

**Amending Resolution No. 49 Of January 7, 2003**

Legislators Robert Parete, Richard Parete and Peter Kraft offer the following:

WHEREAS, the County of Ulster entered into a lease agreement on June 2, 2003 to accommodate the relocation of the Ulster County Highways and Bridges Department's bridge fabrication facility, formerly located in the Town of Saugerties along the Malden Turnpike, to a 15,146 square foot facility on 3.413 acres of land located at 316 Van Dale Road, West Hurley, New York owned by Van Dale Properties, P.O. Box 205, West Hurley, New York, and

WHEREAS, the lease agreement for said building and property will be for a five year term that commenced on April 1, 2003 and goes through March 31, 2008 at an annual cost of \$90,876.00, and

WHEREAS, this site is adjacent to the West Hurley Elementary School, and

WHEREAS, based on the opinion of environmental engineering consultant (Chazen Engineering and Environmental Consultants), commissioned by the Onteora Central School's Board of Education in November 2003, it was found that the County's environmental review may have been flawed, and

WHEREAS, the Onteora Central School District has an obligation under New York State Law to insure the safety and health of their students and faculty, and

WHEREAS, the Onteora Board of Education, at their meeting on January 12, 2004, voted to recommend that the County reopen the SEQRA process by changing the August 26, 2003 SEQRA Negative Declaration to a Positive Declaration and hold a public "Scoping Session" to identify the issues that should be analyzed in a Draft Environmental Impact Statement which is warranted for the review of this type of major facility, and

WHEREAS, the Onteora Board of Education, at their meeting on January 26, 2004, voted to hire an attorney to ascertain the basis for a lawsuit against the County regarding this matter, and

WHEREAS, to further cooperate in good faith with the Onteora School District, and

WHEREAS, it is better to error on the side of caution to protect the Health and Safety of the students and staff of the West Hurley Elementary School.

**Resolution No. 81 February 12, 2004**

**Amending Resolution No. 49 Of January 7, 2003**

RESOLVED, that the Chairman of the Ulster County Legislature is hereby authorized to work with Risley & Moriello to formally reopen the SEQRA process so that all of the facility's potential impacts can be comprehensively re-evaluated, and moves its adoption.

DEFEATED BY THE FOLLOWING VOTE:

AYES: 16                      NOES: 16  
(Legislators Aiello, Alfonso, Busick, Cummings, DePew, Every, Felicello, Gerentine, Harris, Hathaway, McAfee, Meyer, Noonan, Roberti, Stock and Tipp)  
(Absent: Legislator Maloney)

Legislator Richard Parete motioned, seconded by Robert Parete to amend Resolution No. 81 as follows:

[ RESOLVED, that the Environmental and Consumer Affairs Committee, a standing committee of the Ulster County Legislature, shall first meet with the Onteora Board of Education to determine what environmental issues and concerns at the Van Dale Road bridge fabrication facility need to be addressed and/or mitigated, and

FURTHER RESOLVED, that subsequent to and as a result of that meeting, the County of Ulster will re-open the SEQRA process and retain an environmental consultant to facilitate that process so that all of the potential environmental issues and concerns at the facility may be comprehensively re-evaluated and addressed, ]

MOTION DEFEATED BY THE FOLLOWING VOTE:  
AYES: 16                      NOES: 16  
(Legislators Aiello, Alfonso, Busick, Cummings, DePew, Every, Felicello, Gerentine, Harris, Hathaway, McAfee, Meyer, Noonan, Roberti, Stock and Tipp)  
(Absent: Legislator Maloney)

FINANCIAL IMPACT:  
NONE  
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