

GREENE COUNTY LEGISLATURE
REGULAR MEETING NO. 9
September 18, 2013

PLEASE NOTE: If you wish to speak at this meeting, please contact a Legislator from your district for introduction.

- A. Silent prayer and Pledge of Allegiance to the Flag.
- B. Roll Call
- C. Approval of Minutes of Previous Meeting.
- D. Standing Committee and Special Committee Reports.
- E. Meeting Correspondence.

F. Resolutions:

1. 271-13, Authorization To Pay Claims.
2. 272-13, Authorization To Pay Claims – Highway Department.
3. 273-13, Amending Resolution No. 279-11 Adopting Greene County Administrative Manual.
4. 274-13, Resolution To Approve Capital Project – Update Facilities Master Plan – Columbia-Greene Community College.
5. 275-13, Authorizing Contract – Greene County And NYS Department Of Correctional Services To Procure Food Products For The Jail.
6. 276-13, Public Safety Telecommunications System Project, Windham Mountain Tower – Authorizing State Environmental Quality Review Act (SEQR) And National Environmental Policy Act (NEPA) Environmental Reviews And Issuance Of Negative Declaration.
7. 277-13, Authorization To Advertise For Bids For The Construction Of A 911 Communication Tower.
8. 278-13, Authorizing Advertisement For Bids For One (1) New Material Spreader For Snow And Ice Control.
9. 279-13, Authorizing Purchase Of One (1) New 2013, Hydraulic Excavator National Joint Powers Alliance Contract #060311.
10. 280-13, Awarding Bid For Abrasives (Dry Screened And Washed) Used In Snow And Ice Control.
11. 281-13, Authorizing Agreement – Greene County Mental Health Department With Deborah-Budini-Coates, N.P.
12. 282-13, Authorizing Agreement – Greene County Mental Health Department With Bella Rillo, N.P.
13. 283-13, Authorizing Agreement – Greene County Family Planning / Simmons College Nursing Programs.
14. 284-13, Authorization To Change Name From Greene County Public Health Nursing Service To Greene County Public Health Department.

15. 285-13, Authorizing Agreement – Greene County Public Health Department / New York State Department Of Health Childhood Lead Poisoning Prevention Program Contract #C-026511-3.
16. 286-13, Increasing Administrative Fee – Greene County Public Health Department.
17. 287-13, Authorizing Out Of State Travel Greene County Family Planning – Marianne Powers, FNP.
18. 288-13, Authorizing Out Of State Travel – Greene County Economic Development, Tourism & Planning Department – Nancy Petramale.
19. 289-13, Reappointing Member – Community Services Board.
20. 290-13, Reappointing County Administrator.
21. 291-13, Approving Reimbursement To Community Colleges.
22. 292-13, Amounts Due County Treasurer By Respective Towns.
23. 293-13, Resolution Accepting Bids On In Rem Properties.
24. 294-13, As Amended, Establish Capital Project #83 – County Office Building Security – Cairo.
25. 295-13, Establish Capital Project #84 – County Office Building Improvements – Cairo.
26. 296-13, Authorizing Funding Allocations 2013 – Greene County Department Of Human Services (Youth Bureau Division).
27. 297-13, Budget Amendment – Damage Recovery – Greene County Buildings And Grounds.
28. 298-13, Budget Amendment – Greene County Economic Development, Tourism & Planning.
29. 299-13, Budget Amendment – Greene County Highway Consolidated Local Street And Highway Improvement Program.

G. Unfinished Business and Announcements.

H. Adjournment.

September 18, 2013

RESOLUTION NO. 271-13

AUTHORIZATION TO PAY CLAIMS

Legislator Martinez offered the following resolution and moved its adoption:

WHEREAS, the Finance Committee has examined claims against the County of Greene amounting to \$ 1,142,435.19 and has recommended that the same be allowed for the amounts shown;

BE IT RESOLVED, that all claims be paid as allowed by the Greene County Treasurer from monies set up in the 2013 Budget of this County or as otherwise provided in the sum of:

General Pre-Audit:	\$	45,390.94
General Audit:	\$	1,042,590.57
I Love NY:	\$	631.00
CDBG CD8668.4:	\$	3,700.40
Workers' Comp Benefits S1720.4000:	\$	50,122.28

TOTAL \$ 1,142,435.19

and that a detailed list of all vendor payments are on file in the Office of the Clerk of the Greene County Legislature.

Seconded by Legislator K. Lennon

(9,273)		(727)
Ayes 13	Noes 0	Absent 1
		Van Slyke

CARRIED.

Approved by Finance Committee: 9/16/13

*Needs
to be
filed
- File*

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

APPROVED AS TO FORM
Carlyle E. Starnes
COUNTY ATTORNEY

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 272-13

AUTHORIZATION TO PAY CLAIMS - HIGHWAY DEPARTMENT

Legislator Martinez offered the following resolution and moved its adoption:

WHEREAS, the Finance Committee has examined claims against the County of Greene Highway Department amounting to \$ 2,733,786.49 and has recommended that the same be allowed for the amounts shown;

BE IT RESOLVED, that the following claims in the several accounts of the Greene County Highway Department be paid as allowed by the Greene County Treasurer from monies set up in the 2013 Budget of this County or as otherwise provided in the sum of:

County Road Fund:	\$ 1,388,221.88
County Machinery Fund Pre-Audit:	\$ 1,661.61
County Machinery Fund:	\$ 28,579.15
9W/SR81 Intersection Project H67:	\$ 118,913.69
Spruceton Road/West Kill Project H68:	\$ 8,625.52
Mtn House road/Spruce Creek Proj H69:	\$ 297,888.18
Lake Mills Rd over Catskill Proj. H72:	\$ 287,224.29
FEMA Project H74:	\$ 576,308.67
Carr Road/Schoharie Project H75:	\$ 22,251.72
Co Route 6/West Kill Project H77:	\$ 781.78
CR47/Kaaterskill Creek Project H79:	\$ 3,330.00

TOTAL \$ 2,733,786.49

and that a detailed list of all vendor payments are on file in the Office of the Clerk of the Greene County Legislature.

Seconded by Legislator Hitchcock

(9,273) Ayes 13 Noes 0 Absent 1
Van Slyke

APPROVED AS TO FORM

STATE OF NEW YORK

} ss.:

Approved by Finance Committee:

cc: Treas
1-man
1-File

Campbell, Stearns

9/16/13

COUNTY ATTORNEY

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 273-13
AMENDING RESOLUTION NO. 279-11
ADOPTING GREENE COUNTY ADMINISTRATIVE MANUAL

Legislator seeley offered the following resolution and moved its adoption:

WHEREAS, the newest version of the Greene County Administrative Manual was adopted by Resolution No. 279-11 at the August 17, 2011 meeting of the Greene County Legislature; and

WHEREAS, the Administrative Manual Task Force will continue to meet on a quarterly basis to review any necessary changes to the Administrative Manual; and

WHEREAS, at the most recent meetings of the Administrative Manual Task Force, the following changes were proposed:

FORMS:

All blank forms which are currently attached to this Administrative Manual will be removed. However, reference to them and their form numbers will remain throughout the Administrative Manual, with language added specifying the name of the County Department where each form can be obtained if needed.

<u>Page:</u>	<u>Section:</u>	<u>Title:</u>
III-15	III. Employee Benefits	Health Insurance

The following language should be added to the existing policy:

All new Greene County management, confidential and elected employees newly hired on or after September 19, 2013 shall be required to contribute twenty (20%) percent toward their health insurance costs.

<u>Page:</u>	<u>Section:</u>	<u>Title:</u>
III-5	III. Employee Benefits	Family Medical Leave

The existing section entitled "Information" should be deleted through Section "g" and replaced with the following:

INFORMATION

Under the FAMILY MEDICAL LEAVE ACT, eligible Greene County employees are eligible for up to 12 weeks (60 days or 420 hours) of unpaid leave in a 12-month period for the reasons stated below. (Up to

26 weeks in a single 12-month period for FMLA Military Family Leave.) Covered employees are entitled to FMLA leave under the following conditions:

- Incapacity due to the employee's pregnancy, prenatal medical care, or child birth;
- To care for the employee's child after birth, or placement for adoption of foster care;
- To care for an employee's spouse, child, or parent who has a serious medical condition;
- For a serious health condition that makes the employee unable to perform the essential functions of the employee's job;
- To care for a spouse, child, parent, or next of kin (nearest blood relative) who has a serious injury or illness incurred in the line of duty on active duty as a covered service member, or for injury or illness that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces;
- For a qualifying exigency as related to the active duty or call to active duty of an employee's spouse, child or parent. This includes 1) Care for a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness; or 2) Care for a covered veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

In addition, a paragraph under "Information" currently reads:

FMLA leave granted to eligible employees will run concurrently with any leave covered by:

- the applicable Collective Bargaining Agreement;
- the County's Disability Leave Policy;
- any other applicable leave coverage.

That paragraph should be changed to read:

FMLA leave granted to eligible employees will run concurrently with any leave covered by:

- the applicable Collective Bargaining Agreement;
- Disability and Workers' Compensation Leave;**
- any other applicable leave coverage.

III-12 III. Employee Benefits Employee Recognition Programs

Under "Procedure" the third paragraph currently states:

Greene County Service Awards are presented for the completion of ten, fifteen, twenty and twenty-five years of service.

The following language should be added to said paragraph:

Greene County Service Awards are presented for the completion of ten, fifteen, twenty, and twenty-five, **thirty, thirty-five, and forty** years of service.

Page: XI-44 Section: XI. General Office Procedures Title: Americans with Disabilities Act

A new section, entitled "Procedure", should be added to this Page as follows:

PROCEDURE: Employees that have a need for a reasonable accommodation should contact the Human Resources Department for forms and information.

Page: VII-1 Section: VII. Legislative Actions Required Title: Agreements and Contracts

The following paragraph should be added under "Procedure":

For Memorandums of Agreement and Memorandums of Understanding, Resolutions are suggested but not required. However, all Memorandums of Understanding and Memorandums of Agreement must be approved as to form by the County Attorney, prior to signature by the county.

Page: XI-12 Section: XI. General Office Procedures Title: Ethics

The current "Procedure" paragraph currently reads as follows:

PROCEDURE: Consult the Code of Ethics for any questions you may have. If you need further information, contact the Board of Ethics.

This Procedure paragraph should include the mailing address of the Board of Ethics, as follows:

PROCEDURE: Consult the Code of Ethics for any questions you may have. If you need further information, contact the Board of Ethics, by **mail only**, at: **Greene County Board of Ethics, P.O. Box 545, Catskill, New York 12414.**

<u>Page:</u>	<u>Section:</u>	<u>Title:</u>
X 1-11	X. Health and Safety	Hazardous Materials! Right-to-Know

Wherever the “safety officer” is referred to in this section, the title and the department where the safety officer can be found, have been added as follows:

Emergency Planner/Safety Coordinator, Greene County Emergency Services Department

ALSO, the following two new Sections should be added to the current Administrative Manual:

<u>Page:</u>	<u>Section:</u>	<u>Title:</u>
VI-31	VI. County Equipment and Property	Greene County Website Maintenance

Policy: Every Department Head will assign one employee in their Department the responsibility to maintain and update their departmental information on the County’s website, performed either by said employee if access authorized, or performed through the I.T. Department. This includes timely updates of upcoming events, as well as the deletion of old information in a timely manner.

<u>Page:</u>	<u>Section:</u>	<u>Title:</u>
X-26	X. Health and Safety	Bloodborne Pathogens Exposure Control Plan

Once an occupational exposure has occurred the employee needs to do the following:

1. Notify immediate supervisor
2. Complete Exposure Incident Report (with supervisor)

3. Complete Documentation and Identification of Source Individual form (with supervisor)
4. Make arrangements to seek medical attention
5. Bring MEMO for ER doctor and be sure the treating doctor completes the "Follow up for Exposure to Blood or Other Potential Infectious Material (OPIM)".

(Each Department has the Exposure Control Plan which includes copies of all the necessary forms.)

Medical Evaluation

All county employees with a blood borne pathogen exposure, are entitled to a medical evaluation and cannot be directed where to seek medical attention. However, Emergency Departments have full blood borne pathogen post exposure protocols in place.

If an Emergency Department is visited, and a physician examines the employee, the circumstances regarding the exposure incident will need to be explained; if physically injured that injury will be treated; blood may be drawn to assess Hepatitis B, Hepatitis C and HIV status. Some of these tests will require a signed consent. If unvaccinated against Hepatitis B (not immune) Hepatitis B Immunoglobulin may be given and offered the Hepatitis B Vaccine, refused the vaccination, a declination form will need to be signed and a copy should be given the employee.

If exposure is known, the employee's supervisor can request that source individual to have lab work to assess their Hepatitis B, Hepatitis C and HIV status. This lab work can be done at the same facility where treated if the circumstances allow.

Depending on the level of exposure, the physician may prescribe antiviral therapy that must be taken as prescribed.

The attending physician will advise of any risks, possible medical conditions and treatments surrounding the exposure.

Upon discharge from the emergency department, instruction and any follow up necessary will be discussed.

The attending physician needs to complete the Bloodborne Pathogen Post Exposure follow-up form (each Department has this Plan and these forms) and the form must be returned to Human Resources by the employee.

NOW, THEREFORE, BE IT RESOLVED, that all of the above suggested changes to the current Greene County Administrative Manual

PAGE 6
RESOLUTION NO. 273-13

adopted on August 17th, 2011 by Resolution No. 279-11 be and hereby are made and said Administrative Manual will reflect these changes.

Seconded by Legislator Lawrence

(9,273) (727)
Ayes 13 Noes 0 Absent 1 CARRIED.
Van Slyke

Approved by Gov't. Ops. Comm.: 9/16/13

*cc: (10/11/13)
L. Lawrence
L. Van Slyke
L. Co. Clerk
All Dept. Heads
2-File*

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

APPROVED AS TO FORM



COUNTY ATTORNEY

Tammy L. Sciaivillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 274-13

RESOLUTION TO APPROVE CAPITAL PROJECT –
UPDATE FACILITIES MASTER PLAN
COLUMBIA-GREENE COMMUNITY COLLEGE

Legislator H. Lennon offered the following resolution and moved its adoption:

WHEREAS, Columbia-Greene Community College has requested Capital Funds from the State of New York Construction Fund to update the facilities Master Plan; and

WHEREAS, the total cost will not exceed \$120,000; and

WHEREAS, the sponsors will have to appropriate an amount not to exceed \$60,000 from the Capital Cost Chargeback Account to match the 50% share of \$60,000 appropriate by the State University Construction fund; and

WHEREAS, the College has the funds available in the Capital Cost Chargeback Account for Capital Projects;

NOW, THEREFORE, BE IT RESOLVED, that subject to adoption of a similar resolution by the Columbia County Board of Supervisors, the Greene County Legislature hereby authorizes an amount not to exceed \$60,000 from the Capital Cost Chargeback Account to match the 50% share of \$60,000 to be received from the State University Construction Fund to update the facilities Master Plan; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Columbia-Greene Community College, Columbia County Board of Supervisors, the Greene County Attorney and the Greene County Treasurer.

Seconded by Legislator Seeley

(9,273) (727) CARRIED.
Ayes 13 Noes 0 Absent 1
Van Slyke

APPROVED AS TO FORM

Approved by County Resources Comm.: 9/4/13

Approved by Finance Comm.: 9/16/13

STATE OF NEW YORK } ss:
COUNTY OF GREENE }

I, the undersigned,

Handwritten signatures and notes:
1-Advocate to
1-Advocate to
2-File with
1-Mount
1-County
1-Get Greene
Community College - Prep
COUNTY ATTORNEY

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 275-13

AUTHORIZING CONTRACT – GREENE COUNTY AND
NYS DEPARTMENT OF CORRECTIONAL SERVICES
TO PROCURE FOOD PRODUCTS FOR THE JAIL

Legislator Martinez offered the following resolution and moved its adoption:

WHEREAS, by Resolution No. 122-09, adopted by the Greene County Legislature on April 15th, 2009, Greene County entered into an Agreement with the New York State Department of Correctional Services, Office of Nutritional Services, for the purchase of food products for the inmate population at the Greene County Jail; and

WHEREAS, it has been determined that by entering into the contract with the New York State Department of Correctional Services' Office of Nutritional Services, the County of Greene sees a significant savings on these products and would therefore like to renew this five year contract;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Greene County Legislature be authorized to enter into a Contract with the New York State Department of Correctional Services, subject to approval as to form by the County Attorney, to procure food products for the inmate population at the Greene County Jail; and be it further

RESOLVED, that the term of this contract will be from May 1, 2012 until April 30, 2017.

