

Resolution No. 44 February 19, 2013

Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The New England Interstate Water Pollution Control Commission (NEIWPCC) To Accept Grant Funds, Establishing Capital Project No. 379 – County Office Building Stormwater Improvements, And Amending the 2013 Ulster County Capital Project Fund Budget – Department Of The Environment

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Maloney, Roberts, Briggs and John Parete) and The Ways and Means Committee (Chairman Gerentine and Legislators Harris, Maio, Maloney, Gregorius, Provenzano and Rodriguez)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman John Parete offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of the Environment; and

WHEREAS, the New England Interstate Water Pollution Control Commission (NEIWPCC) in partnership with the NYS Department of Environmental Conservation - Hudson River Estuary Program, released a request for proposals to solicit projects for grant funding that demonstrate green infrastructure as a watershed management tool; and

WHEREAS, the Ulster County Department of the Environment in consultation with the Ulster County Department of Public Works, responded to the request for proposals with a project to construct green infrastructure/stormwater practices in the parking lot at the County Office Building complex and it was selected as a successful proposal to receive grant funding; and

WHEREAS, this project would build on the County's leadership in the Stormwater Management Program, allowing for expanded public demonstration of Green Infrastructure techniques which have already been established at the County Office Building complex; and

WHEREAS, the Ulster County Legislature adopted the 2013-2018 Capital Program which included "County Office Building Stormwater Improvements" at a total cost of \$159,260.00; and

WHEREAS, the project has been scaled back from the proposal which was included in the adopted 2013 – 2018 Capital Improvement Program and the updated total project is expected to cost \$44,235.00 with \$31,260.00 being paid for by grant funds and the remaining \$12,975.00 county share being satisfied with in-kind county services (labor); and

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WHEREAS, due to the decrease in project scope and cost, it is necessary to amend the 2013- 2018 Capital Improvement Program; and

WHEREAS, it is now necessary to establish and fund Capital Project No. 379 and fund it in the amount of \$44,235.00; and

WHEREAS, based upon an examination by the Ulster County Legislature, the County's undertaking of this Project constitutes a Type II action as defined under Sections 4.4.2 and 4.5.11 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 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 further determination or procedure under SEQRA; now, therefore, be it

RESOLVED, that the Chairman of the Ulster County Legislature is hereby authorized to execute the Agreement (project code 2012-054) with the New England Interstate Water Pollution Control Commission in the amount of \$31,260.00 as well as all necessary understandings, assurances, amendments, and additional information as may be required, 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, that the 2013 – 2018 Capital Improvement Program is hereby amended as follows:

<u>PROJECT NAME</u>	<u>EST. TOTAL COST</u>	<u>2013 COST</u>
Environment	\$44,235.00	\$44,235.00
County Office Building		
Stormwater Improvements		

and be it further

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RESOLVED, that Capital Project No. 379 is hereby established; and, be it further

RESOLVED, that the 2013 Capital Project Fund Budget be amended as follows.

	<u>INCREASE</u>	<u>AMOUNT</u>
H4-0379-2911 (Appr. #)	Construction	\$25,260.00
H4-0379- 2962 (Appr. #)	Engineering	\$ 6,000.00
H3- 0379- 2797 (Rev.#)	Other Local Revenue	\$31,260.00

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Briggs left at 10:15 PM)
(Absent: Legislator Lopez)

Passed Committee: Public Works and Capital Projects on February 6, 2013

Passed Committee: Ways and Means on February 5, 2013

FINANCIAL IMPACT:

\$31,260.00 – ADDITIONAL 2013 APPROPRIATIONS

\$31,260.00 – ADDITIONAL 2013 REVENUE

\$12,975.00 – BUDGETED IN-KIND COUNTY SERVICES (LABOR)

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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 19th Day of February, 2013, 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 22nd Day of February in the year Two Thousand and Thirteen.

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

Submitted to the County Executive this
22nd Day of February, 2013.

Approved by the County Executive this
_____ Day of February, 2013.

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

Michael P. Hein, County Executive