

**Authorizing Land Acquisitions For The Dewitt Lake Road Slope Stabilization Project In The Town Of Rosendale – Department Of Public Works (Highways & Bridges)**

Referred to: The Public Works and Capital Projects Committee (Chairwoman Petit and Legislators Fabiano, Greene, Litts, and Nolan), and The Ways and Means Committee (Chairwoman Archer and Legislators Gerentine, Maio, James Maloney, Joseph Maloney, Petit, and Rodriguez)

Chairwoman of the Public Works and Capital Projects Committee, Laura Petit, Deputy Chair Dean J. Fabiano offer the following:

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

WHEREAS, the 2019-2024 Ulster County Capital Improvement Program included funding of \$1,000,000.00 for the replacement of a failed retaining wall on Dewitt Lake Road in the Town of Rosendale; and

WHEREAS, Capital Project No. 475 was established pursuant to Resolution No. 162 dated March 5, 2016, in the amount of \$780,000.00 for slope analysis and repairs for indicated county roads; and

WHEREAS, Resolution No. 140 dated April 17, 2018 amended Capital Project No. 475 to include construction inspection, construction, and construction supervision costs, for indicated roads, in the amount of \$392,480.00, bringing the total project cost to \$1,172,480.00; and

WHEREAS, Resolution No. 390 dated October 16, 2018 amended Capital Project No. 475 to include additional costs for construction, for indicated roads, in the amount of \$52,000.00, bringing the total project cost to \$1,224,480.00; and

WHEREAS, design services for Dewitt Lake Road were paid for out of Capital Project No. 475 in the amount of \$35,000.00; and

WHEREAS, the Department of Public Works desires to proceed further on this project; and

WHEREAS, the design has identified the land acquisition needs consisting of one (1) temporary easement and one (1) permanent easement to construct the project; and

WHEREAS, owners of the lands have been contacted, are agreeable to the project, and are seeking no compensation at this time; and

**Resolution No. 201      May 21, 2019**

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WHEREAS, based upon examination by the Ulster County Legislature, the County's funding of this Project constitutes a Type II action as defined under Sections 4.1.4 of the County of Ulster's State Environmental Quality Review Act (SEQRA) Type II List, which was adopted pursuant to Resolution No. 118 dated April 20, 2010; and

WHEREAS, Ulster County has determined that this funding action does not pose a significant potential environmental impact and may be progressed as a Type II action in accordance with 6 NYCRR Part 617 of SEQRA, and does not require any further determination or procedure under SEQRA; now, therefore, be it

RESOLVED, the Ulster County Legislature hereby authorizes the Chair of the Ulster County Legislature to execute any and all documents related to the land acquisitions as approved by the County Attorney,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21                      NOES: 0  
(Absent: Legislator James Maloney)  
(Legislator Roberts left at 7:45 PM)

Passed Committee: Public Works and Capital Projects on May 8, 2019

Passed Committee: Ways and Means on May 14, 2019

FINANCIAL IMPACT:  
NONE

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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 21<sup>st</sup> Day of May in the year Two Thousand and Nineteen, 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 24<sup>th</sup> Day of May in the year Two Thousand and Nineteen.

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

Submitted to the County Executive this  
24<sup>th</sup> Day of May, 2019.

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

Approved by the Acting County Executive this  
29<sup>th</sup> Day of May, 2019.

|s| Adele B. Reiter  
Adele B. Reiter, Acting County Executive