
H3-0354-5710 (Rev. #)	Serial Bonds (15 Years) Reimbursable Federal – FEMA – 75% State – SEMO – 12.5 %	\$15,000,000.00

and be it further

RESOLVED, that the 2011 Ulster County Budget is hereby amended as follows:

Resolution No. 217 September 20, 2011

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D4-5110-4944 (App. #)	FEMA Expenses Emergency Reconstruction	\$ 400,000.00
D3-5110-2801 (Rev. #)	Interfund Revenues Capital Project No. 354 - FEMA	\$ 400,000.00

and be it further

RESOLVED, that the Chairman of the Ulster County Legislature and/or the County Executive, is/are hereby authorized to execute all contracts, modifications and amendments thereof, that relate to performance by the County pursuant to this project, without need for further resolution, in the form as/to be filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 29 NOES: 0
(Absent: Legislators Frey, Gerentine, Petit and
Stoeckeler)

FINANCIAL IMPACT:

\$15,000,000.00 – ADDITIONAL CAPITAL APPROPRIATION DOLLARS
\$11,250,000.00 – ADDITIONAL FEDERAL REVENUE DOLLARS/FEMA
\$ 1,875,000.00 – ADDITIONAL NEW YORK STATE REVENUE DOLLARS
\$ 1,875,000.00 – COUNTY DOLLARS – SERIAL BONDS – 15 YEARS

\$ 400,000.00 – HIGHWAY EMERGENCY COSTS
\$ 400,000.00 – FEMA CAPITAL PROJECT REIMBURSEMENTS

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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 20th day of September, 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 21st Day of September in the year Two Thousand and Eleven.

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

Submitted to the County Executive this
21st Day of September, 2011.

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

Approved by the County Executive this
22nd Day of September, 2011.

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