Seconded by Legislator Handel

(9,273) (727)

Ayes 13 Noes 0 Absent 1 CARRIED.
Van Slyke

Approved by Public Safety Comm.: 9/4/13

Approved by Finance Comm.: 9/16/13

*cc: [unclear]
[unclear]
[unclear]
[unclear]
J. Al...*

STATE OF NEW YORK }
 } ss:
COUNTY OF GREENE }

APPROVED AS TO FORM
[Signature]
COUNTY ATTORNEY

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 276-13

PUBLIC SAFETY TELECOMMUNICATIONS SYSTEM PROJECT
WINDHAM MOUNTAIN TOWER
AUTHORIZING STATE ENVIRONMENTAL QUALITY REVIEW ACT
(SEQR) AND NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)
ENVIRONMENTAL REVIEWS AND ISSUANCE OF NEGATIVE
DECLARATION

Legislator Martinez offered the following resolution and moved its adoption:

WHEREAS, Greene County is currently engaged in the planning and design of a public safety telecommunications tower on Windham Mountain funded through a grant from the New York State Division of Homeland Security and Emergency Services; and

WHEREAS, the project involves construction of a telecommunications tower on land in the Town of Jewett to be transferred from Windham Mountain Partners to the County at no cost to the County that will host a microwave facility which will provide interoperability with Delaware County's existing public safety microwave facility located on Mt. Utsayantha. The project includes construction of a 135' self-supported lattice tower and equipment shelter in a 50' x 50' fenced compound. The compound will be located in a wooded area screened from the Windham Mt. Ski Facility by heavy vegetation. It will be proximate to an existing Crown Castle Tower compound and will be accessed via an extension to an existing gravel access driveway; (Attachment A – Site Plan); and

WHEREAS, the project is subject to review under the State Environmental Quality Review Act (SEQR) and a Long Environmental Assessment Form has been prepared to document the potential environmental impacts of the project and to assist the Lead Agency in making a Determination of Significance (Attachment B – Long EAF Parts 1 and 2); and

WHEREAS, the project is also subject to review under the National Environmental Policy Act (NEPA) due to the issuance of the license from the FCC, a federal agency, and a NEPA screening report has been prepared (Attachment D); and

WHEREAS, 6 NYCRR 617.6 describes the initial review of actions and the establishment of a Lead Agency. 6 NYCRR 617.2(u) describes the Lead Agency as an involved agency principally responsible for undertaking, funding or approving an action. Involved Agencies are those that will ultimately make a discretionary decision to fund, approve or undertake an action (6 NYCRR 617.2(s)); and

WHEREAS, review and issuance of non-discretionary approvals are required from the Federal Aviation Administration (FAA) for a review for Hazard to Air Navigation, Federal Communications Commission (FCC) Licensing, and NYS Department of State (DOS) Building Permit; and

WHEREAS, the project does not involve any activities that are subject to discretionary permits or approvals from the State Departments of Health, Environmental Conservation or Transportation or the New York City Department of Environmental Protection or any other agency; and

WHEREAS, the project is located in the Town of Jewett and the Town of Jewett Code incorporates land use codes including but not limited to zoning, site plan review, and wireless telecommunications regulations. The purpose of these regulations is to protect the health, safety and welfare of the residents and property owners of the Town. Similarly, the County, in implementing its role in the collaboration with surrounding counties with respect to public safety communications, is also contributing to the health, safety and welfare of the residents of the Town of Jewett as well as many other communities in Greene County; and

WHEREAS, it is not uncommon that infrastructure intended to benefit an entire region is sponsored by an agency with regional jurisdiction. In this case, the County Legislature is acting on behalf of the entire citizenry of the County in implementing a public safety telecommunications site on Windham Mountain in the Town of Jewett. Whenever a regional government is conducting a development action in a local jurisdiction, questions regarding the application of local land use and zoning regulations arise; and

WHEREAS, certain acts of government may be exempt from local land use and zoning regulations if a determination is made that the public's interests are served without the imposition of local regulations. The determination of the public interest is governed through a process of balancing as provided in the New York Court of Appeals 1988 case *Matter of County of Monroe v. City of Rochester*, 72 N.Y.2d 338 N.Y.S.2d 702. This case set forth the following nine factors to be weighed in the "balancing of public interests" analytical approach to determining exemption of governmental acts from local land use and zoning regulations including the nature and scope of the instrumentality seeking immunity; the government's legislative grant of authority; the kind of function or land use involved; the effect local land use regulations would have upon the enterprise concerned; alternative locations for the facility; the impact upon legitimate local interests; alternative methods of providing the proposed improvement; the extent of the public interest to be serviced by the improvements; and, intergovernmental participation in the project development process and opportunity to be heard; and

WHEREAS, the County sought immunity from local regulations as it is directly undertaking the action for the construction of a public safety telecommunications facility, the purpose of which is to enhance the County's ability to provide for the health, safety and welfare of the people of the County, including the Town of Jewett; and

WHEREAS, the imposition of local land use regulations on the public safety telecommunications facility would not result in a substantially different project as there are very few discretionary issues due to the technical nature of the facility and its remote location; however, the imposition of local land use regulations could jeopardize the project schedule, which could result in the loss of grant funds for this vital public service; and

WHEREAS, the location of the public safety telecommunications facility is driven by microwave engineering requirements for interoperability with Delaware County and in consideration of ensuring that the site of the facility is optimized relative to local and regional emergency services telecommunications and alternative locations do not meet these objectives; and

WHEREAS, legitimate local interests will be protected notwithstanding exemption from local land use regulations and zoning through coordination and input with the Town of Jewett and neighboring Town of Windham during the planning of the facility as well as through the functioning of the facility once operational in contributing to the safety of the residents of Greene County; and

WHEREAS, technological requirements govern the provision of public safety telecommunications systems and while there may be other methods of communications (e.g. a technology other than microwave), any technology that provides long distance wireless communications will require one or more towers; thus, alternative methods of providing emergency communications will not eliminate the project and thus are not viable for consideration; and

WHEREAS, the public interest is paramount in the proposed project as demonstrated during recent disasters, both natural (e.g. Tropical Storm Irene) and manmade (e.g. 9-11) validating the need for improved interoperability with neighboring jurisdictions and the need to strengthen public safety communications within the County and regionally; therefore, the public interest in interoperable emergency communications is the purpose of the project; and

WHEREAS, the County engaged the Town of Jewett as the host community for the public safety telecommunications facility as well as the neighboring Town of Windham within the context of the County's environmental review and prior to the development of final plans for the project to seek consultation and input in the project providing intergovernmental participation in the project development process and an opportunity to be heard; and

WHEREAS, on August 14, 2013, the Town Board of the Town of Jewett met in public session to consider the exemption of the public safety telecommunications tower to be located on Windham Mountain from local land use and zoning regulations and adopted a resolution to that effect (Attachment C);

NOW, THEREFORE, BE IT RESOLVED, that the Greene County Legislature will act as the Lead Agency for the SEQR review. Given that the Legislature is a single agency involved in the project, it automatically becomes the Lead Agency (6 NYCRR Part 617(6)(b)(1)). A coordinated review is not required when an Unlisted Action does not have multiple Involved Agencies per 6 NYCRR Part 617(6)(b)(1)(i). The purpose of a coordinated review is to ensure that all Involved Agencies agree with the Determination of Significance issued by the Lead Agency and thus, the action is protected from conflicts between the decisions of multiple agencies with discretionary approvals. Because the public safety facility does not require discretionary approvals of other agencies, a coordinated review is not germane; and be it further

RESOLVED, that the project is an Unlisted Action under SEQR, having not met the thresholds established for Type I Actions (6 NYCRR 617.4 – those actions that are likely to have a significant impact on the environment) or Type 2 Actions (6 NYCRR 617.5 – those actions that have been determined to not have a significant impact on the environment); and be it further

RESOLVED, that a NEPA Screening Report has been prepared in compliance with 47 CRF Section 1.1307, the portion of the Federal Telecommunications Act that requires the FCC to follow specific procedures in implementing NEPA (Attachment D). The Screening Report is authorized to be submitted to the FCC as required; and be it further

RESOLVED, that upon review of the Long Environmental Assessment Form Parts 1 and 2 as well as the documentation provided in the NEPA Screening Report including but not limited to documentation of potential impacts on wilderness area, wildlife preserve, endangered species, cultural resources, Indian religious sites, flood zones and surface features, significant, large or important impacts on the environment will not result from this project as outlined in Attachment E; therefore, a Negative Declaration is hereby issued; and be it further

RESOLVED, that the Chairman of the Greene County Legislature is authorized to sign and issue all forms, documents, and declarations, subject to the review and approval of the Greene County Attorney, for the SEQR and NEPA reviews; and be it further

RESOLVED, that this resolution shall take effect immediately.

Seconded by Legislators H. Lennon, Kozloski and K. Lennon

(9,273) (727)
Ayes 13 Noes 0 Absent 1
Van Slyke

CARRIED.

APPROVED AS TO FORM

Approved by Public Safety Comm.: 9/4/13

Campbell, Skurnis

COUNTY ATTORNEY

*cc: Trainor
1. Lennon
1. Kozloski
1. Van Slyke
1. Moughal (Attorney) (Delivered 6/13)
1. Moughal
1. Washington
1. ...*

3. ...

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciarillo
Acting Clerk, Greene County Legislature

ATTACHMENT A

SITE PLAN



WINDHAM MT MICROWAVE TOWER SITE PLAN
SCALE: 1"=40'



THIS PLAN IS A PRELIMINARY DESIGN. THE CLIENT ACCEPTS THE DESIGN AND ASSUMES ALL RESPONSIBILITY FOR THE DESIGN. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THIS PLAN. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE ENGINEER'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THIS PLAN. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

DATE: 8/13
DRAWN BY:
SCALE:
REVISIONS: 002
PROJECT NO.: J16-132
FILE:

DELAWARE ENGINEERING, P.C.
CIVIL AND ENVIRONMENTAL ENGINEERING
11 HANCOCK AVENUE, SUITE 300, GREENWICH, NY 12801-4574
P.O. BOX 100, GREENWICH, NY 12801-0100

NO.	DATE	DESCRIPTION

GREENE CITY MICROWAVE TOWERS
GREENE CITY EMERGENCY SERVICES
GREENE COUNTY, NY

CONCEPTUAL SITE PLAN
WINDHAM MT
MICROWAVE TOWER

SHEET:
G2

ATTACHMENT B

LONG ENVIRONMENTAL ASSESSMENT

PARTS 1 AND 2

**GREENE COUNTY
EMERGENCY SERVICES TELECOMMUNICATIONS
SYSTEM PROJECT**

WINDHAM MOUNTAIN TOWER

TOWN OF JEWETT, NEW YORK

**STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)
FULL ENVIRONMENTAL ASSESSMENT FORM**

SEQR UNLISTED ACTION

LEAD AGENCY:

GREENE COUNTY

411 MAIN STREET, 4TH FLOOR
CATSKILL, NY 12414

PREPARED FOR:

GREENE COUNTY

411 MAIN STREET, 4TH FLOOR
CATSKILL, NY 12414

PREPARED BY:

DELAWARE ENGINEERING, P.C.

28 MADISON AVE. EXTENSION
ALBANY, NY 12203

AUGUST 2013

Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

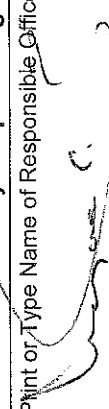
Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A.** The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- B.** Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***
- C.** The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Greene County Emergency Services Telecommunications System Windham Mt. Tower

Name of Action	
Greene County	
Name of Lead Agency	
Wayne Speenburgh	Chairman of the Legislature
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from responsible officer)
	9/18/13
	Date

PART 1--PROJECT INFORMATION
Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 & 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION Greene County Emergency Services Telecommunications System – Windham Mountain Tower	
LOCATION OF ACTION (INCLUDE STREET ADDRESS, MUNICIPALITY AND COUNTY) Windham Mountain, Town of Jewett, Greene County	
NAME OF APPLICANT/SPONSOR Greene County	BUSINESS TELEPHONE 518-719-3270
ADDRESS 411 Main Street, 4th Floor	
CITY/PO Catskill	ZIP CODE 12414
NAME OF OWNER (IF DIFFERENT) Windham Mountain Partners, LLC.	
BUSINESS TELEPHONE 518-734-4300	
ADDRESS Clarence D Lane Road	
CITY/PO Windham	ZIP CODE 12496
DESCRIPTION OF ACTION Greene County is a member of a consortium of counties that are engaged in improving interoperable emergency communications. To fulfill Greene County's role in this collaboration, the County intends to construct a telecommunications tower on Windham Mountain in the Town of Jewett that will host a microwave facility that will be interoperable with Delaware County's existing public safety microwave facility located on Mt. Utsayantha. The project includes construction of a 135' self-supported lattice tower and equipment shelter in a 50' x 50' fenced compound. The compound will be located in a wooded area screened from Ski Windham patrons by heavy vegetation. It will be proximate to an existing Crown Castle Tower compound and will be accessed via an extension to an existing gravel access driveway.	

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

- Present Land Use: Urban Industrial Commercial Residential (suburban) Rural (non-farm) Forest Agriculture Other **Telecommunications Tower, Recreation (Ski Facility)**
- Total acreage of project area: 0.14 acres (4,900 SF parcel + ~1,200 SF gravel access drive)

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	0	0.055
Forested	0.14	0
Agricultural (Includes orchards, cropland, pasture)	0	0
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	0	0
Water Surface Area	0	0
Unvegetated (Rock, earth or fill)	0	0
Roads, buildings and other paved surfaces	0	0.031
Other (Indicate type) <u>Gravel</u>	0	0.054

3. What is predominant soil type(s) on project site? VhC Vly-Halcott complex, rolling, very rocky

a. Soil drainage: Well drained 100 % of site Moderately well drained _____ % of site

Poorly drained _____ % of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? 0 Acres (see 1NYCRR 370).

4. Are there bedrock outcroppings on project site?

a. What is depth to bedrock? 0.83 – 3.33 (in feet) (10" - 40" to bedrock per Greene County Soil Survey) Yes No

5. Approximate percentage of proposed project site with slopes: 0-10% 10-15% 15% or greater _____ %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? (Per OPRHP Website mapping, Determination Letter is pending) Yes No
7. Is project substantially contiguous to a site listed on the Register of National Landmarks? Yes No
8. What is the depth of the water table? > 6.0 (in feet)
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
According to: NYS DEC Environmental Resource Mapper, NY Natural Heritage Program Letter 5/28/2013.
Identify each species: USFWS identifies Indiana Bat as a potential species in area, but field survey determined the site does not provide suitable bat habitat (dead or dying trees with flaking bark.)
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations) Yes No
Describe: _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area? Yes No
If yes, explain: Site is proximate to the Windham Mountain Ski Facility
14. Does the present site include scenic views known to be important to the community? Yes No
There are scenic views from the top of the Windham Mountain Ski Slope but none from within this wooded area.
15. Streams within or contiguous to project area: None
a. Name of Stream and name of River to which it is tributary _____
16. Lakes, ponds, wetland areas within or contiguous to project area: None
a. Name: _____
b. Size (in acres): _____
17. Is the site served by existing public utilities? **Electrical Power** Yes No
a. If **YES**, does sufficient capacity exist to allow connection? Yes No
b. If **YES**, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate). (Greene Co. will purchase 4,900 SF of Tax Parcel 95.00-3-1)
- a. Total contiguous acreage owned or controlled by project sponsor 0.1125 acres.
- b. Project acreage to be developed: 0.085 acres initially; 0.085 acres ultimately.
- c. Project acreage to remain undeveloped 0.055
- d. Length of project, in miles: N/A (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed 0 %
- f. Number of off-street parking spaces existing 0 ; proposed 2 (park on access drive)
- g. Maximum vehicular trips generated per hour 0 (upon completion of project)
- h. If residential: Number and type of housing units: N/A
- | | | | |
|------------|-------------------|------------------------|--------------------|
| | One Family | Multiple Family | Condominium |
| Initially | _____ | _____ | _____ |
| Ultimately | _____ | _____ | _____ |
- i. Dimensions (in feet) of largest proposed structure 135' height; 20' width; 20' length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 0 ft.

2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 0 tons/cubic yards.
3. Will disturbed areas be reclaimed? N/A Yes No
 a. If yes, for what intended purpose is the site being reclaimed? Gravel area within fence, brushland outside
 b. Will topsoil be stockpiled for reclamation? Yes No
 c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0.085 acres.
5. Will mature forest (over 100 years old) or other locally-important vegetation be removed by this project? Yes No
6. If single phase project: Anticipated period of construction 2 months, (including demolition)
7. If multi-phased: N/A
 a. Total number of phases anticipated _____ (number)
 b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition)
 c. Approximate completion date of final phase _____ month _____ year.
 d. Is phase 1 functionally dependent on subsequent phases? Yes No
8. Will blasting occur during construction? Yes No
9. Number of jobs generated: during construction 2 ; after project is complete 0
10. Number of jobs eliminated by this project 0 Yes No
11. Will project require relocation of any projects or facilities?
 If yes, explain: _____ Yes No
12. Is surface liquid waste disposal involved?
 a. If yes, indicate type of waste (sewage, industrial, etc) and amount _____
 b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Type _____ Yes No
14. Will surface area of an existing water body increase or decrease by proposal?
 If yes, explain: _____ Yes No
15. Is project or any portion of project located in a 100 year flood plain?
 Yes No
16. Will the project generate solid waste?
 a. If yes, what is the amount per month _____ tons Yes No
 b. If yes, will an existing solid waste facility be used? Yes No
 c. If yes, give name _____ ; location _____ Yes No
 d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No
 e. If yes, explain: _____
17. Will the project involve the disposal of solid waste?
 a. If yes, what is the anticipated rate of disposal? _____ tons/month. Yes No
 b. If yes, what is the anticipated site life? _____ years. Yes No
18. Will project use herbicides or pesticides? Yes No
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use?
 If yes, indicate type(s) Slight increase in electrical energy. Yes No
22. If water supply is from wells, indicate pumping capacity _____ gallons/minute. N/A
 _____ gallons/day. N/A
23. Total anticipated water usage per day _____ gallons/day. N/A Yes No
24. Does project involve Local, State or Federal funding?
 If yes, explain: NYS Division of Homeland Security and Emergency Services
 FY 2010-2011 Statewide Interoperable Communications Grant.

25. Approvals Required:

	YES	NO	TYPE	SUBMITTAL DATE
City, Town, Village Board	<input type="checkbox"/>	<input type="checkbox"/>		
City, Town, Village Planning Board	<input type="checkbox"/>	<input type="checkbox"/>		
City, Town Zoning Board	<input type="checkbox"/>	<input type="checkbox"/>		
City, County Health Department	<input type="checkbox"/>	<input type="checkbox"/>		
Regional Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Greene County Legislature	September 2013
State Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NYS Division of Homeland Security	12/21/11
Federal Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Federal Aviation Administration	TBD
Federal Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Federal Communications Comm.	TBD

(Antenna Structure Registration)

C. Zoning and Planning Information

- Does proposed action involve a planning or zoning decision? YES NO
 If Yes, indicate decision required: (Greene County has determined the emergency services telecommunications project has governmental immunity from local land use regulations.)
 Zoning amendment Zoning variance New/revision of master plan Subdivision
 Site plan Special use permit Resource management plan Other
- What is the zoning classification(s) of the site? **C - Conservation**
- What is the maximum potential development of the site if developed as permitted by the present zoning? **N/A**
The Conservation District requires a minimum 5 acre lot size.
- What is the proposed zoning of the site? **No Change**
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?
N/A

- Is the proposed action consistent with the recommended uses in adopted local land use plans? YES NO
Comp Plan notes limited telecommunications are an issue; encourages development of telecommunication facilities.

