

**Resolution No. 228 September 19, 2012**

**Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With The Natural Resources Conservation Service, United States Department of Agriculture To Accept Funding For A Stream Remediation Project - Department Of Public Works (Highways and Bridges)**

Referred to: 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 of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman John Parete offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Public Works; and

WHEREAS, the flooding resulting from Hurricane Irene caused the stream bed and stream banks of the Little Peck Hollow Creek to be altered and to be filled with obstructions and stone debris in such a way as to create a threat of erosion to the footings of County Bridge No. 184, the Little Maben Hollow Bridge on County Route No. 47, Oliverea Road, in the Town of Shandaken; and

WHEREAS, this erosion, if allowed to continue, threatens to cause the collapse of the County bridge; and

WHEREAS, the Ulster County Department of Public Works has been offered funding assistance by the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture, to assist in its effort to remediate the stream bed and banks of the Little Peck Hollow Creek adjacent to County Bridge No. 184 in order to remove the current threat; and

WHEREAS, the NRCS has agreed to provide funding of a 75% share of the \$89,598.00 estimated cost, or up to \$67,198.50 for this stream remediation project; and

WHEREAS, the NRCS requires the County to maintain the site of the stream remediation project for ten years following the funding; and

WHEREAS, Ulster County will provide funding of its 25% share of the \$89,598.00 estimated cost, or up to \$22,399.50, by utilizing in-kind labor over life of the project for design engineering, construction, normal maintenance and inspection; and

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WHEREAS, in order to maintain the stream remediation project for ten years, the County will require a Temporary Easement to enter upon the private property of two landowners on tax parcels 23.000-1-37 and 23.000-1-38, in the Town of Shandaken, adjacent to the Little Peck Hollow Creek during that ten year period in order to effect repairs to the project, now, therefore, it is

RESOLVED, that the Chairman of the Ulster County Legislature is hereby authorized to enter into an Agreement, and any amendments thereto, with the Natural Resources Conservation Service of the United States Department of Agriculture, for the funding of the stream remediation project of the Little Peck Hollow Creek adjacent to County Bridge No. 184 on County Road 47, Oliverea Road, in the Town of Shandaken;

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21            NOES: 0  
(Absent: Legislators Donaldson and Harris)

Passed Committee: Public Works and Capital Projects on September 4, 2012

Passed Committee: Ways and Means on September 11, 2012

FINANCIAL IMPACT:

\$67,198.50 - ADDITIONAL 2012 FEDERAL 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 19th day of September, 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 20<sup>th</sup> Day of September in the year Two Thousand and Twelve.

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

Submitted to the County Executive this  
20<sup>th</sup> Day of September, 2012.

Approved by the County Executive this  
20<sup>th</sup> Day of September, 2012.

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

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