

Amending The Ulster County 2013 - 2018 Capital Program And Capital Project No. 356, For The Greater Catskill Flood Remediation Program To Provide An Additional \$1,500,000.00 In Funds From The New York State Housing Fund Corporation To Be Used To Purchase and Demolish Additional Residential Properties Damaged By Floods And Water Infiltration, In Ulster County - Emergency Communications/Emergency Management

Referred to: The Law Enforcement and Public Safety Committee (Chairman Richard Parete and Legislators Belfiglio, Briggs, Maio, and Ronk), The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Briggs, John Parete, Maloney, and Roberts) and The Ways and Means Committee (Chairman Gerentine and Legislators Gregorius, Harris, Maio, Maloney, Provenzano, and Rodriguez)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman John Parete 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 Chairman of the Ulster County Legislature has previously executed an agreement with the New York State Housing Fund Corporation Board, pursuant to Resolution No. 62 dated March 20, 2012, to accept an additional award of \$1,500,000.00 for the Greater Catskill Flood Remediation Program (GCFP), to be used to remove families from flood prone areas by July 31, 2014; and

WHEREAS, these funds supplement \$3,800,000.00 of funding from the New York State Housing Trust Fund Corporation from the GCFP Program which may be used for additional flood remediation 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, this funding will be administered by the New York State Housing Trust Fund Corporation, a Division of the New York State Homes and Community Renewal Agency; and

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, Flood Remediation Project, New York City Department of Environmental Protection; and

Resolution No. 194 July 23, 2013

Amending The Ulster County 2013 - 2018 Capital Program And Capital Project No. 356, For The Greater Catskill Flood Remediation Program To Provide An Additional \$1,500,000.00 In Funds From The New York State Housing Fund Corporation To Be Used To Purchase and Demolish Additional Residential Properties Damaged By Floods And Water Infiltration, In Ulster County - Emergency Communications/Emergency Management

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 to 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; 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 2013 – 2018 Ulster County Capital Program is hereby amended as follows:

INCREASE

Capital Project No. 356, Greater Catskill Flood
Remediation Program by \$1,500,000.00

Resolution No. 194 July 23, 2013

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and, be it further

RESOLVED, that the 2013 Ulster County Capital Fund Budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
	Capital Project No. 356	
H4-0356-2901 (Appr.#)	Land Acquisition, Including Appraisals, title search, title Insurance and County Taxes	\$1,310,000.00
H4-0356-2902 (Appr.#)	Site Preparation/Clearing	\$ 190,000.00
H3-0356-5710 (Rev.#)	Serial Bonds (100% Reimbursable) (Greater Catskill Flood Remediation – New York State)	\$1,500,000.00

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

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0
(Legislator Robert Parete arrived at 7:45 PM)

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Passed Committee: Law Enforcement and Public Safety on July 9, 2013

Passed Committee: Public Works and Capital Projects on July 10, 2013

Passed Committee: Ways and Means on July 16, 2013

FINANCIAL IMPACT:

\$ 1,500,000.00 – ADDITIONAL 2013 APPROPRIATIONS-CAPITAL PROJECTS
\$ 1,500,000.00 – SERIAL BONDS (REIMBURSEABLE) – NEW YORK STATE HOUSING TRUST FUND CORPORATION

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 23rd Day of July, 2013, 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 24th Day of July in the year Two Thousand and Thirteen.

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

Submitted to the County Executive this
26th Day of July, 2013.

Approved by the County Executive this
5th Day of August, 2013.

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

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