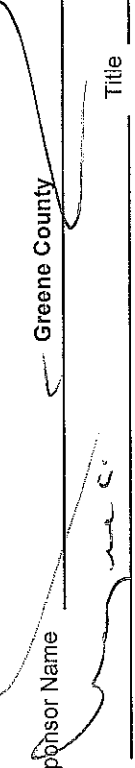
- What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?
Land Uses: Telecommunications Tower, Forest Land and Recreation. Zoning: C - Conservation
- Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile?
 YES NO
- If the proposed action is the subdivision of land, how many lots are proposed? **1 new lot**
 - What is the minimum lot size proposed? **4,900 SF**
- Will proposed action require any authorization(s) for the formation of sewer or water districts?
 YES NO
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?
 YES NO
- If yes, is existing capacity sufficient to handle projected demand?
 YES NO
- Will the proposed action result in the generation of traffic significantly above present levels?
 YES NO
- If yes, is the existing road network adequate to handle the additional traffic?
 YES NO

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Greene County Date 9/18/13
 Signature  Title Chairman of the Legislature

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

1. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.
2. **Maybe** answers should be considered as **Yes** answers.
3. If answering **Yes** to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
4. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
5. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
6. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND

1. Will the Proposed Action result in a physical change to the project site? NO YES

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.

- Other impacts Construction of .10 acres of impervious surfaces

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological)

NO YES

- Specific land forms _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON WATER

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL) NO YES

Examples that would apply to column 2

- Developable area of site contains a protected water body.
- Dredging more than 100 cubic yards of material from channel of a protected stream.
- Extension of utility distribution facilities through a protected water body.
- Construction in a designated freshwater or tidal wetland.
- Other impacts _____

4. Will Proposed Action affect any non-protected existing or new body of water? NO YES

Examples that would apply to column 2

- A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.
- Construction of a body of water that exceeds 10 acres of surface area.
- Other impacts _____

5. Will Proposed Action affect surface or groundwater quality or quantity? NO YES

Examples that would apply to column 2

- Proposed Action will require a discharge permit.
- Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- Construction or operation causing any contamination of a water supply system.
- Proposed Action will adversely affect groundwater.
- Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- Proposed Action would use water in excess of 20,000 gallons per day.
- Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
- Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.
- Proposed Action will allow residential uses in areas without water and/or sewer services.
- Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.
- Other impacts _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff? NO YES

Examples that would apply to column 2

- Proposed Action would change flood water flows.
- Proposed Action may cause substantial erosion.
- Proposed Action is incompatible with existing drainage patterns.
- Proposed Action will allow development in a designated floodway.
- Other impacts _____

IMPACT ON AIR

7. Will Proposed Action affect air quality? NO YES

Examples that would apply to column 2

- Proposed Action will induce 1,000 or more vehicle trips in any given hour.
- Proposed Action will result in the incineration of more than 1 ton of refuse per hour.
- Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.
- Proposed Action will allow an increase in the amount of land committed to industrial use.
- Proposed Action will allow an increase in the density of industrial development within existing industrial areas.
- Other impacts _____

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species? NO YES

Examples that would apply to column 2

- Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site.
- Removal of any portion of a critical or significant wildlife habitat.
- Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.
- Other: Although Windham Mt. may be in range of Indiana Bat, a field survey determined the site provides no suitable bat habitat.

9. Will Proposed Action substantially affect non-threatened or non-endangered species? NO YES

Examples that would apply to column 2

- Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.
- Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources? NO YES

Examples that would apply to column 2

- The Proposed Action would sever, cross or limit access to agricultural Land (includes cropland, hayfield, pasture, vineyard, orchard, etc.)
- Construction activity would excavate or compact the soil profile of agricultural land.
- The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.
- The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 6:17.20, Appendix B.) NO YES

Examples that would apply to column 2

- Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.
- Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts **Tower may be slightly visible from NYS parkland and Windham Historic District, but will have little visual impact due to close proximity to ex. Crown tower.**

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance? NO YES

Examples that would apply to column 2

- Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register historic places.
- Any impact to an archaeological site or fossil bed located within the project site.
- Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.
- Other impacts

IMPACT ON OPEN SPACE AND RECREATION

13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities? NO YES

Examples that would apply to column 2

- The permanent foreclosure of a future recreational opportunity.
- A major reduction of an open space important to the community.
- Other impacts

¹ Small to Moderate Impact	² Potential Large Impact	³ Can Impact be Mitigated by Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)? NO YES

List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

- Proposed Action to locate within the CEA?
- Proposed Action will result in a reduction in the quantity of the resource?
- Proposed Action will result in a reduction in the quality of the resource?
- Proposed Action will impact the use, function or enjoyment of the resource?
- Other impacts _____

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems? YES NO

Examples that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts _____

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply? YES NO

Examples that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts _____

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action? NO YES

Examples that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen.
- Other impacts _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?

POSITIVE IMPACT NO YES

Examples that would apply to column 2

- Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)
- Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.
- Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- Other impacts The project will have a positive impact on public safety by facilitating interoperable emergency communications with neighboring counties.

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will Proposed Action affect the character of the existing community?

NO YES

Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed Action will conflict with officially adopted plans or goals.
- Proposed Action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects.
- Proposed Action will create or eliminate employment.
- Other impacts _____

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?

NO YES

1 Small to Moderate Impact	2 Potential Large Impact	3 Can impact be Mitigated by Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

ATTACHMENT C

TOWN OF JEWETT RESOLUTION

RESOLUTION
EXEMPTION OF GREENE COUNTY FROM TOWN LAND USE LAWS
TOWN BOARD OF THE TOWN OF JEWETT
August 14, 2013

WHEREAS, Greene County has requested that the Town Board of the Town of Jewett make a determination with regard to whether it shall be exempt from the applicability of the Town's land use laws in relation to its proposal to construct a new emergency communications tower near the summit of Windham Mountain and within the Town of Jewett; and

WHEREAS, the Town Board recognizes that there is significant case law on point, with regard to the exemption of such a project including In the Matter of the County of Monroe, 72 NY2d 338 (1988), which held that a balancing test must be performed to determine whether a project of a municipality or agency thereof, is exempt from the local land use regulation weighing the following factors: 1) Legislative intent; 2) Nature and scope of the instrumentality seeking immunity; 3) The kind of function or land use involved; 4) The extent of the public interest to be served; 5) The effect local land use regulation would have on the enterprise; 6) Impact on legitimate local interests; 7) Alternative locations for the facility in less restrictive zoning areas; 8) Alternative methods of providing the needed improvement; 9) Intergovernmental participation in the project development process; and 10) Opportunity of the public and others to be heard; and

WHEREAS, Greene County is a municipal corporation duly organized under the laws of the State of New York and is the County government within which the Town of Jewett is located; and

WHEREAS, specifically the project includes a proposal to construct a new tower on which emergency communication antennas shall be placed, and it is contemplated that other providers may lease space on the tower in the future as co-locators; and

WHEREAS, the Town of Jewett has a zoning law and a communications tower local law which would require a site plan review and special use permit for the construction of the project by the Jewett Planning Board and Zoning Board of Appeals, respectively, and

WHEREAS, the Town caused a notice to be published in the official newspaper of the Town notifying the public of the public hearing on the issues herein and allowed the public an opportunity to be heard and there being testimony from several members of the public in favor of the project and no opposition voiced either against the project or against the granting of an exemption pursuant to the County of Monroe, and

WHEREAS, following a discussion and analysis of the aforementioned issues and testimony, _____ offered a motion which was seconded by _____ and carried:

NOW, THEREFORE, BE IT RESOLVED, that the Board finds that the Legislative intent as it relates to the within matter is found in the Zoning Law of the Town of Jewett at Section 165-3 as follows:

The purpose of this law is to promote the health, safety, morals, and general welfare of the community. In accordance with the town's comprehensive plan this law is designed to secure safety from fire, flood, panic and other dangers (Emphasis added); to promote health and general welfare; to provide adequate light and air; to prevent crowding the land and undue concentration of population; to facilitate transportation, water, sewage, schools, parks and other public services; to assure privacy for residents and freedom from nuisance and things harmful to the senses..

Clearly, the Zoning Law contemplates the safety of the residents as paramount; and

IT IS FURTHER RESOLVED, that the Town Board finds that the nature and scope of the instrumentality seeking immunity, the kind of function or land use involved and the extent of the public interest to be served are as follows: Greene County is a municipal corporation duly organized under the laws of the State of New York and is the County government within which the Town of Jewett is located. The Town and County have a long history of cooperating with and supporting one another. The property is already being used for communication tower purposes and the project contemplates the construction of a new tower on which to place emergency communication antennas.

The County has examined the current tower and determined that co-location thereon is not possible, and

IT IS FURTHER RESOLVED, that the Town Board finds that the effect local land use regulation would have on the enterprise would be minimal since as discussed above, the current and future proposed use as emergency communications towers to help secure the safety of the residents of the Town of Jewett, and

IT IS FURTHER RESOLVED, that the Town Board finds that there shall be no impacts on legitimate local interests of any kind. As mentioned above, the current and future proposed use as emergency communications towers to help secure the safety of the residents of the Town of Jewett and the County has expressed its intention to fully cooperate with the Town and provide all information it might otherwise be required to provide to the Town in the context of formal site plan and special use permit applications, and

IT IS FURTHER RESOLVED, that the Town Board finds that there are no alternative locations for the facility in less restrictive zoning areas and that there are no alternative methods of providing the needed improvement. The Town communications tower law requires co-location on existing towers whenever possible. However due to the build-out of the current tower and the needs of the County emergency communications system, co-location is not possible. Further, the new proposed tower shall not impact the environment or sight considerations based upon the proposed negative declaration prepared by the County as Lead Agency in the SEQR process and by previous determinations made by the Town for the existing tower; and

IT IS FURTHER RESOLVED, that the Town Board finds that there has been and shall continue to be considerable intergovernmental participation in the project development process. Both the Town and the County have been contemplating, discussing and planning the action which is proposed for several months. Both parties recognize the need for increased communication

capabilities based upon the experience of all county residents and municipalities following several recent emergency situations, and

IT IS FURTHER RESOLVED, that the Town Board finds that there has been ample opportunity for the public and others to be heard. The public hearing was conducted in an open meeting at the Town Board's regular meeting, following notice thereof being published in the Town's official newspaper and there was wide-spread support for the project during public comment, and

IT IS FURTHER RESOLVED that the Town Board of the Town of Jewett hereby finds that upon the balancing of all factors in relation to the site plan review and special use permit applications, the County is exempt from the applicability of the Town of Jewett zoning law and communications tower local law and thus approval by the Planning Board and Zoning Board of Appeals is not required; and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to file this Resolution in the appropriate index within five (5) business days.

COUNCILMAN McCRARY	AYE	NAY	ABSENT/OTHER
COUNCILMAN TRACH	AYE	NAY	ABSENT/OTHER
COUNCILMAN PELLITIRI	AYE	NAY	ABSENT/OTHER
COUNCILMAN JACOBS	AYE	NAY	ABSENT/OTHER
SUPERVISOR MUTH	AYE	NAY	ABSENT/OTHER

AYE _____ NAY _____ ABSENT/OTHER _____ CARRIED _____ DEFEATED _____

Unanimous vote of 5 to 0. The Town Board of the Town of Jewett hereby determines under the County of Monroe "balancing test" that the construction of a new emergency communications tower and associated antennas, together with possible future co-location of other carriers thereon, is exempt from the applicability of the Town of Jewett zoning law and communications tower local law for site plan review and special use permit approvals.

ATTACHMENT D

NEPA SCREENING REPORT

**GREENE COUNTY
EMERGENCY SERVICES TELECOMMUNICATIONS
SYSTEM PROJECT**

WINDHAM MOUNTAIN TOWER

TOWN OF JEWETT, NEW YORK

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)
SCREENING REPORT**

PREPARED FOR:

GREENE COUNTY
411 MAIN STREET, 4TH FLOOR
CATSKILL, NY 12414

PREPARED BY:

DELAWARE ENGINEERING, P.C.
28 MADISON AVE. EXTENSION
ALBANY, NY 12203

AUGUST 2013

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) SCREENING REPORT

Greene County Emergency Services Telecommunications System

Windham Mountain Tower

Town of Jewett

Greene County, New York

74° 15' 54.95" W

42° 17' 6.29" N

A NEPA Screening Report has been prepared for Greene County as part of the environmental review of the proposed Windham Mountain Telecommunications Tower. This report has been prepared in compliance with 47 C.F.R. §1.1307, the portion of the Federal Telecommunications regulations that require the Federal Communications Commission to follow specific procedures in implementing the National Environmental Policy Act of 1969 for actions that may have a significant environmental effect.

The NEPA Screening Report contains a NEPA Land Use Screening Checklist that addresses potential impacts in the following eight categories:

- 1. Wilderness Area**
Will Facility be located in an officially designated Wilderness Area?
- 2. Wildlife Preserve**
Will Facility be located in an officially designated Wildlife Preserve?
- 3. Endangered Species**
Will Facility affect listed threatened or endangered species or designated critical habitats; or is likely to jeopardize the continued existence of any proposed endangered or threatened species or likely to result in the destruction or adverse modification of proposed critical habitats?
- 4. Cultural Resources**
Will Facility affect districts, sites, buildings, structures or objects significant in American history, architecture, archeology, engineering or culture that are listed, or are eligible for listing, in the National Register of Historic Places?
- 5. Indian Religious Sites**
Will Facility affect Indian Religious Sites?
- 6. Flood Zones**
Will Facility be located in a Flood Plain?
- 7. Surface Features**
Will construction involve significant change in surface features (e.g., wetland fill, deforestation or water diversion)?
- 8. High Intensity White Lights**
Will Facility be equipped with high intensity white lights which are to be located in residential neighborhoods, as defined by the applicable zoning law?

The Screening Report includes a compilation of supporting mapping, agency correspondence and other applicable documentation as Appendices to the Screening Checklist.

NEPA SCREENING CHECKLIST
Greene County Emergency Services Telecommunications System
Windham Mountain Tower

Category <i>(per 47 C.F.R. §1.1307)</i>	Resources Reviewed	Findings
1. Wilderness Area Will Facility be located in an officially designated Wilderness Area?	<ul style="list-style-type: none"> ▪ NYSDEC Lands GIS File (Forest Preserves) ▪ National Wilderness Preservation System - Wilderness Areas GIS File and Update Database 	Appendix A The site is not located on or near a designated New York State or Federal Wilderness Area.
2. Wildlife Preserve Will Facility be located in an officially designated Wildlife Preserve?	<ul style="list-style-type: none"> ▪ NYSDEC Lands GIS File (Wildlife Management Areas) ▪ USFWS National Wildlife Refuge Boundary GIS File 	Appendix A The site is not located on or near a designated New York State or Federal Wildlife Preserve.
3. Endangered Species Will Facility potentially affect listed (or proposed) threatened or endangered species or critical habitats?	<ul style="list-style-type: none"> ▪ NY Natural Heritage Program Determination Letter (5/28/2013) ▪ NYSDEC Envir. Resource Mapper ▪ NYSDEC Nature Explorer Website ▪ USFWS IPaC Consultation 	Appendix B NYSDEC finds no effect on endangered species. USFWS notes Indiana Bat may be in vicinity, but tower site is not suitable habitat.
4. Cultural Resources Will Facility affect districts, sites, buildings, structures or objects that are listed, or are eligible for listing in the National Register of Historic Places?	<ul style="list-style-type: none"> ▪ NYS OPRHP Correspondence ▪ NYS OPRHP GIS Web Map 	Appendix C Project will have No Effect on cultural resources on or eligible for National Register. Tower may be visible from the Windham Historic District, but will visually merge w/nearby Crown tower.
5. Indian Religious Sites Will Facility affect Indian Religious Sites?	<ul style="list-style-type: none"> ▪ Native American Consultation Database (NACD) 	Appendix D The NACD identifies no Native American Tribes or resources in Greene County.
6. Flood Zones Will Facility be located in a Flood Plain?	<ul style="list-style-type: none"> ▪ FEMA Greene County Flood Insurance Rate Map (FIRM) Map No. 36039C0192F 	Appendix E The site is not located within or near any FEMA Flood Zones.
7. Surface Features Will Facility involved significant change in surface features (e.g. wetland fill, deforestation, etc.)?	<ul style="list-style-type: none"> ▪ NYSDEC Wetlands and Streams GIS Files ▪ National Wetlands Inventory (NWI) Wetlands GIS File ▪ 2010 NYS GIS Orthoimagery 	Appendix F The project will affect ~0.10 acres of existing forest and brush.
8. High Intensity Lights Will Facility with high intensity white lights be located in a residential neighborhood?	Not Applicable	The tower will not be lit. The proposed 135' tall structure does not require lighting per FAA regulations.

