

Establishing Capital Project No. 334 For Preliminary Design And Environmental Review For The Rail Trail Connector Link From City Of Kingston To Town Of Hurley – Amending the 2010 Ulster County Capital Project Fund

The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Felicello, Maloney, Roberts, Hochberg, Loughran, and Provenzano) and Co-Sponsors: The Economic Development and Tourism Committee (Chairman Maloney and Legislators Frey, Hayes, Petit, Sweeney, Terrizzi, Donaldson, Loughran, and Rodriquez) offer the following:

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

~~WHEREAS, funding from the New York State Transportation Department has been made available as a member item sponsored by New York State Assemblyman Kevin Cahill in the amount of \$1,000,000.00 in Ulster County for the development of a connector trail, linking the Ulster & Delaware (U&D) Right of Way to the Ontario & Western (O&W) Right of Way, and~~

~~WHEREAS, these funds have been designated for the planning, design engineering, right of way acquisition and construction for a rail trail in the Ulster and Delaware Corridor as a connector trail, linking the O&W Rail Trail from the City of Kingston, and Town of Ulster, to the Town of Hurley, and~~

WHEREAS, funding has been designated for the planning, design engineering, right-of-way acquisition and construction for a rail trail in the Ulster and Delaware Corridor as a connector trail, linking the O&W Rail Trail from the City of Kingston and Town of Ulster, to the Town of Hurley, and

WHEREAS, this project is 100% funded utilizing New York State Dedicated Funds and Federal Highway Funds, and

WHEREAS, this project was approved in the 2010 – 2015 Ulster County Capital Program, and

WHEREAS, it is now necessary to establish a capital project in the 2010 Capital Project Fund and provide funding authorization in the amount of \$140,000.00 for preliminary design and environmental reviews for this project, and

WHEREAS, this trail when completed will be dedicated in memory of Coach Joseph L. Keller, and will be known as the Coach Joe Keller Memorial Trail, and

~~WHEREAS, this project is 100% funded utilizing New York State Dedicated Funds and Federal Highway Funds, and~~

Resolution No. 58 March 16, 2010

Establishing Capital Project No. 334 For Preliminary Design And Environmental Review For The Rail Trail Connector Link From City Of Kingston To Town Of Hurley – Amending the 2010 Ulster County Capital Project Fund

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

WHEREAS, the Economic Development and Tourism Committee has met and reviewed this request with a majority of the members voting approval, and

WHEREAS, the Budget and Finance Committee has met and reviewed this request with a majority of the members voting approval, now, therefore, be it

RESOLVED, that Capital Project No. 334 is established in the amount of \$140,000.00 for the preliminary design and environmental review for the development of a connector trail, linking the Ulster & Delaware (U&D) Right of Way to the Ontario & Western (O&W) Right of Way from the City of Kingston to the Town of Hurley, and be it further

RESOLVED, that the 2010 Capital Project Fund is hereby amended as follows:

CREATE

H4-0334-2962 (App. #)	Engineering Services and Right of Way Incidentals
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H3-0334-5710 (Rev. #)	Serial Bonds
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INCREASE

AMOUNT

H4-0334-2962 (App. #)	Engineering Services and Right of Way Incidentals	\$140,000.00
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H3-0334-5710 (Rev. #)	Serial Bonds	\$140,000.00
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and, be it further

Resolution No. 58 March 16, 2010

Establishing Capital Project No. 334 For Preliminary Design And Environmental Review For The Rail Trail Connector Link From City Of Kingston To Town Of Hurley – Amending the 2010 Ulster County Capital Project Fund

RESOLVED, if this project is funded by the New York State Department of Transportation, a project oversight committee will be established to provide guidance to the Project Management Staff, of which membership will consist of the Assemblyman of the 101st New York State Assembly District, or designee, an Ulster County District 3 County Legislator or designee, and two Members of the Ulster County Trails Advisory Committee, or designees,

and move its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 31 NOES: 0
(Absent: Legislators Felicello and Zimet)

Legislator Robert Parete motioned, seconded by Legislator Gregorius to add a “friendly” amendment adding a final “RESOLVED” to the resolution from Resolution No. 363, dated December 16, 2009: “RESOLVED, if this project is funded by the New York State Department of Transportation, a project oversight committee will be established to provide guidance to the Project Management Staff, of which membership will consist of the Assemblyman of the 101st New York State Assembly District, or designee, an Ulster County District 3 County Legislator or designee, and two Members of the Ulster County Trails Advisory Committee, or designees.” – amendment appears in the body of the resolution in bold font.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 30 NOES: 1
(NOES: Legislator Frey)
(Absent: Legislators Felicello and Zimet)

Legislator Maloney offered an additional “friendly” amendment to include the other districts that involve the trail project. There was no second.

Resolution No. 58 March 16, 2010

Establishing Capital Project No. 334 For Preliminary Design And Environmental Review For The Rail Trail Connector Link From City Of Kingston To Town Of Hurley – Amending the 2010 Ulster County Capital Project Fund

Legislator Maloney motioned, seconded by Legislator Loughran to amend the resolution as follows: **deleting the second “WHEREAS”** and **replacing the third “WHEREAS”** as follows: “WHEREAS, funding has been designated for the planning, design engineering, right-of-way acquisition and construction for a rail trail in the Ulster and Delaware Corridor as a connector trail, linking the O&W Rail Trail from the City of Kingston and Town of Ulster, to the Town of Hurley, and”; **and moving** “WHEREAS, this project is 100% funded utilizing New York State Dedicated Funds and Federal Highway Funds, and” to become the third “WHEREAS” – deletions shown in the body of the resolution by strikethroughs.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 31 NOES: 0
(Absent: Legislators Felicello and Zimet)

FINANCIAL IMPACT:

\$140,000.00 – ADDITIONAL APPROPRIATIONS CAPITAL PROJECT FUND
\$140,000.00 – SERIAL BONDS (100% REIMBURSABLE: \$28,000.00 STATE REVENUE AND \$112,000.00 FEDERAL REVENUE)

0304

Resolution No. 58 March 16, 2010

Establishing Capital Project No. 334 For Preliminary Design And Environmental Review For The Rail Trail Connector Link From City Of Kingston To Town Of Hurley – Amending the 2010 Ulster County Capital Project Fund

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 16th day of March, 2010, 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 18th Day of March in the year Two Thousand and Ten.

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

Submitted to the County Executive this
18th Day of March, 2010.

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

Approved by the County Executive this
____ Day of March, 2010.

Michael P. Hein, County Executive