

**Requesting Transfer From Contingent Account Pursuant To Budget Amendment No. 16 of 2015 – Appropriating Funds To The Soil & Water Conservation District – Amending The 2016 Ulster County Budget**

Referred to: Energy and Environment Committee (Chairman R. Parete and Legislators Bartels, Heppner, Lapp and Wawro), and The Ways and Means Committee (Chairman Gerentine and Legislators Briggs, Allen, Bartels, Belfiglio, Maio and Maloney)

Legislator John Parete offers the following:

WHEREAS, a significant amount of debris regularly accumulates in a specific location in the Esopus Creek in the Town of Shandaken, commonly referred to as “The Strainer”; and

WHEREAS, the Strainer has claimed a number of lives over the years, most recently the life of young Ms. Jordyn Engler on September 5, 2015; and

WHEREAS, in recognition of the seriousness of the issue and as a precautionary measure in anticipation flooding expected from Hurricane Joaquin, Governor Cuomo took advantage of an emergency declaration made by the New York State Department of Environmental Conservation (DEC) and directed the National Guard to remove the Strainer debris from the creek; and

WHEREAS, the strainer debris, while removed from the water, was deposited on the bank of the creek; and

WHEREAS, by the adoption of Resolution No. 84 of 1964, the Ulster County Board of Supervisors, having determined that the conservation of soil and water resources and the control and prevention of flooding and sediment damage are problems of public concern in the county and that there is need, in the interest of the public health, safety and welfare, created the Ulster County Soil and Water Conservation District; and

WHEREAS, on October 8, 2015, at the request of the Legislature, a representative of the Ulster County Soil and Water Conservation District visited the site of the Strainer, and concluded that the debris removed by the DEC could be washed back into the creek recreating the Strainer; and

WHEREAS, the same representative further concluded that the Soil and Water Conservation District would be able to work with the DEC to secure the permissions necessary to permanently remove the debris from the creek bank; and

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WHEREAS, on December 9, 2015 the Ulster County Legislature approved budget amendment No. 16 delegating \$20,000.00 in contingency funding in the 2016 Ulster County Budget to the Ulster County Soil and Water Conservation District for the permanent removal of Strainer debris from the Esopus Creek in Shandaken, as well as critical area seeding, and monitoring of the NYS DEC Fishing Access points; and

WHEREAS, this funding will be applied to the Ulster County Soil and Water Conservation District for the 2016 fiscal year; now, therefore, be it

RESOLVED, that the 2016 Ulster County Budget is hereby amended as follows:

**TRANSFER**

<b><u>FROM</u></b>		<b><u>AMOUNT</u></b>
AA.1990.1331-4600.4660 (App. #)	Contingent Account	\$20,000.00
<b><u>TO</u></b>		<b><u>AMOUNT</u></b>
AA.8710.3601-4600.4660 (App. #)	Conservation	\$20,000.00

and, be it further

RESOLVED, the Commissioner of Finance is hereby authorized to make any and all budget adjustments necessary to transfer and appropriate the funds from contingency into the appropriate budget lines as indicated above; and, be it further

RESOLVED, that the Chairman of the Ulster County Legislature is hereby authorized to execute an agreement in the amount of \$20,000 with the Ulster County Soil and Water Conservation District, to provide permanent removal of Strainer debris from the Esopus Creek in Shandaken, as well as critical area seeding, and monitoring of the NYS DEC Fishing Access points, in the form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the Legislative Counsel in consultation with the County Attorney,

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and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22                      NOES: 0  
(Legislator Lopez left at 7:19 PM)

Passed Committee: Energy and Environment on March 7, 2016

Passed Committee: Ways and Means on March 8, 2016

**FINANCIAL IMPACT:**

**\$20,000.00 – TRANSFER FROM CONTINGENT ACCOUNT- 2016 BUDGETED  
COUNTY DOLLARS**

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 15<sup>th</sup> Day of March in the year Two Thousand and Sixteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 17<sup>th</sup> Day of March in the year Two Thousand and Sixteen.

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

Submitted to the County Executive this  
17<sup>th</sup> Day of March, 2016.

Approved by the County Executive this  
23<sup>rd</sup> Day of March, 2016.

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

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