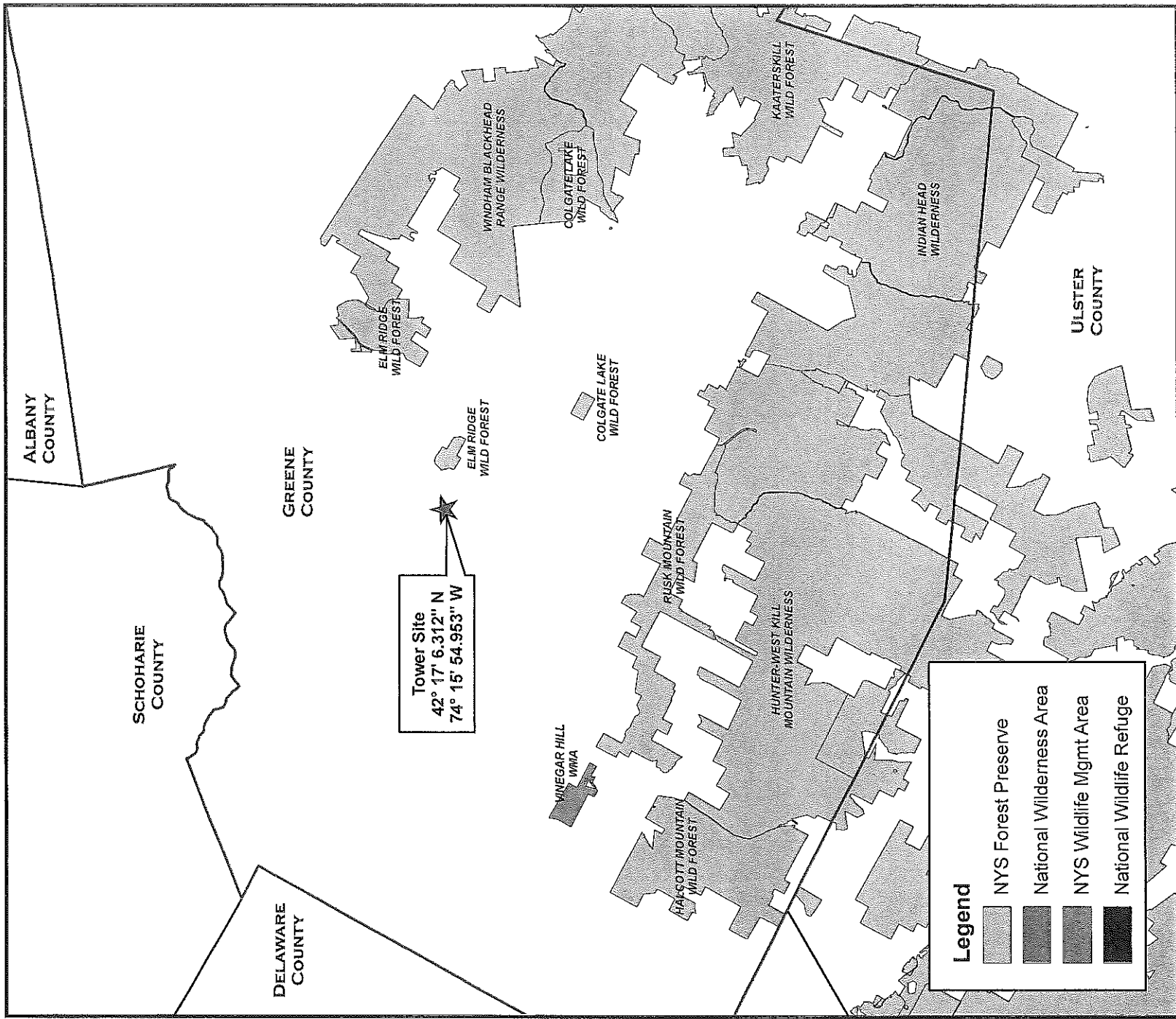
APPENDIX A

WILDERNESS AREA

NYSDEC Lands GIS File (Forest Preserves)
National Wilderness Preservation System - Wilderness Areas GIS File
and Update Database





WILDLIFE PRESERVE

NYSDEC Lands GIS File (Wildlife Management Areas)
USFWS National Wildlife Refuge Boundary GIS File



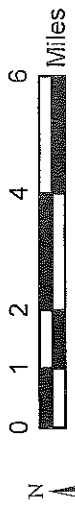
Tower Site
 42° 17' 6.312" N
 74° 15' 54.953" W

Legend

-  NYS Forest Preserve
-  National Wilderness Area
-  NYS Wildlife Mgmt Area
-  National Wildlife Refuge

**GREENE COUNTY EMERGENCY SERVICES
 TELECOMMUNICATION TOWER - WINDHAM MT.**

NEPA CHECKLIST:
 WILDERNESS AREAS AND WILDLIFE PRESERVES



Prepared by: Delaware Engineering, PC, June 2013
 Source: NYSDER Lands, USFWS National Wildlife Refuge
 and National Wilderness Areas GIS Files

APPENDIX B

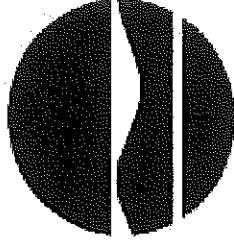
ENDANGERED SPECIES

NY Natural Heritage Program Determination Letter (May 28, 2013)
NYSDEC Environmental Resource Mapper
NYSDEC Nature Explorer Website

US Fish and Wildlife Service IPaC Consultation

NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DOCUMENTATION

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • Fax: (518) 402-8925
Website: www.dec.ny.gov



Joe Martens
Commissioner

May 28, 2013

Kathleen Tataru
Delaware Engineering
28 Madison Ave. Ext.
Albany, NY 12203

RECEIVED

MAY 30 2013

STATE OF NEW YORK

Dear Ms. Tataru:


In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to an Environmental Assessment for the Proposed Telecommunications Tower – Windham Mountain, site as indicated on your enclosed map located in the Town of Jewett, Greene County.

We have no records of rare or state listed animals or plants, or significant natural communities, on, or in the immediate vicinity, of your project sites.

The absence of data does not necessarily mean that rare or state-listed species, or significant natural communities, do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities and other significant habitats maintained in the Natural Heritage Databases. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Nicholas Conrad, Information Services
NYS Department Environmental Conservation

Enc.
cc: Reg, 4, Wildlife Mgr.

499



Delaware Engineering, PC

28 Madison Avenue Extension
Albany, New York 12203
Tel: 518.452.1290
Fax: 518.452.1335

May 18, 2013

New York Natural Heritage Program – Information Services
NYS DEC

625 Broadway, 5th Floor
Albany, New York 12233-4757

RE: Greene County Emergency Services Telecommunications System
Windham Mountain Tower
Town of Jewett, Greene County

Dear New York Natural Heritage Program,

Greene County is upgrading their public safety telecommunications system to facilitate the creation of a regional emergency communications network. The first step is construction of a communications tower on Windham Mountain that will be the backbone of a future county-wide microwave network. The project includes construction of a 125' tall self-supported lattice tower and equipment shelter in a 50' x 50' fenced compound. The compound will be located in the Town of Jewett near the Town of Windham line and close to the existing Crown Castle telecommunications tower. It will be accessed from the Ski Windham facility via an extension to an existing gravel access driveway.

The project site is identified on the attached USGS Site Location Map (Ashland V44 and Hensonville V45 quadrangles.) The latitude and longitude of the proposed tower location is 74° 15' 54.953" W and 42° 17' 6.312" N.

We request that you review NY Natural Heritage Program files with respect to known occurrences of endangered, threatened or special concern wildlife species, rare plant, animal or natural community occurrences or other significant habitats, in the vicinity of this site.

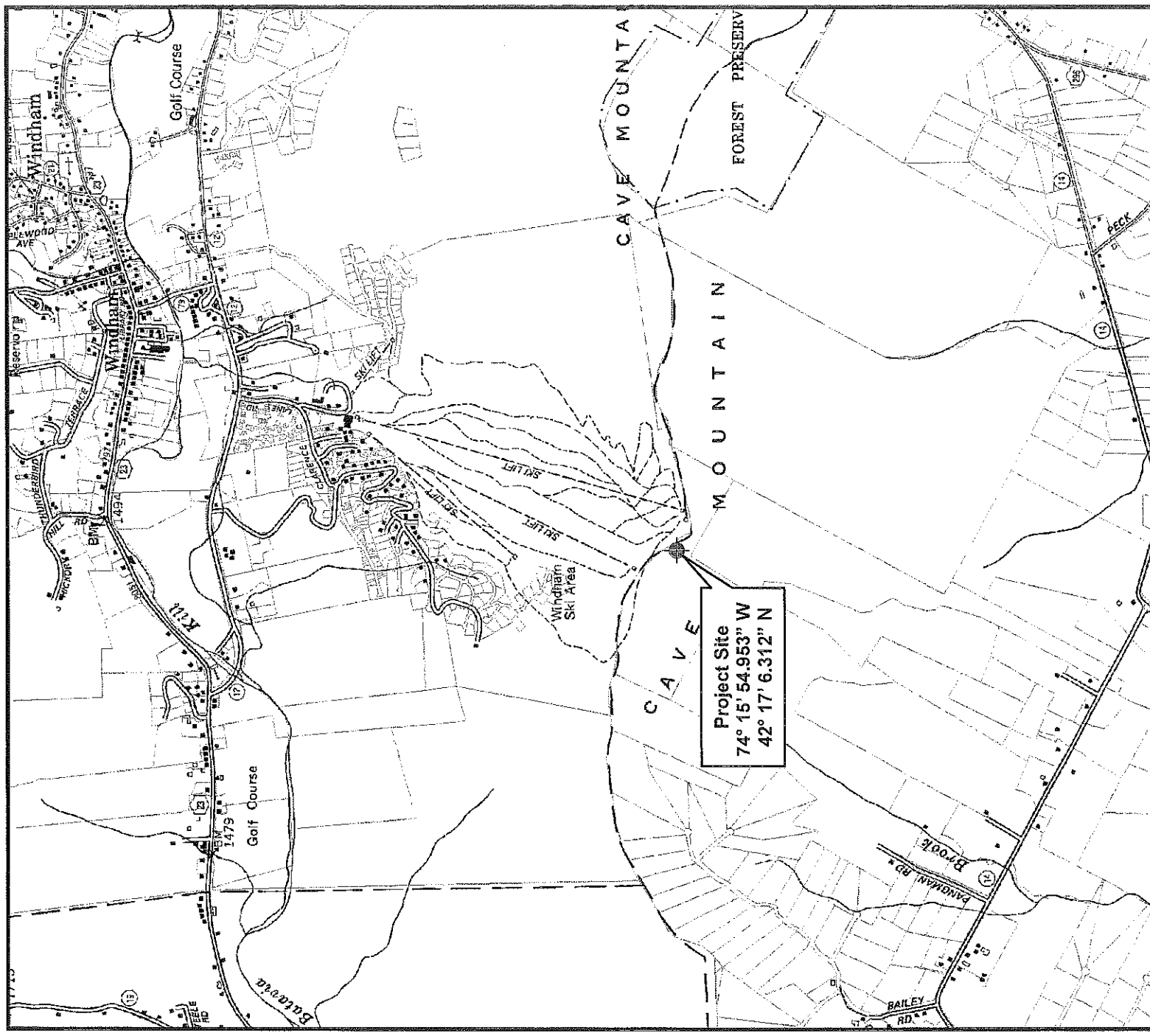
Your assistance in this matter is greatly appreciated. If you have any questions please contact me at (518) 452-1290 or via email at ktatara@delawareengineering.com.

Sincerely,

Kathleen Tatara

Kathleen Tatara
Senior Planner

8-12 Dietz Street, Suite 303, Oneonta, New York 13820 • Phone (607) 432-8073/Fax (607) 432-0432
BRANCH OFFICE: 6 Townsend Street, Walton, New York 13856 • Phone/Fax (607) 865-9235



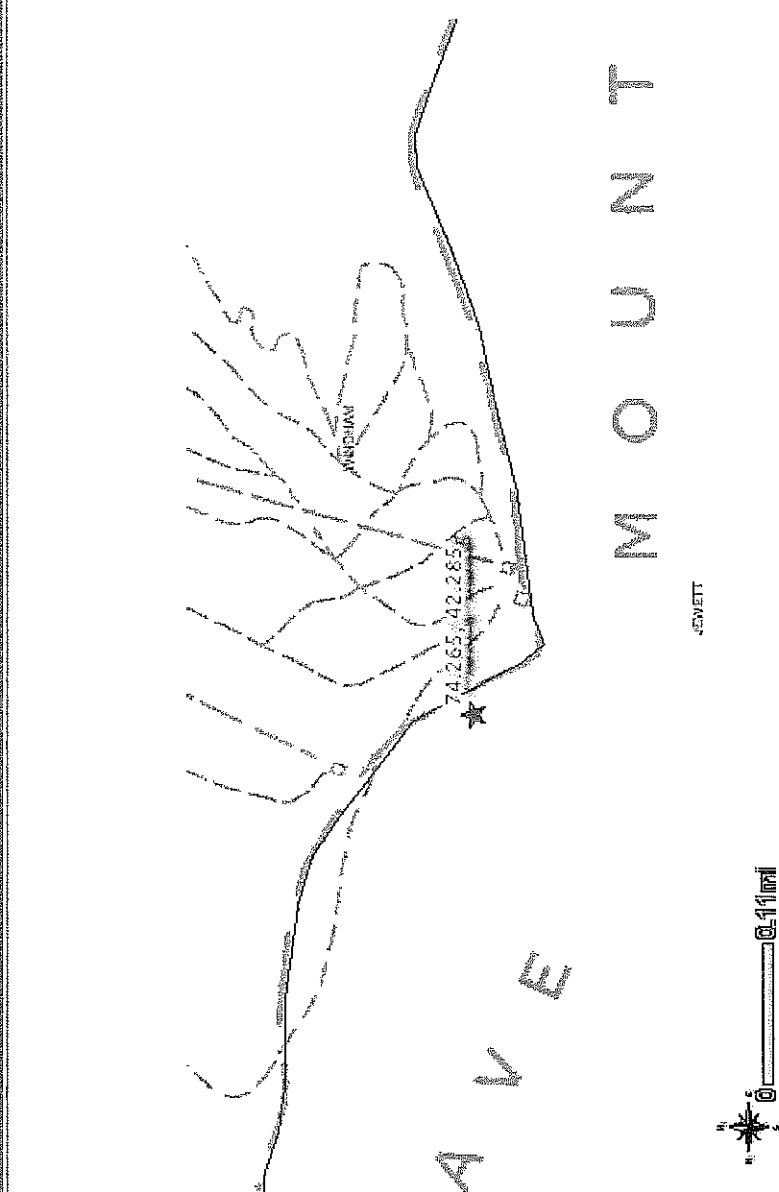
**GREENE COUNTY EMERGENCY SERVICES
TELECOMMUNICATIONS SYSTEM
WINDHAM MOUNTAIN TOWER**

TOWN OF JEWETT, NEW YORK
LOCATION MAP



Prepared by: Delaware Engineering, P.C. May 2013
Sources: NYS DOT 7.5' Digital Raster Quads;
(V44) Ashland and (V45) Hensonsville
Greene County Digital Tax Parcels 2012





Visible Layers

- Classified Streams
- Classified Ponds
- State-Regulated Freshwater Wetlands
- Wetland Checkpoints
- State-Regulated Freshwater Wetlands
- Rare Plants and Rare Animals
- Significant Natural Communities Buffered
- Natural Communities Nearby
- Significant Natural Communities
- Interstate Highways
- Adirondack Park Boundary
- Counties



Disclaimer: This map does not show all natural resources regulated by NYS DEC, or for which permits from NYS DEC may be required. Please contact your DEC Regional office for more information.

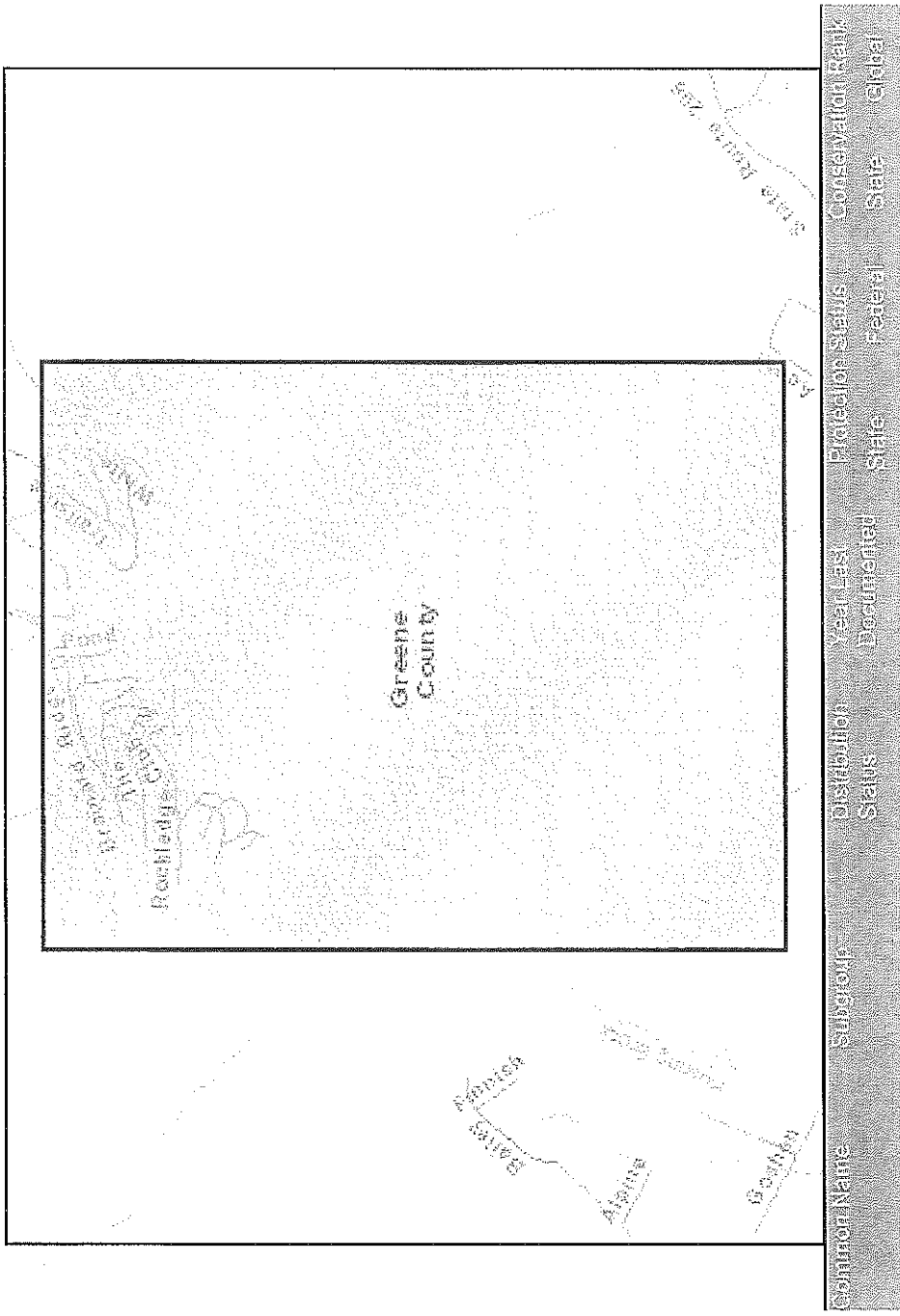
MinX: 560014, MaxX: 561397, MinY: 4682080, MaxY: 4681204

Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.

