

Authorizing The Chairman Of The Ulster County Legislature To Execute A License Agreement With Time Warner Cable To Install A Fiber Optic Cable Within The Bounds Of The County-Owned Railroad Property

The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Felicello, Maloney, Roberts, Hochberg, Loughran and Provenzano) offers the following:

WHEREAS, the Chairman of the Ulster County Legislature is being requested to execute a license agreement with Time Warner Cable to install a fiber optic cable within the bounds of the County-owned railroad property next to Ulster Savings Bank, and

WHEREAS, the purpose of the license agreement is for the use of the Railroad Easement Right-of-Way in order to install fiber optic cable via a trench from the Ulster Savings Bank facility at 180 Schwenk Drive, boring under their parking lot to the edge of the Ulster County property leased to the Catskill Mountain Railroad, with a total distance of a trench on the Ulster County property being approximately 431 feet, and

WHEREAS, on September 21, 2010, the Ulster County Railroad Advisory Board met with representatives of Time Warner Cable to review the proposal to bury a diverse fiber connection beneath the County-owned railroad tracks; this connection will serve Ulster Savings Bank on Washington Avenue, in the City of Kingston, and

WHEREAS, it was the unanimous consent of those Ulster County Railroad Advisory Board members in attendance at the above referenced meeting to recommend that the Ulster County Legislature approve the Time Warner Cable proposal, and

WHEREAS, prior to the commencement of the work, Time Warner Cable shall pay a one-time License fee in the amount of \$1,000.00 dollars to the County, and

WHEREAS, based upon the examination of the Ulster County Legislature, and pursuant to Part 617 of the implementary regulations pertaining to Article 8 of the State Environmental Quality Review Act (SEQRA), it has been determined that sale of said real property constitutes a Type II action as defined under 6 NYCRR 617.5(c)(20) and (27) and does not require any determination or procedure under SEQRA, and

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

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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 Chairman of the Ulster County Legislature is hereby authorized to execute a license agreement with Time Warner Cable to install a fiber optic cable within the bounds of the County-owned railroad property next to Ulster Savings Bank, in the form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

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

FINANCIAL IMPACT:
\$1,000.00 – REVENUE DOLLARS

0303

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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 15th day of March, 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 18th Day of March in the year Two Thousand and Eleven.

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

Submitted to the County Executive this
18th Day of March, 2011.

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

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

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