

Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement, And Any Amendments Thereto, With The Housing Trust Fund Corporation, A Subsidiary of the New York State Housing Finance Agency, To Extend The Greater Catskills Flood Remediation Program To Allow For The Purchase And Remediation Of Flood Damaged and Water Infiltrated Residential Properties – Establishing Capital Project No. 356 - Amending The 2012 Ulster County Capital Project Fund - Emergency Communications/Emergency Management

Referred to: The Law Enforcement and Public Safety Committee (Chairman Richard Parete and Legislators Belfiglio, Maio, Ronk and Briggs), 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 Bernardo and Legislators Craig Lopez, Thomas J. Briggs, and David B. Donaldson offer the following:

WHEREAS, this resolution has been reviewed by the County Attorney on behalf of the Department of Emergency Communications/Emergency Management, and

WHEREAS, the Director of Emergency Communications/Emergency Management has been notified by the Housing Trust Fund Corporation, a subsidiary of the New York State Housing Finance Agency, that \$3.8 million is available to Ulster County to extend the Greater Catskills Flood Remediation Program, and

WHEREAS, this program would provide \$3.8 million from the Housing Trust Fund Corporation for homeowners who live near a New York City Aqueduct or whose homes were damaged by flooding in this region since April 1, 2004, and are further determined to be at future risk, and

WHEREAS, the Housing Trust Fund Corporation's funds are being made available from the 2008-2009 Greater Catskills Flood Remediation Program, and may be used for the purchase and remediation of flood and water infiltrated residential properties affected by the New York City aqueducts in Ulster County, and

WHEREAS, there is an additional program with funding from the New York City Department of Environmental Protection (DEP) that will be administered simultaneously with this Housing Trust Fund Corporation Program, and

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WHEREAS, determination of eligibility for this New York State Housing Trust Fund Corporation Program is subject to certain criteria that will impact eligibility for the New York City DEP Program, and therefore it may be necessary to transfer funding between this Capital Project and Capital Project No. 355, and

WHEREAS, the goal of this program is to remove people and their possessions from harm's way in areas that have been hit particularly hard by flooding and enable homeowners with properties that meet certain criteria, to relocate from areas that remain vulnerable to flooding or water infiltration, and

WHEREAS, this program will be managed by Ulster County Emergency Communications/Emergency Management, and the County would be authorized to purchase properties and demolish structures and such properties will be dedicated in perpetuity for open space, recreational, wetlands or flood mitigation purposes, and

WHEREAS, the County will issue bonds to cover the costs of the program as it progresses, and the County's bond obligations hereunder will be satisfied and offset by reimbursement of the Housing Trust Fund Corporation funds, and

WHEREAS, the County has undertaken a programmatic environmental review to comply with the provisions of the State Environmental Quality Review Act, 6 NYCRR Part 617 (SEQRA) prior to commencing any work that would result in physical alteration of the sites, and

WHEREAS, in accordance with the provisions of the State Environmental Quality Review Act, 6 NYCRR Part 617 (SEQRA) the project is determined to be an Unlisted Action, and a negative declaration has been prepared, and

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WHEREAS, the Director of Emergency Communications/Emergency Management is requesting that the Chair of the Ulster County Legislature be authorized to execute the agreement, and any amendments thereto, with the Housing Trust Fund Corporation, a subsidiary of the New York State Housing Finance Agency, and that Capital Project No. 356 be established to fund the Program, now, therefore, be it

RESOLVED, that the Capital Project will be carried out under the program guidelines set forth in the “Project Description and Additional Information for the SEQRA Long Environmental Assessment Form” as approved by the Ulster County Legislature pursuant to Resolution No. 60 of March 20, 2012, and be it further

RESOLVED, that the Chair of the Ulster County Legislature is hereby authorized to execute the agreement with the Housing Trust Fund Corporation, a subsidiary of the New York State Housing Finance Agency, 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 Capital Project No. 356 is hereby established and the 2012 Ulster County Capital Project Fund is hereby amended as follows:

ADD
Capital Project No. 356

| | | |
|----------------------------|---------------------------|----------------|
| H4-0356-2901 | Land Acquisition | \$3,234,000.00 |
| H4-0356-2902 | Site Preparation/Clearing | \$ 464,000.00 |
| H4-0356-2909 | SEQRA Review | \$ 42,000.00 |
| H4-0356-2973 (App. #'s) | Legal Fees | \$ 60,000.00 |
| H3-0356-3997 (Rev. #) | State Aid | \$3,800,000.00 |

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and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized to make necessary transfers of funds between Capital Project No. 356 and Capital Project No. 355, and be it further

RESOLVED, if funding for this program is eliminated, the program will be eliminated as well,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Roberts)

Passed Committee: Law Enforcement and Public Safety Committee on March 6, 2012

Passed Committee: Public Works and Capital Projects Committee on March 7, 2012

Passed Committee: Ways and Means Committee on March 13, 2012

FINANCIAL IMPACT:

ESTABLISHING CAPITAL PROJECT NO. 356

**\$3,800,000.00 – ADDITIONAL APPROPRIATION DOLLARS
CAPITAL PROJECT FUND**

\$3,800,000.00 – SERIAL BONDS

\$3,800,000.00 – ADDITIONAL STATE REVENUE DOLLARS

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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 March, 2012, 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 March in the year Two Thousand and Twelve.

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

Submitted to the County Executive this
22nd Day of March, 2012.

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

Approved by the County Executive this
29th Day of March, 2012.

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