New York Nature Explorer

Greene Co. Windham Tower Site

Criteria: Selected Map Area



Note: Restricted plants and animals may also have also been documented in one or more of the Towns or Cities in which your user-defined area is located, but are not listed in these results. This application does not provide information at the level of Town or City on state-listed animals and on other sensitive animals and plants. A list of the restricted animals and plants documented at the corresponding county level can be obtained via the County link(s) on the original User Defined Search Results page. Any individual plant or animal on this county's restricted list may or may not occur in this particular user-defined area.

This list only includes records of rare species and significant natural communities from the databases of the NY Natural Heritage Program. This list is not a definitive statement about the presence or absence of all plants and animals, including rare or state-listed species, or of all significant natural communities. For most areas, comprehensive field surveys have not been conducted, and this list should not be considered a substitute for on-site surveys.

U.S. FISH AND WILDLIFE SERVICE
DOCUMENTATION



United States Department of the Interior



FISH AND WILDLIFE SERVICE
NEW YORK ECOLOGICAL SERVICES FIELD OFFICE

3817 LUKER ROAD
CORTLAND, NY 13045

PHONE: (607)753-9334 FAX: (607)753-9699

URL: www.fws.gov/northeast/nyfo/es/section7.htm

Consultation Tracking Number: 05E1NY00-2013-SLI-0565

May 28, 2013

Project Name: Greene Co. Windham Mt. Tower

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project.

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects

should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Greene Co. Windham Mt. Tower

Official Species List

Provided by:

NEW YORK ECOLOGICAL SERVICES FIELD OFFICE
3817 LUKER ROAD
CORTLAND, NY 13045
(607) 753-9334
<http://www.fws.gov/northeast/nyfo/es/section7.htm>

Consultation Tracking Number: 05E1NY00-2013-SLI-0565

Project Type: Communications Tower

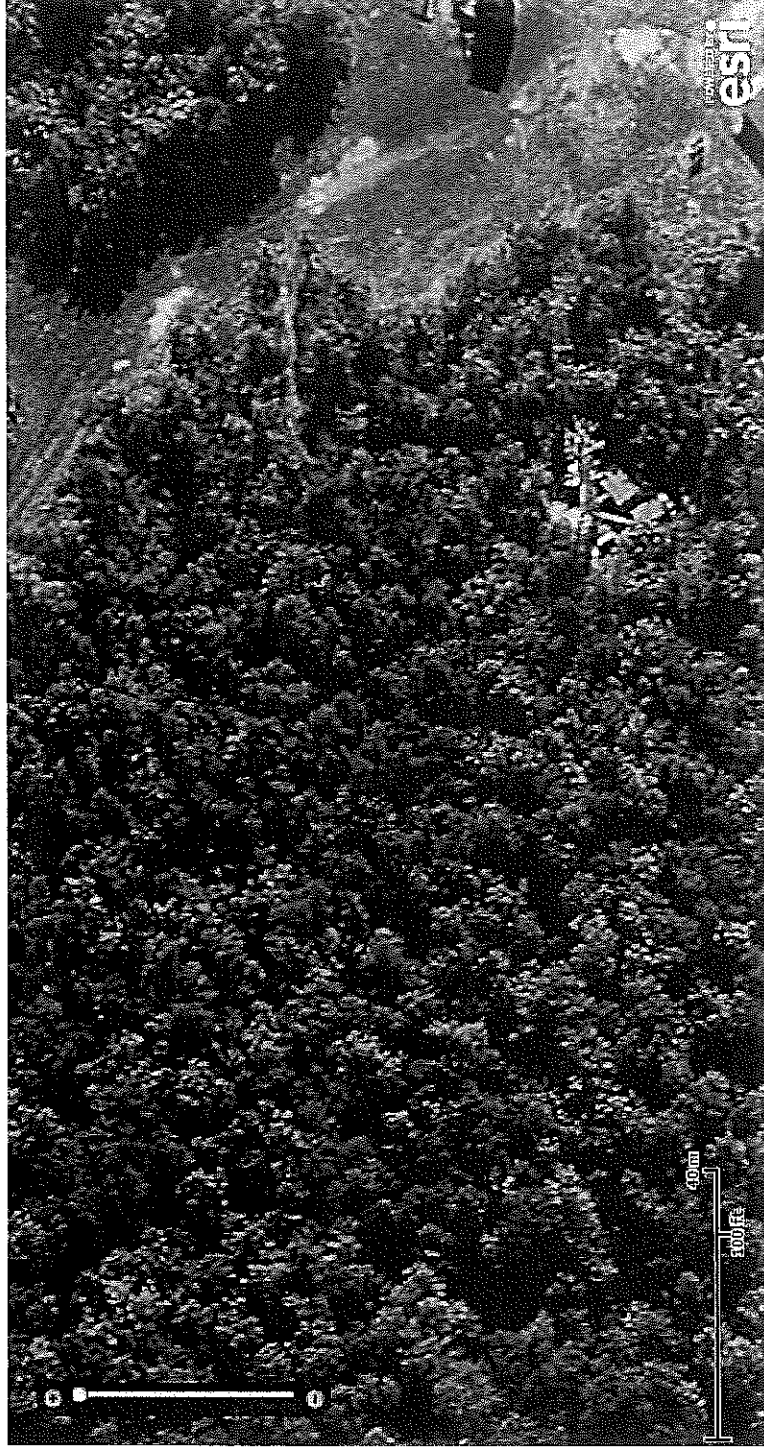
Project Description: Greene Co. is planning a 125' tall interoperable communications tower on the top of Windham Mt. to communicate with Delaware County.



United States Department of Interior
Fish and Wildlife Service

Project name: Greene Co. Windham Mt. Tower

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-74.2653831 42.2852048, -74.2651835 42.2850648, -74.2653807 42.2849173, -74.2655818 42.2850538, -74.2653831 42.2852048)))

Project Counties: Greene, NY



United States Department of Interior
Fish and Wildlife Service

Project name: Greene Co. Windham Mt. Tower

Endangered Species Act Species List

Species lists are not entirely based upon the current range of a species but may also take into consideration actions that affect a species that exists in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Please contact the designated FWS office if you have questions.

Indiana bat (*Myotis sodalis*)

Population: Entire

Listing Status: Endangered

<http://ecos.fws.gov/ipac>, 05/28/2013 07:19 AM



U.S. Fish & Wildlife Service

Indiana bat

Myotis sodalis

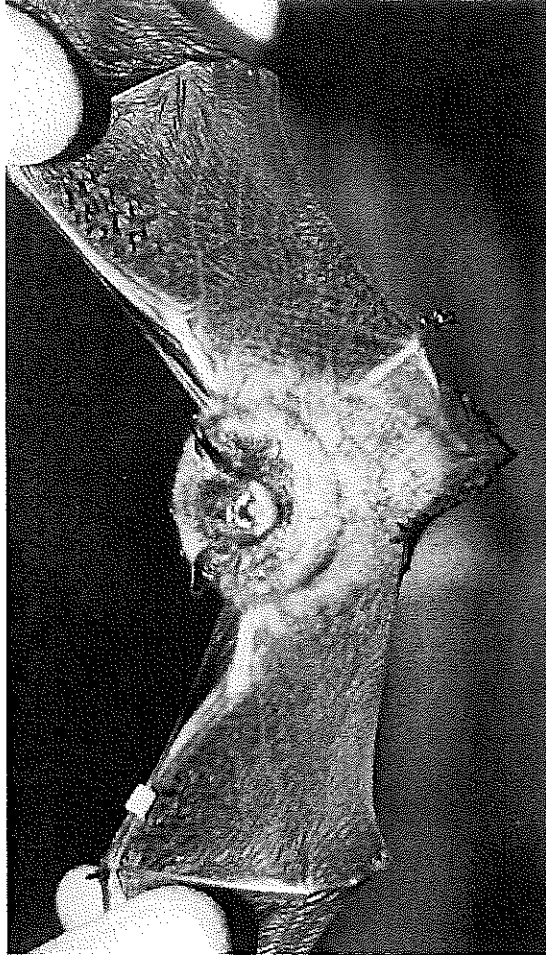
Indiana bats have long lived in the forests and caves of the Northeast and Southeast but primarily in the Midwest. Very gregarious animals, these little bats congregate in winter and summer colonies, migrating between the two in spring and fall. Although they once numbered in the millions, the Indiana bat population has declined 56 percent in the past 40 years, from 883,300 in the 1960s to 387,300 today. In 1967, Indiana bats were listed for protection under the Endangered Species Act.

Small, social sleepers

Indiana bats hibernate in limestone caves, called hibernacula, from mid-autumn to early spring. Hibernating bats form large, compact clusters with as many as 5,000 individuals but averaging 500 to 1,000 bats per cluster. Bats form clusters in the same area in a cave each year, with more than one cluster in some caves. Clustering may protect individual bats from temperature changes, reduce sensitivity to external disturbance, or enable rapid arousal and escape from predators. Roosts usually are in the coldest part of the cave. This ensures a sufficiently low metabolic rate so the bats' fat reserves last through the six-month hibernation. Bats may move from a location deeper in the cave to a site nearer the entrance as the cold season progresses to move away from areas that go below freezing. Indiana bats tend to return to the same hibernacula each year.

Single mom, single pup

Having mated in autumn, a female becomes pregnant after the winter hibernation when she ovulates and an egg is fertilized by sperm stored from the autumn mating. Pregnant females migrate to trees that serve as maternity colonies throughout the summer. The female births a single pup, which she tends for about a month before taking it on its first flight in tandem with her. The weather affects the length of time for the



Indiana bats still live in Alabama, Arkansas, Georgia, Iowa, Illinois, Indiana, Kansas, Kentucky, Maryland, Michigan, Missouri, Mississippi, North Carolina, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Virginia, Vermont, and West Virginia.

pup to mature. Females sometimes

relocate their pups to warmer spots on the tree. Dozens and up to hundreds of mothers and their young can inhabit maternity roost trees.

In the summer, bats live in wooded or semi-wooded areas. Groups of female Indiana bats form maternity colonies to bear their offspring in crevices of trees or under loose tree bark. Dead trees are

preferred roost sites, and trees standing in sunny openings are attractive because the air spaces and crevices under the bark are warm. Typical roosts are beneath the bark and in crevices of dead trees and beneath loose bark of living trees. Roost trees are likely to be exposed to direct sunlight throughout the day, and are as likely to be in upland habitats as in floodplain forests. Indiana bats are also known to roost in human-made structures such as bridges, sheds, houses and abandoned churches.

Meals on the fly and migration, too

Indiana bats eat flying insects, and their diet reflects the available prey. Bats forage along river and lake shorelines, in the crowns of trees in floodplains and in upland forests. Reproductively active females generally forage within a mile of roost trees. Bats may attempt to capture flying insects as many as 17 times a minute.

Indiana bats show strong homing instincts to their hibernacula. When released to the west of a winter cave, over 68 percent of the bats returned to the cave from 12 miles away. Biologists released approximately 500 female bats up to 200 miles from their winter cave and found that more than two-thirds returned. These researchers noted much stronger homing tendencies along a north-south axis, the direction for migrating to and from summer roosts, than along the east-west direction. Winter and summer

habitats may be as much as 300 miles apart, but are probably much closer for the majority of bats.



flight space. Altering air exchange by opening additional entrances can also change cave temperature and humidity, rendering the cave unsuitable for bats. Since disruption during hibernation is detrimental, biologists schedule research to avoid harming the bats. To reduce disturbance during a census, the cave is mapped in the autumn before the bats arrive. Then a few, well-trained people carefully collect the minimum data needed for the census.

The rest of the problem

When first looking at the decline of Indiana bat populations, the problems of vandalism and human disturbance in the winter hibernacula were addressed first. When bat populations continued to decline, biologists looked at where bats spend their summers. Loss and degradation of summer habitat and roost sites due to water impoundment, stream channeling, forest clearing, housing development, and clear cutting for agricultural or other uses may be important factors in continuing Indiana bat population decline. Additional research is needed to verify the causes of decline.

Within the delineated summer range, activities planned in habitats occupied by Indiana bats may need to be changed to

accommodate the needs of the bats. Summer roosts and surrounding forest and foraging areas may need to be maintained in as natural a state as possible. In addition, while winter hibernacula themselves must be protected, the forests above and around hibernacula should not be dramatically altered. After all, Indiana bats are animals of the forest. Once as plentiful as the passenger pigeon, these little flying mammals are rapidly falling toward extinction. The Service, along with many partners, is working to conserve and protect Indiana bats for now and for the future.

Bats in trouble

While hibernating in large numbers is beneficial to bats, it also leaves them vulnerable to catastrophe. Human disturbance at winter caves arouses bats, depleting energy reserves. Vandalism and indiscriminate killing have destroyed much of the population. Some early attempts to keep people out of hibernacula by installing gates inadvertently made the caves unsuitable for bats. Improperly constructed gates can alter the air flow, trap debris and block the entrance by not allowing enough

**Northeast Region
U.S. Fish & Wildlife Service
300 Westgate Center Drive
Hadley, MA 01035**

**Federal Relay Service
for the deaf and hard-of-hearing
1 800/877 8339**

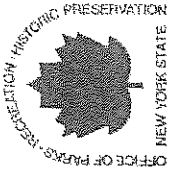
**U.S. Fish and Wildlife Service
<http://www.fws.gov>
1 800/344 WILD**

July 2004

APPENDIX C

CULTURAL RESOURCES

NYS OPRHP Correspondence
NYS OPRHP GIS Web Map



**New York State Office of Parks,
Recreation and Historic Preservation**

Division for Historic Preservation
P.O. Box 189, Waterford, New York 12188-0189
518-237-8643

September 10, 2013

Kathleen Tataro
28 Madison Avenue Extension
Albany, New York 12203

Re: SEMO
Greene County Emergency Telecommunications
System - Windham Mt. Tower
Windham Mountain
JEWETT, Greene County
13PR04124

Dear Ms. Tataro:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, it is the SHPO's opinion that your project will have No Effect upon cultural resources in or eligible for inclusion in the National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont
Deputy Commissioner for Historic Preservation

RECEIVED

SEP 12 2013

DELAWARE ENGINEERING

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner



Delaware Engineering, PC

28 Madison Avenue Extension
Albany, New York 12203

Tel: 518.452.1290
Fax: 518.452.1335

May 19, 2013

Ruth Pierpont, Deputy Commissioner
New York State Historic Preservation Office
Peoples Island
P.O. Box 189
Waterford, NY 12188-0189

Re: Greene County Emergency Telecommunications System – Windham Mt. Tower
Windham (Cave) Mountain
Town of Jewett, Greene County

Dear Ms. Pierpont,

Greene County has received a NYS Department of Homeland Security and Emergency Services 2010-2011 Statewide Interoperable Communications Grant to upgrade their public safety telecommunication system and facilitate creation of a regional emergency communications network. The project involves construction of a microwave facility on Windham Mountain that will interconnect with the Mt. Utsayantha facility in Delaware County. The Greene County Department of Emergency Services intends to declare lead agency status in the SEQR review of this action.

The project includes construction of a 125' tall self-supported lattice tower and equipment shelter in a 50' x 50' fenced compound on the top of Windham Mountain. The compound will be located in the Town of Jewett just south of the Town of Windham line and approximately 100' from an existing 125' tall Crown Castle Communications tower. The site is in a wooded area approximately 400' northwest of the Ski Windham Ski Lift station and will be accessed via a short extension to an existing gravel access driveway.

The project site is identified on the attached USGS Site Location Map (Ashland V44 and Hensonville V45 quadrangles.) The latitude and longitude of the proposed tower location is 74° 15' 54.953" W and 42° 17' 6.312" N. An aerial map and several birds-eye views of the site are also attached.

Greene County requests that SHPO review the Windham Tower project to determine its potential effect on cultural resources. Your assistance in this matter is greatly appreciated. If you have any questions please contact me at 518-452-1290 or via email at ktatara@delawareengineering.com.

Sincerely,

Kathleen Tatara

Kathleen Tatara
Senior Planner



PROJECT REVIEW COVER FORM

Please complete this form and attach it to the top of any and all information submitted to this office for review.
 Accurate and complete forms will assist this office in the timely processing and response to your request.

This information relates to a previously submitted project.

If you have checked this box and noted the previous Project Review (PR) number assigned by this office you do not need to continue unless any of the required information below has changed.

PROJECT NUMBER PR

COUNTY _____

2. This is a new project.

If you have checked this box you will need to complete ALL of the following information.

Project Name Greene Co. Emergency Services Telecommunications System - Windham Mt. Tower
 Location Top of Windham (Cave) Mountain ~400' northwest of Windham Mountain Ski Lift
 You MUST include street number, street name and/or County, State or Interstate route number if applicable
 City/Town/Village Town of Jewett
 List the correct municipality in which your project is being undertaken. If in a hamlet you must also provide the name of the town.
 County Greene County
 If your undertaking* covers multiple communities/counties please attach a list defining all municipalities/counties included.

TYPE OF REVIEW REQUIRED/REQUESTED (Please answer both questions)

A. Does this action involve a permit approval or funding, now or ultimately from any other governmental agency?

No Yes

If Yes, list agency name(s) and permit(s)/approval(s)

Agency involved	Type of permit/approval	State	Federal
Federal Communications Commission	Antenna Structure Registration	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Federal Aviation Administration	Determination of No Hazard to Air Navigation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NYS DHSES Funding	2010-2011 Statewide Interoperability Comm Grant.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

B. Have you consulted the NYSHPO web site at [**http://nysparks.state.ny.us](http://nysparks.state.ny.us) to determine the preliminary presence or absence of previously identified cultural resources within or adjacent to the project area? If yes:

Yes No

Was the project site wholly or partially included within an identified archeologically sensitive area?

Yes No

Does the project site involve or is it substantially contiguous to a property listed or recommended for listing in the NY State or National Registers of Historic Places?

Yes No

CONTACT PERSON FOR PROJECT

Name Kathleen Tata Title Senior Planner
 Firm/Agency Delaware Engineering, P. C.
 Address 28 Madison Avenue Extension City Albany STATE NY Zip 12203
 Phone (518) 452-1290 Fax (518) 452-1335 E-Mail ktatara@delawareengineering.com

**<http://nysparks.state.ny.us> then select HISTORIC PRESERVATION then select On Line Resources

The Historic Preservation Review Process in New York State

In order to insure that historic preservation is carefully considered in publicly-funded or permitted undertakings*, there are laws at each level of government that require projects to be reviewed for their potential impact/effect on historic properties. At the federal level, Section 106 of the National Historic Preservation Act of 1966 (NHPA) directs the review of federally funded, licensed or permitted projects. At the state level, Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law of 1980 performs a comparable function. Local environmental review for municipalities is carried out under the State Environmental Quality Review Act (SEQRA) of 1978.

regulations on line at:

<http://nysparks.state.ny.us> then select HISTORIC PRESERVATION then select Environmental Review

Project review is conducted in two stages. First, the Field Services Bureau assesses affected properties to determine whether or not they are listed or eligible for listing in the New York State or National Registers of Historic Places. If so, it is deemed "historic" and worthy of protection and the second stage of review is undertaken. The project is reviewed to evaluate its impact on the properties significant materials and character. Where adverse effects are identified, alternatives are explored to avoid, or reduce project impacts; where this is unsuccessful, mitigation measures are developed and formal agreement documents are prepared stipulating these measures.

ALL PROJECTS SUBMITTED FOR REVIEW SHOULD INCLUDE THE FOLLOWING MATERIAL(S).



Project Description

Attach a full description of the nature and extent of the work to be undertaken as part of this project. Relevant portions of the project applications or environmental statements may be submitted.



Maps Locating Project

Include a map locating the project in the community. The map must clearly show street and road names surrounding the project area as well as the location of all portions of the project. Appropriate maps include tax maps, Sanborn Insurance maps, and/or USGS quadrangle maps.



Photographs

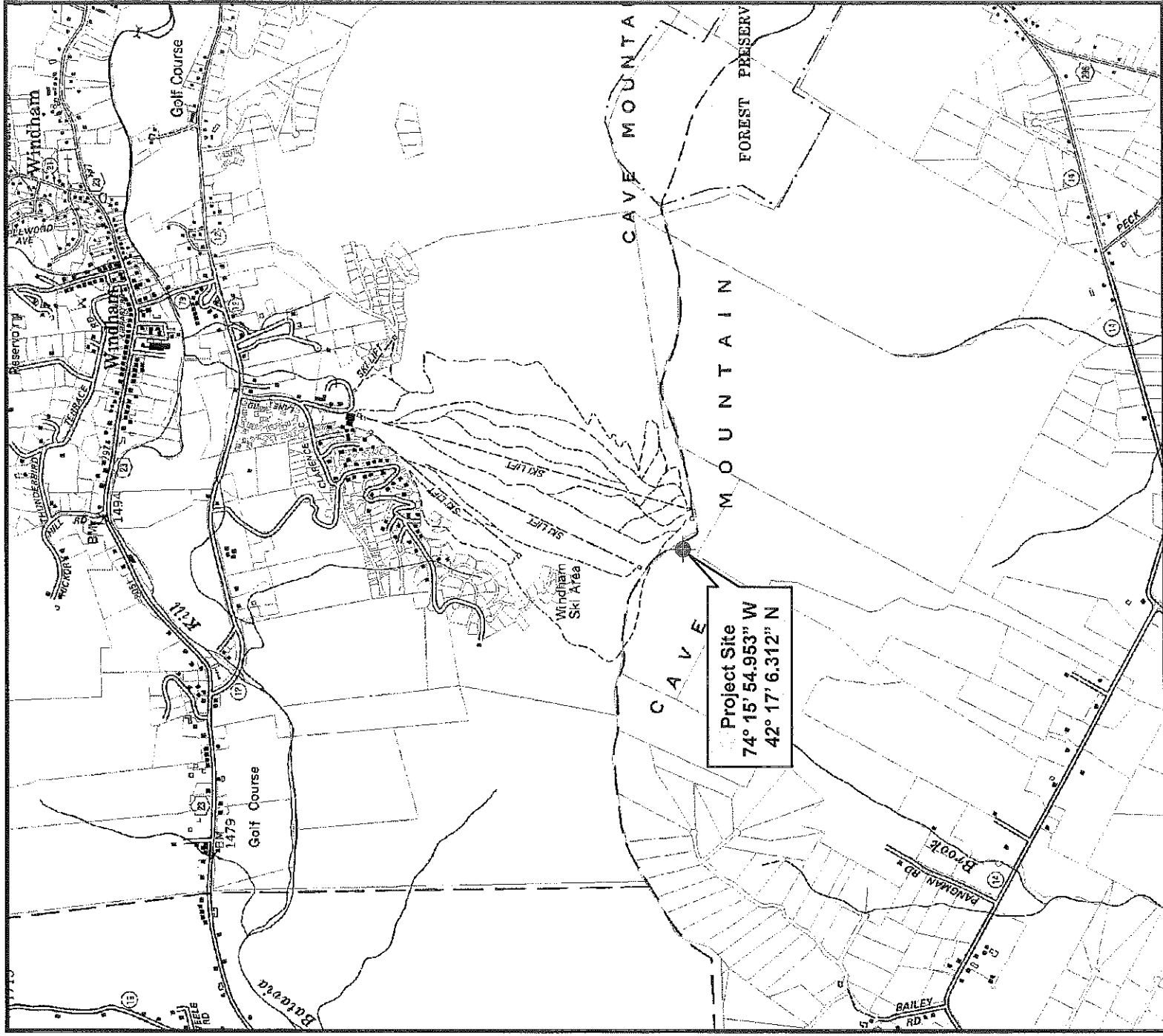
Photographs may be black and white prints, color prints, or color laser/photo copies; standard (black and white) photocopies are NOT acceptable.

-If the project involves *rehabilitation*, include photographs of the building(s) involved. Label each exterior view to a site map and label all interior views.

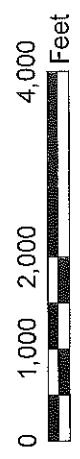
-If the project involves *new construction*, include photographs of the surrounding area looking out from the project site. Include photographs of any buildings (more than 50 years old) that are located on the project property or on adjoining property.

NOTE: Projects submissions will not be accepted via facsimile or e-mail.

**Undertaking* is defined as an agency's purchase, lease or sale of a property, assistance through grants, loans or guarantees, issuing of licenses, permits or approvals, and work performed pursuant to delegation or mandate.



**GREENE COUNTY EMERGENCY SERVICES
TELECOMMUNICATIONS SYSTEM
WINDHAM MOUNTAIN TOWER
TOWN OF JEWETT, NEW YORK
LOCATION MAP**



Prepared by: Delaware Engineering, P.C. May 2013
Sources: NYS DOT 7.5 Digital Raster Quads;
(V44) Ashland and (V45) Hensonville
Greene County Digital Tax Parcels 2012





POTENTIAL GREENE CO. TOWER SITE

0 25 50 100 Feet

Prepared by: DeBore Engineering, P.C. April 2013
Source: NED 2012 Digital Topographic
Greene Co. RPS 2012 Digital Topographic
5' Contours created from NED 10m Asc Desc DEMs

View looking northeast



PROPOSED WINDHAM MT. TOWER SITE

PROPOSED WINDHAM MT. TOWER SITE



United States Hwy • Green Co • Windham

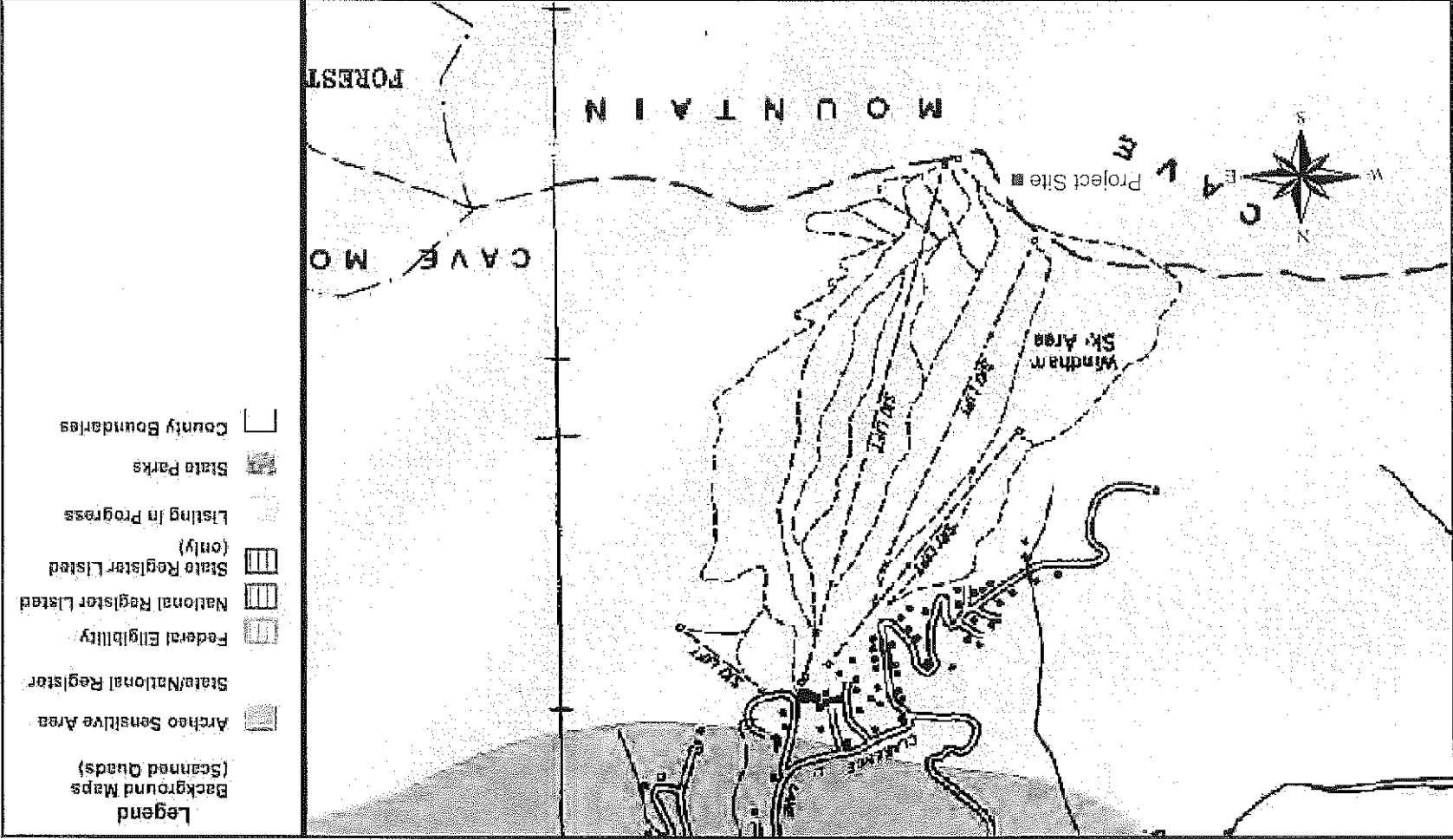
View looking northwest

PROPOSED WINDHAM MT. TOWER SITE



View looking southwest

Greene Co. Windham Mt. Tower OPRHP Web Map



May 24, 2013

Disclaimer: This map was prepared by the New York State Parks, Recreation and Historic Preservation National Register Listing Internet Application. The information was compiled using the most current data available. It is deemed accurate, but is not guaranteed.

APPENDIX D

INDIAN RELIGIOUS SITES

Native American Consultation Database (NACD)

National NAGPRA Online Databases



NACD Query Results

Full Data Report

Query input:

State = New York
County = Greene

NO RECORDS FOUND MATCHING SEARCH CRITERIA

APPENDIX E

FLOOD ZONES

FEMA Greene County Flood Insurance Rate Map No. 36039C0192F
Effective Date May 16, 2008

APPENDIX F

SURFACE FEATURES

NYSDEC Freshwater Wetlands and Streams GIS Files
National Wetlands Inventory (NWI) Wetlands GIS File
2009 NYS GIS Orthoimagery



**GREENE COUNTY EMERGENCY SERVICES
TELECOMMUNICATION TOWER - WINDHAM MT.**

NEPA CHECKLIST:
SURFACE FEATURES



Prepared by: Delaware Engineering, P.C., May 2013
Source: NYSGIS Orthoimagery, Spring 2009
NYSDEC Wetlands and Streams, NWI Wetlands

ATTACHMENT E

NEGATIVE DECLARATION SUPPORT DOCUMENT

617.21
Appendix F
State Environmental Quality Review (SEQR)

**NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

This notice is issued pursuant to part 617 of the implementing regulations pertaining to Article 8 of the Environmental Conservation Law (SEQR).

Greene County, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and that an Environmental Impact Statement will not be prepared.

DATE: September 18, 2013

NAME OF ACTION: Greene Co. Emergency Telecommunications System Project
Windham Mountain Tower

LOCATION: Top of Windham Mountain
Town of Jewett
Greene County

SEQR STATUS: Unlisted Action

LEAD AGENCY: Greene County

CONTACT PERSON: Wayne Speenburgh, Chairman
Greene County Legislature
411 Main Street, 4th Floor
Catskill, New York 12414

DESCRIPTION OF ACTION:

Greene County is a member of a consortium of counties that are engaged in improving interoperable emergency communications. To fulfill Green County's role in this collaboration, the County intends to construct a telecommunications tower on Windham Mountain in the Town of Jewett that will host a microwave facility that will be interoperable with Delaware County's existing public safety microwave facility located on Mr. Utsayantha.

In general, the project includes construction of a 50' x 50' fenced compound containing a 135' tall self-supported lattice tower and 12' x 32' equipment shelter. The compound will be located on a 4,900 SF parcel to be purchased from Windham Mountain Partners and will be screened from Ski Windham patrons by heavy vegetation. The site is located approximately 75' northwest of an existing Crown Castle Telecommunications Facility and will be accessed via a short gravel driveway to be constructed off the existing shared gravel access drive.

REASONS SUPPORTING THIS DETERMINATION:

Greene County has reviewed the Full Environmental Assessment Form (FEAF) and the criteria contained in 6 NYCRR §617.7 and has determined that the Windham Mountain Tower will not have a significant impact on the environment for the following reasons:

A. As required by §617.7(a)(2), Greene County has determined that an Environmental Impact Statement is not required because any identified adverse impacts on the environment will not be significant.

B. As required by §617.7(b), Greene County has:

1. Considered the action as defined in subdivisions 617.2(b) and 617.3(g).
2. Reviewed the FEAF, the criteria identified in 617.7(c) and other supporting information to identify relevant areas of environmental concern.
3. Analyzed the identified relevant areas of environmental concern to determine whether the action will have a significant adverse impact.
4. Set forth herein its written Finding of No Significant Environmental Impact.

C. Greene County has compared the impacts reasonably expected to result from the proposed action to the criteria listed in 617.7(c)(1) as indicators of significant adverse impacts:

1. Air quality, ground or surface water quality or quantity, traffic or noise levels, solid waste production, erosion potential, flooding, leaching or drainage problems;
No Significant Impact. The project will create less than 0.1 acres of impervious surfaces and will have minimal effect on stormwater drainage. It will generate no air emissions, noise or increased traffic.
2. Removal or destruction of large quantities of vegetation or fauna, interference with migration fish or wildlife, impacts to special habitats, impacts to threatened or endangered species, or any other impacts to natural resources;
No Significant Impact. The project site is located in a wooded area at the top of Windham Mountain Ski Area. Approximately 0.14 acres of woodland will be affected by the project, however the area outside the fence (0.055 acres) will be revegetated with grass and brush after construction is completed.

The NYSDEC Natural Heritage Program found no records of rare of state listed animals or plants or significant natural communities in the vicinity of the site. The U.S. Fish and Wildlife Service (USFWS) Information Planning and Conservation (IPaC) online consultation service notes that the site is within the range of the Indiana Bat. Indiana Bats live in wooded or semi-wooded areas during the summer, with typical roosts beneath loose bark and in the crevices of dead trees located in direct sunlight. A field survey found that the proposed site does not contain trees which would provide suitable roosting habitat. It has therefore been determined that the project will have no significant impact on endangered or threatened species.

3. Impairment of Critical Environmental Areas;
No Impact.
4. Conflicts with currently adopted community plans and goals;
No Impact. The Town of Jewett Comprehensive Plan notes that limited telecommunications are an issue in the Town and encourages development of telecommunication facilities.
5. Impairment of important historical, archeological, or aesthetic resources or community character;
No Significant Impact. The NYS Office of Parks, Recreation and Historic Preservation (OPRHP) Web Mapping Application indicates that the project site is not in an area of archeological sensitivity or near any sites of historical significance. OPRHP was contacted in May 2013 to determine if the proposed project would have an impact on historic or cultural resources and their response letter is pending.
The site is located approximately 75' northwest of an existing Crown Castle Telecommunications Facility. Although the proposed Windham Tower may be slightly visible from the Windham Historic District and NYS forest land, it will be partially screened by existing vegetation. It will also tend to visually merge with the adjacent Crown Castle tower and be perceived as one artifact in the landscape.
6. Major change in use or type of energy;
No Impact.
7. Creation of a human health hazard;
Positive Impact. This project will have a positive impact on human health by creating a more robust public safety network and facilitating interoperable emergency communications with neighboring counties.
8. Substantial change in use or intensity of use of land including agricultural land, open space or recreational resources;
No Impact. The project has been sited in an area where it will have no impact on the recreational activities at the Windham Mountain Ski facility.
9. Encouraging a population increase;
No Impact.
10. Creation of a material demand for other actions resulting in above consequences;
No Impact.
11. Changes in two or more elements of the environment that combined have a substantial adverse impact on the environment;
No Impact.
12. Two or more related actions undertaken, funded or approved by an agency that combined have a significant effect on the environment.
No Impact.

D. 617.7(c)(2) – For the purpose of determining significant adverse impacts on the environment of those factors listed above, the long-term, short-term, direct, indirect and cumulative impacts, including simultaneous or subsequent actions, to the extent reasonable, as included in any long-range plan for the action, any action that is a result of the reviewed action or is dependent on the action were reviewed.

E. 617.7(c)(3) – The significance of any likely consequences were assessed in connection with the setting of the action, the likelihood of occurrence, duration, irreversibility, geographic scope, magnitude and the number of people affected as a consequence of the action.

Based on this review, Greene County has determined that no significant adverse environmental impacts would result from this Action.

September 18, 2013

RESOLUTION NO. 277-13

AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE CONSTRUCTION OF A 911 COMMUNICATION TOWER

Legislator Hatton offered the following resolution and moved its adoption:

WHEREAS, after experiencing several natural disasters and the loss of radio communications during such events, it is the desire of the Greene County Legislature to further improve and enhance our radio communications within Greene County by constructing a 911 Communication Tower; and

WHEREAS, after a radio survey was conducted, the recommendation for the best possible location for such communication tower was made to be near the summit at Windham Mountain and within the Town of Jewett;

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Greene County Legislature be authorized to advertise in the official newspaper for bids for the site development and construction of a 911 communication tower, including a generator and LP tank.

Seconded by Legislator Handel

(9,273) (727)

Ayes 13 Noes 0 Absent 1 Van Slyke CARRIED.

Approved by Public Safety Comm.: 9/4/13

Handwritten notes: U. Traas, 1-Mary Jo, 1-D. Alby, 1-Mary Beth Bannock (Debra Ann Eng), 1-Emergency Services, 1-Windham Mtn, 1-Town of Jewett, 3 for 6/18/13

APPROVED AS TO FORM

Handwritten signature of County Attorney

COUNTY ATTORNEY

STATE OF NEW YORK } ss: COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this ___ day of September, 2013.

Tammy L. Sciavillo Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 278-13

AUTHORIZING ADVERTISEMENT FOR BIDS FOR ONE (1) NEW MATERIAL SPREADER FOR SNOW AND ICE CONTROL

Legislator Martinez offered the following resolution and moved its adoption:

WHEREAS, Gary R. Harvey, County Highway Superintendent, has determined that there is a need for the Highway Department to purchase one new slide in material spreader for snow and ice control;

NOW, THEREFORE, BE IT RESOLVED, that the County Highway Superintendent be and hereby is authorized to advertise for bids to purchase one (1) new slide in material spreader, to be paid out of DM5130.2600, Equipment.

Seconded by Legislator H. Lennon

(9,273) Ayes 13 Noes 0 Absent 1 (727) CARRIED.
Van Slyke

Approved by Public Works Comm.: 9/9/13

Approved by Finance Comm.: 9/16/13

*W. T. ...
1 - Harvey
1 - G. Allen
1 - Lennon
2 - Slyke*

APPROVED AS TO FORM

Campbell, Starnes

COUNTY ATTORNEY

STATE OF NEW YORK }
COUNTY OF GREENE } ss.:

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 279-13

AUTHORIZING PURCHASE OF ONE (1) NEW 2013,
HYDRAULIC EXCAVATOR NATIONAL JOINT POWERS
ALLIANCE CONTRACT #060311

Legislator Martinez offered the following resolution and moved its adoption:

WHEREAS, Robert Van Valkenburg, Solid Waste Superintendent, has determined that the Solid Waste Department is in need of one (1) new hydraulic excavator with options; and

WHEREAS, funding for this purpose has been included in the 2013 Budget; and

WHEREAS, Greene County is a member of the National Joint Powers Alliance (NJPA), allowing such purchases to be made from national, competitively bid contracts; and

WHEREAS, a suitable hydraulic excavator meeting all requirements is available through NJPA Contract #060311 from Nortrax Equipment, 14 The Crossing Blvd., Clifton Park, N.Y. 12065; and

WHEREAS, a trade in allowance of \$45,000 has been established for the County's 2006 Caterpillar 314LCR hydraulic excavator;

NOW, THEREFORE, BE IT RESOLVED, that the Solid Waste Superintendent be and hereby is authorized to purchase said hydraulic excavator with options from Nortrax Equipment at a total price of \$151,600 less \$45,000 trade allowance; and

BE IT FURTHER RESOLVED, that the Greene County Treasurer be and hereby is authorized to pay Nortrax Equipment upon delivery and approval by the Solid Waste Superintendent, the sum of \$106,600 to be paid out of A8160.2500.

Seconded by Legislator H. Lennon

(9,273) (727)

Ayes 13 Noes 0 Absent 1
Van Slyke CARRIED.

APPROVED AS TO FORM

STATE OF NEW YORK
Approved by the Public Works Comm.: 9/9/13
Approved by Finance Comm.: 9/16/13

*cc: Treas, 1-14-13/15/12, 2-1-13
1-16-13
1-16-13*
[Signature]

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

COUNTY ATTORNEY

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

RESOLUTION NO. 280-13

AWARDING BID FOR ABRASIVES (DRY SCREENED AND WASHED)
USED IN SNOW AND ICE CONTROL

Legislator Kozloski offered the following resolution and moved its adoption:

WHEREAS, County Highway Superintendent, Gary R. Harvey, did advertise in the Catskill Daily Mail, and the Mountain Eagle for bids for Abrasives (Dry Screened and Washed) used in Snow & Ice Control for the following:

- 1.) Price per ton and/or cubic yard, FOB, your plant.
- 2.) Price per ton and/or cubic yard for sand, delivered to Greene County Highway Department, Hunter Facility.
- 3.) Price per ton and/or cubic yard for sand, delivered to Greene County Highway Department Building, Ashland.
- 4.) Price per ton and/or cubic yard for sand, delivered to Greene County Highway Department Building, Athens Facility.
- 5.) Price per ton and/or cubic yard for sand, delivered to Greene County Highway Department Building, Freehold; and

WHEREAS, five (5) vendors submitted bids, which were opened, and publicly read on Friday, August 2, 2013 at 10:00 a.m. for the contract period: September 20, 2013 – September 19, 2014;

NOW, THEREFORE, BE IT RESOLVED, that the Greene County Highway Superintendent be and hereby is authorized to purchase **Washed Abrasives** from the following bidders meeting all specifications for **Item No. 1:**

Carver Sand & Gravel, LLC 494 Western Turnpike Altamont, New York 12009	\$8.00 per ton (Schoharie)
Callanan Industries, Inc. P.O. Box 15097 Albany, New York 12212	\$8.45 per ton (South Bethlehem)
Colarusso Sand & Gravel P.O. Box 302 Hudson, New York 12534	\$8.35 per ton
Peckham Materials Corp. 7065 Rte. 9W South Catskill, New York 12414	\$7.50 per ton
and	

BE IT FURTHER RESOLVED, that the Greene County Highway Superintendent be and hereby is authorized to purchase **Dry Screened Abrasives** from the following bidders meeting all specifications for **Item No. 1:**

Eric Dahlberg Const., Inc. 696 Potter Mt. Road Gilboa, New York 12076	\$6.20 per cubic yard
Carver Sand & Gravel 494 Western Turnpike Altamont, New York 12009	\$5.00 per ton (Gilboa) \$7.75 per ton (Ashland) \$8.00 per ton (Coeymans)
Callanan Industries, Inc. P.O. Box 15097 Albany, New York 12212-5097	\$ 6.75 per ton (South Bethlehem) \$10.00 per ton (E. Kingston)
Colarusso Sand & Gravel P.O. Box 302 Hudson, New York 12534	\$8.35 per ton
John Alvarez & Sons 3572 Route 9 Hudson, New York 12534	\$11.00 per cubic yard
Peckham Materials Corp. 7065 Rte. 9W South Catskill, New York 12414	\$7.50 per ton

and

BE IT FURTHER RESOLVED, that the Greene County Highway Superintendent be and hereby is authorized to purchase **Washed Abrasives** from the following bidders meeting all specifications for **Item No. 2-5**:

Peckham Materials Corp.	Item No. 2	\$13.50 per ton
Callanan Industries, Inc. (South Bethlehem)	Item No. 3	\$15.00 per ton
Peckham Materials Corp.	Item No. 4	\$11.25 per ton
Peckham Materials Corp.	Item No. 5	\$14.00 per ton

and

BE IT FURTHER RESOLVED, that the Greene County Highway Superintendent be and hereby is authorized to purchase **Dry Screened Abrasives** from the following bidders meeting all specifications for **Item No. 2 - 5**:

Eric Dahlberg Const.	Item No. 2	\$13.45 per cubic yard
Eric Dahlberg Const.	Item No. 3	\$12.45 per cubic yard
Peckham Materials Corp.	Item No. 4	\$11.25 per ton
Eric Dahlberg Const.	Item No. 5	\$14.45 per cubic yard

and

BE IT FURTHER RESOLVED, that a certified copy of this resolution to be forwarded to the Greene County Highway Superintendent, Greene County Treasurer, successful bidders and all Village and Town Superintendents.

Seconded by Legislator Hatton

(9,273)	(727)
Ayes 13	Noes 0
Absent 1	
Van Slyke	CARRIED.

Approved by Public Works Comm.: 9/9/13
Approved by Finance Comm.: 9/16/13

T. Hatton
F. Maugh
F. Co. Atty
F. Hatton
F. Superintendent
1 - Village & Town Supt.
2 - File
(6)

STATE OF NEW YORK }
 } ss:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 281-13

AUTHORIZING AGREEMENT –
GREENE COUNTY MENTAL HEALTH DEPARTMENT WITH
DEBORAH BUDINI-COATES, N.P.

Legislator Overbaugh offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Chairman of the Greene County Legislature and the Director of Greene County Mental Health Department be authorized to execute an agreement, subject to approval as to form by the County Attorney, between Greene County Mental Health Department and Deborah Budini-Coates, N.P. to render professional Psychiatric Nurse Practitioner services for the term of September 5, 2013 through December 31, 2013, at the rate of \$80.00 per hour, not to exceed ten (10) hours per week, for a maximum of \$14,400 for the remainder of 2013.

Seconded by Legislator Hatton

(9,273) (727)

Ayes 13 Noes 0 Absent 1
Van Slyke

CARRIED.

Approved by Health Services Comm.: 9/4/13

Approved by Finance Comm.: 9/16/13

*cc: Tracy
F-Na-ypb
F-Co-Att
F-M-Kennell
R file*

STATE OF NEW YORK }
 } ss:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

APPROVED AS TO FORM

COUNTY ATTORNEY

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 282-13

AUTHORIZING AGREEMENT -
GREENE COUNTY MENTAL HEALTH DEPARTMENT WITH
BELLA RILLO, N.P.

Legislator Kozloski offered the following resolution
and moved its adoption:

BE IT RESOLVED, that the Chairman of the Greene County Legislature and the Director of Greene County Mental Health Department be authorized to execute an agreement, subject to approval as to form by the County Attorney, between Greene County Mental Health Department and Bella Rillo, N.P. to render professional Psychiatric Nurse Practitioner services for the term of September 5, 2013 through December 31, 2013, at the rate of \$80.00 per hour, not to exceed ten (10) hours per week, for a maximum of \$14,400 for the remainder of 2013.

Seconded by Legislator Overbaugh
(9,273) (727)

Ayes 13 Noes 0 Absent 1 CARRIED.
Van Slyke

Approved by Health Services Comm.: 9/4/13
Approved by Finance Comm.: 9/16/13

*cc: Troop
L. Mangis
L. Co. Atty
L. M. Fitch
D. File*

APPROVED AS TO FORM

COUNTY ATTORNEY

STATE OF NEW YORK }
COUNTY OF GREENE } ss.:

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 283-13

AUTHORIZING AGREEMENT –
GREENE COUNTY FAMILY PLANNING /
SIMMONS COLLEGE NURSING PROGRAMS

Legislator Kozloski offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Chairman of the Greene County Legislature be authorized to execute an agreement, subject to approval as to form by the County Attorney, between Greene County Family Planning and Simmons College Nursing Programs. This will be an ongoing agreement which will begin September 1, 2013. This is an agreement for Simmons College Interns to receive educational experience at the Agency, including clinical and individualized activities.

Seconded by Legislator Overbaugh

(9,273)

(727)

Ayes 13 Noes 0 Absent 1
Van Slyke

CARRIED.

Approved by Health Services Comm.: 9/4/13

Approved by Finance Comm.: 9/16/13

*cc: Treas
K. Mangis
K. Co. Atty
Z. Hill / K. Mangis
J. File*

APPROVED AS TO FORM

Campbell

COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciarvillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 284-13

AUTHORIZATION TO CHANGE NAME FROM
GREENE COUNTY PUBLIC HEALTH NURSING SERVICE TO
GREENE COUNTY PUBLIC HEALTH DEPARTMENT

Legislator Overbaugh offered the following resolution and moved its adoption:

WHEREAS, the sale of Greene County's Certified Home Health Agency became final as of July 15th, 2013; and

WHEREAS, since Greene County no longer provides a nursing service, the Department's name must be changed from "Greene County Public Health Nursing Service" to the "Greene County Public Health Department";

NOW, THEREFORE, BE IT RESOLVED, that the name of the County's health department be changed from the "Greene County Public Health Nursing Service" to the "Greene County Public Health Department".

Seconded by Legislator Hatton
(9,273) (727)

Ayes 13 Noes 0 Absent 1
Van Slyke

CARRIED.

Approved by Health Services Comm.: 9/4/13

*cc: Trean
1 - Manager
1 - Co. Atty.
2 PHN
2. H.H.*

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

APPROVED AS TO FORM

Campbell, E. Starnes
COUNTY ATTORNEY

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 285-13

AUTHORIZING AGREEMENT -
GREENE COUNTY PUBLIC HEALTH DEPARTMENT /
NEW YORK STATE DEPARTMENT OF HEALTH
CHILDHOOD LEAD POISONING PREVENTION PROGRAM
CONTRACT #C-026511-3

Legislator Hatton offered the following resolution
and moved its adoption:

BE IT RESOLVED, that the Chairman of the Greene County Legislature be authorized to execute an agreement, subject to approval as to form by the County Attorney, between Greene County Public Health Department and New York State Department of Health Childhood Lead Poisoning Prevention Program Contract #C-026511-3. Greene County Childhood Lead Poisoning Prevention Program costs include Nursing Services, Lead Screening, Lead Testing if screening is high, and educational needs. Greene County children age: 1-6 years of age are screened for lead poisoning prevention. The term of the contract is for the period October 1, 2013 through September 30, 2014.

Seconded by Legislator Kozloski

(9,273) (727)

Ayes 13 Noes 0 Absent 1 CARRIED.
Van Slyke

Approved by Health Services Comm.: 9/4/13

Approved by Finance Comm.: 9/16/13

*cc: TV room
P. M. Aug 30
P. Co. Attorney
J. N. N.
J. H. B.*

APPROVED AS TO FORM
Campbell
COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 286-13

INCREASING ADMINISTRATIVE FEE
GREENE COUNTY PUBLIC HEALTH DEPARTMENT

Legislator Kozloski offered the following resolution and moved its adoption:

WHEREAS, the administrative fee for Greene County Public Health Department has been periodically amended; and

WHEREAS, once again, based on a review by Jack Venesky, CPA & Associates it has been recommended to increase the administrative fee charged to \$29.00 for providing and administering vaccinations; and

WHEREAS, the administration rate for Vaccines Free for Children (VFC) is not to exceed the current Medicaid Rate;

NOW, THEREFORE, BE IT RESOLVED, that all immunization vaccination services provided by Greene County Public Health Department shall be adjusted to include a \$29.00 Administrative Fee effective September 23, 2013; and

BE IT FURTHER RESOLVED, that all vaccine fees are to be adjusted based on current market rates.

Seconded by Legislator Overbaugh

(9,273)

(727)

Ayes 13 Noes 0 Absent 1
Van Slyke

CARRIED.

Approved by Health Services Comm.: 9/4/13

Approved by Finance Comm.: 9/16/13

*cc: Tracy
F. Maglio
J. Co. Atty
2 PM
2. file*

APPROVED AS TO FORM



COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 287-13

AUTHORIZING OUT OF STATE TRAVEL
GREENE COUNTY FAMILY PLANNING
MARIANNE POWERS, FNP

Legislator Kozlowski offered the following resolution and moved its adoption:

BE IT RESOLVED, that Marianne Powers, FNP, Greene County Family Planning Department, be authorized to attend the Pri-Med East 2013 Conference and Exhibition to be held in Boston, MA, September 20th through September 22nd, 2013; and

BE IT FURTHER RESOLVED, that this conference is reimbursed 100% by the Department of Health Family Planning Grant.

Seconded by Legislator Hatton

(9,273)		(727)	
Ayes 13	Noes 0	Absent 1	CARRIED.
		Van Slyke	

Approved by Health Services Comm.: 9/4/13
Approved by Finance Comm.: 9/16/13

*cc: Trever
L. Powers
K. Hatton
M. Powers
2-File*

APPROVED AS TO FORM
[Signature]
COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 288-13

AUTHORIZING OUT OF STATE TRAVEL
GREENE COUNTY ECONOMIC DEVELOPMENT,
TOURISM & PLANNING DEPARTMENT
NANCY PETRAMALE

Legislator H. Lennon offered the following resolution and moved its adoption:

BE IT RESOLVED, that Nancy Petramale, Sr. Tourism, Sales & Marketing Coordinator, from the Greene County Economic Development, Tourism & Planning Department be authorized to travel to Cromwell, CT November 23rd through November 24th, 2013 to attend the Connecticut's Fall/Winter Travel Show – Ski, Sun & Travel Expo; and

BE IT FURTHER RESOLVED, that the cost of registration will be paid by CATS.

Seconded by Legislator Seeley
(9,273) (727)

Ayes 13 Noes 0 Absent 1 CARRIED.
Van Slyke

Approved by Ec. Dev. & Tourism Comm.: 9/16/13

Approved by Finance Comm.: 9/16/13

*cc: Tricia
1- Merysa
1- Co. Atty
2 Planning
2. Ek*

APPROVED AS TO FORM

Campbell, Edmunds

COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 289-13

REAPPOINTING MEMBER –
COMMUNITY SERVICES BOARD

Legislator Lewis offered the following resolution and moved its adoption:

BE IT RESOLVED, that the following individual be reappointed as a member of the Community Services Board for a four year term to expire December 31, 2017:

Marie Ostoyich

and be it further

RESOLVED, that members of the Community Services Board shall be reimbursed for reasonable expenses incurred in the performance of their duties upon submission of a voucher to the Finance Committee of the Greene County Legislature; and be it further

RESOLVED, that a copy of this Resolution be forwarded to the Greene County Mental Health Department.

Seconded by Legislator Overbaugh
(9,273) (727)

Ayes 13 Noes 0 Absent 1 CARRIED.
Van Slyke

Approved by Health Services Comm.: 9/4/13
Approved by Finance Comm.: 9/16/13

*cc: Trina
1 - Mary Jo
1 - County
1 - J. Hill (USB)
1 - W. Ostoyich (voucher)
2 - file
1 - Co. Clerk*

APPROVED AS TO FORM
Carlyle D. Starnes
COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciarillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 290-13

REAPPOINTING COUNTY ADMINISTRATOR

Legislator Martinez offered the following resolution and moved its adoption:

BE IT RESOLVED, that **Shaun S. Groden** be reappointed as the County Administrator of Greene County for a three year term from January 1, 2014 through December 31, 2016, at an annual salary to commensurate with fiscal year adopted budget.

Seconded by Legislators Lawrence, Gardner, Handel, Hatton, Hitchcock, H. Lennon, Lewis, and Overbaugh

(8,642) (631) (727)

Ayes 12 Noes 1 Absent 1
Seeley Van Slyke CARRIED.

Approved by Gov. Ops. Comm.: 9/16/13

Approved by Finance Comm.: 9/16/13

cc: Treas
1-Maryjo
1-Co. Clerk
1-S. Groden
1-P. Handel
1-Human Resources
1-Ed. Sawice
2-File
1-Co. Clerk

APPROVED AS TO FORM

Campbell

COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 291-13

APPROVING REIMBURSEMENT TO COMMUNITY COLLEGES

Legislator Hitchcock offered the following resolution and moved its adoption:

WHEREAS, Community College Chargebacks for the Summer '13 Semester amounted to \$1,127.33;

BE IT RESOLVED, that the Greene County Treasurer is hereby authorized to pay said expenses from Account No. A2490.4000 Community College Contractual Expenses; and be it further

RESOLVED, that said County Treasurer is authorized to charge forty percent to the following towns in said County in the amounts set opposite the name of said town hereinafter listed:

	Town 40%	County 60%
Ashland	\$0.00	\$0.00
Athens	0.00	0.00
Cairo	0.00	0.00
Catskill	399.00	239.40
Coxsackie	0.00	0.00
Durham	205.00	123.00
Greenville	0.00	0.00
Hunter	523.33	314.00
Jewett	0.00	0.00
Lexington	0.00	0.00
New Baltimore	0.00	0.00
Prattsville	0.00	0.00
Windham	<u>0.00</u>	<u>0.00</u>
TOTAL:	\$1,127.33	\$676.40

Seconded by Legislator Seeley

(9,273) (727)

Ayes 13 Noes 0 Absent 1
Van Slyke

CARRIED.

APPROVED AS TO FORM

Approved by County Resources Comm.: 9/4/13
Approved by Finance Comm.: 9/16/13

Campbell

COUNTY ATTORNEY

cc: TREC
M. Long
1-6 Atty
B. Town
D. File

STATE OF NEW YORK }
 } ss:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 292-13

AMOUNTS DUE COUNTY TREASURER BY
RESPECTIVE TOWNS

Legislator Martinez offered the following resolution
and moved its adoption:

BE IT RESOLVED, that the amounts due the County Treasurer from several towns as shown below, for times such as College Chargebacks and Erroneous Assessments, be added to the amounts to be raised in the respective Town Budgets, and that the Director of Real Property Tax Services is hereby directed to make additions and extend the tax on such increase:

Ashland -----	\$11,710.83
Athens -----	41,523.62
Cairo -----	43,828.04
Catskill -----	97,561.46
Coxsackie -----	65,075.41
Durham -----	22,646.71
Greenville -----	32,762.34
Halcott -----	4,102.15
Hunter -----	43,255.63
Jewett -----	9,616.46
Lexington -----	19,291.97
New Baltimore -----	49,153.32
Prattsville -----	13,448.50
Windham -----	<u>13,007.25</u>

TOTAL: \$466,983.69

Seconded by Legislator Lewis

(9,273)	(727)
Ayes 13	Noes 0
	Absent 1
	Van Slyke

CARRIED.

Approved by Finance Comm.: 9/16/13

cc: Treas
 1-Manager
 1-Clerk
 1-Asst. Dir.
 2-File

STATE OF NEW YORK }
 } ss:
 COUNTY OF GREENE }

[Signature]
 COUNTY ATTORNEY

APPROVED AS TO FORM

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

 Tammy L. Sciavillo
 Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 293-13

AS AMENDED
RESOLUTION ACCEPTING BIDS ON IN REM PROPERTIES

Legislator Lewis offered the following resolution and moved its adoption:

WHEREAS, pursuant to Resolution No. 422 of 1997 and Resolution No. 42 of 1995, a public auction was held on September 11th, 2013 in connection with the sale of all County Owned In Rem properties, acquired by the County through Tax Foreclosure as evidenced by various deeds recorded at the Greene County Clerk's Office; and

WHEREAS, it is now necessary for this Legislature to approve each sale and authorize the County Legislature Chairman to convey the properties to the successful bidders by way of Quit Claim deed;

WHEREAS, at a September 18th, 2013 special meeting of the Greene County Legislature's Finance Committee, this resolution was amended by motion which rejected two auction bids to purchase certain properties owned by Greene County (listed below), and which are hereby excluded from the attached "Exhibit A":

TOWN OF HUNTER - Tax Map Number 209.00-4-5 \$45,000.00
TOWN OF JEWETT - Tax Map Number 146.00-1-38 \$95,000.00

NOW, THEREFORE, BE IT RESOLVED, that all other bids set forth on Exhibit "A" opposite each listed property are hereby approved by this County Legislature; and be it further

RESOLVED, that the County Legislature Chairman or his duly authorized representative is authorized to execute quit claim deeds, in a form approved by the County Attorney, conveying the properties listed to the successful bidder in each case upon payment of the bid amount.

Seconded by Legislator Hitchcock

ROLL CALL VOTE:

(9,273) (727) CARRIED.
Ayes 13 Noes 0 Absent 1

Van Slyke

*CO. 11 1000
1-14-13
1-14-13
1-14-13*

STATE OF NEW YORK }
COUNTY OF GREENE }

Approved by Finance Comm.: 9/18/13

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

EXHIBIT "A"

TOWN OF ASHLAND

192000 58.00-5-11.2; Celia Tompkins Rd., vacant land, 3.60 +/- acres \$ 5,500.00
192000 59.00-1-22; Route 10, vacant land, 1.00 acres +/- acres \$ 1,250.00

TOWN OF ATHENS (VILLAGE)

192201 105.19-4-2; 6 Greene Dr., vacant land, 0.23 +/- acres \$ 200.00
192201 122.06-2-5; Sleepy Hollow Rd., vacant land, 0.46 +/- acres \$ 100.00

TOWN OF ATHENS

192289 105.07-6-8; Sleepy Hollow Rd., vacant land, 0.30 +/- acres \$ 100.00
192289 120.19-1-9; 113 Gypsy Point Rd., residential, 0.59 +/- acres \$ 15,000.00
192289 139.00-4-18; Route 385, Vacant, 2.80 +/- acres \$ 1,000.00

TOWN OF CAIRO

192400 65.00-4-31; Edison Timmerman Road, vacant, 1.28 +/- acres \$ 1,500.00
192400 82.04-1-12; Colonial Ct., vacant land, 0.72 +/- acres \$ 400.00
192400 82.04-6-7; County Route 20A, vacant land, 0.46 +/- acres \$ 700.00
192400 83.04-5-24; Hobart Ave., vacant land, 0.17 +/- acres \$ 300.00
192400 84.00-6-24; County Route 41, vacant with imp., 0.25 +/- acres \$ 500.00
192400 84.00-6-25; County Route 41, vacant w/imp., 2.00 +/- acres \$ 1,500.00
192400 101.00-2-27; County Route 23B, vacant land, 0.50 +/- acres \$ 300.00
192400 101.06-1-6.2; Grove St., residential, 0.15 +/- acres \$ 25,000.00
192400 118.01-2-9; Stewart Rd., vacant, 0.27 +/- acres \$ 900.00
192400 119.00-4-18; 2386 Co. Route 23B, residential, 0.55 +/- acres \$ 17,000.00
192400 119.01-1-5; County Route 23B, vacant land, 0.09 +/- acres \$ 300.00

TOWN OF CATSKILL (VILLAGE)

192601 156.13-7-13; 472 Main St., commercial, 0.08 +/- acres \$ 22,500.00
192601 156.13-8-15; 45 Summit Ave., residential, 0.15 +/- acres \$ 16,000.00
192601 156.14-5-41; Grace Ct., vacant, 0.11 +/- acres \$ 200.00
192601 156.18-4-2; 78 Spring St., residential, 52.00 x 150.00 +/- feet \$ 41,000.00
192601 171.12-1-18; Landon Ave., vacant, 0.43 +/- acres \$ 500.00
192601 172.06-5-18; 202 Main St., residential, 0.19 +/- acres \$ 55,000.00

TOWN OF CATSKILL

192689 137.00-7-38; 40 Bottom Ridge Rd., vacant w/imp., 5.75 +/- acres \$ 4,000.00
192689 138.00-9-17; Five Mile Woods Rd., vacant, 5.10 +/- acres \$ 5,000.00
192689 169.00-6-13; Bogart Rd., vacant, 1.00 +/- acres \$ 1,300.00
192689 169.04-2-25; Caridi Dr., parking lot, 5.60 +/- acres \$ 8,000.00
192689 170.00-3-27; Underhill Rd., vacant, 0.20 +/- acres \$ 75.00
192689 184.00-2-3; Bogart Rd., vacant, 3.60 +/- acres \$ 1,750.00
192689 201.00-4-4; 2491 Old Kings Rd., residential, 2.00 +/- acres \$ 34,000.00

TOWN OF COXSACKIE (VILLAGE)

192801 56.10-2-2; 70 Lawrence Ave., residential, 0.23 +/- acres \$ 21,500.00
192801 56.19-3-14; 20 Mansion St., residential, 0.08 +/- acres \$ 20,500.00

TOWN OF COXSACKIE

192889 40.00-9-8; Cedar Lan, residential, 0.86 +/- acres \$ 3,000.00
192889 88.06-1-2; Sleepy Hollow Rd., vacant, 0.28 +/- acres \$ 100.00
192889 88.10-2-15; Old Baltus Rd., vacant, 0.28 +/- acres \$ 300.00
192889 88.10-3-33; Ichabod Crane Cir., vacant, 0.28 +/- acres \$ 100.00
192889 88.10-5-33; 2202080 Legend Ct., vacant, 0.38 +/- acres \$ 700.00
192889 88.10-6-15; 2191946 Sleepy Hollow Rd., vacant, 0.28 +/- acres \$ 100.00
192889 88.11-1-25; 1000372 Randy Rd., vacant, 0.45 +/- acres \$ 350.00

TOWN OF COXSACKIE (Continued)

192889	88.11-2-24; 1000317 Johns Jog, vacant, 0.27 +/- acres	\$	50.00
192889	88.14-1-3; Dame Van Winkle Cir., vacant, 0.27 +/- acres	\$	150.00
192889	88.14-1-10; 2191957 Sleepy Hollow Rd., vacant, 0.28 +/- acres	\$	300.00
192889	88.14-4-29; 2191914 Superstitious Dr., vacant, 0.23 +/- acres	\$	100.00
192889	88.15-1-25; Johns Jog, vacant, 0.28 +/- acres	\$	150.00
192889	88.15-2-13; 1000626 Johns Jog, vacant, 0.33 +/- acres	\$	200.00
192889	88.15-3-27; Sleepy Hollow Rd., vacant, 0.30 +/- acres	\$	200.00
192889	88.15-3-43; 1000672 Derrick Von Brummel Cir., vacant, 0.32 +/- acres	\$	100.00
192889	88.15-3-46; 1000669 Derrick Von Brummel Cir., vacant, 0.30 +/- acres	\$	125.00
192889	88.15-6-48; 1000161 Sleepy Hollow Rd., vacant, 0.28 +/- acres	\$	100.00
192889	88.18-1-19; 2151574 Haunted Cir., vacant, 0.30 +/- acres	\$	300.00
192889	88.18-2-10; 2171754 Sleepy Hollow Rd., vacant, 0.27 +/- acres	\$	100.00
192889	88.18-5-31; 2161622 Strange Ct., vacant, 0.26 +/- acres	\$	9,500.00
192889	88.18-5-39; Pipe Ct., 0.34 +/- acres	\$	100.00
192889	88.19-2-14; 1000748 Sleepy Hollow Rd., vacant, 0.35 +/- acres	\$	100.00
192889	88.19-4-12; 1000829 Appalachian Dr., vacant, 0.30 +/- acres	\$	300.00
192889	88.19-6-27; 1000130 Tammy Tr., vacant, 0.84 +/- acres	\$	51,000.00
192889	88.20-1-7; Tommy Trl, vacant, 0.31 +/- acres	\$	100.00
192889	105.07-4-9; Sleepy Hollow Rd., vacant, 0.30 +/- acres	\$	100.00
192889	105.07-4-10; 1000882 Sleepy Hollow Rd., vacant, 0.30 +/- acres	\$	500.00

TOWN OF DURHAM

193000	11.00-1-10; Off Sunset Road, vacant, 4.50 +/- acres	\$	400.00
193000	34.03-2-16; Enchanted Valley Rd., vacant, 0.58 +/- acres	\$	200.00
193000	49.00-2-11; 53 Pinewoods Rd., residential, 4.49 +/- acres	\$	9,000.00
193000	49.00-6-25; Hervey St., vacant, 0.46 +/- acres	\$	50.00

TOWN OF GREENVILLE

193200	12.04-2-7; Irving Rd., vacant, 0.92 +/- acres	\$	400.00
193200	23.00-5-37.1; Old Plank Rd., vacant, 132.00 +/- acres	\$	86,000.00
193200	35.00-2-26; Big Woods Rd., vacant, 2.46 +/- acres	\$	2,500.00
193200	36.00-3-14; West Rd., vacant, 20.00 +/- acres	\$	10,500.00
193200	52.00-3-48; Gayhead Earlfon Rd., vacant, 9.00 +/- acres	\$	7,000.00

TOWN OF HALCOTT

193400	141.00-3-6; West Settlement Rd., vacant, 50 x 383 +/- feet	\$	1,100.00
--------	--	----	----------

TOWN OF HUNTER

193689	181.00-8-1; 264 Bloomer Rd., residential, 1.10 +/- acres	\$	36,500.00
193689	182.05-4-34; 100 Railroad Ave., residential, 0.58 +/- acres	\$	1,800.00
193689	216.01-2-5; Route 214, vacant, 0.22 +/- acres	\$	500.00

TOWN OF JEWETT

193800	111.00-1-44; 19 Tower Mt. Rd., vacant, 5.00 +/- acres	\$	8,000.00
193800	129.00-1-20; 5127 Route 23C, vacant, 2.30 +/- acres	\$	16,000.00
193800	132.00-5-35; 226 Woodland Trl., vacant, 1.80 +/- acres	\$	2,750.00
193800	146.00-4-17; 146 Little Timber Rd., vacant, 2.00 +/- acres	\$	5,000.00

TOWN OF LEXINGTON

194000	108.00-1-1.2; Town Line, vacant, 1.50 +/- acres	\$	200.00
194000	160.10-1-9; 55 Spruceon Rd., residential, 2.80 +/- acres	\$	82,500.00

TOWN OF NEW BALTIMORE

194200	17.03-1-27; 3856 County Rte. 51, residential, 0.50 +/- acres	\$ 7,000.00
194200	17.03-2-21; 9 Railroad Ave., residential, 6.30 +/- acres	\$ 4,000.00
194200	15.00-1-14.1; 179 Sylvandale Road, residential, 25.00 +/- acres	\$ 17,500.00
194200	40.02-1-10; Scheller Park Rd., vacant, 1.84 +/- acres	\$ 300.00

TOWN OF PRATTSVILLE

194400	74.00-4-6; County Route 2, vacant, 2.50 +/- acres	\$ 600.00
--------	---	-----------

TOWN OF WINDHAM

194600	60.00-4-22; Sky Hill Rd., vacant, 5.30 +/- acres	\$ 16,000.00
194600	78.00-6-11; Thunderbird Terr., vacant, 1.60 +/- acres	\$ 1,500.00
194600	97.00-2-10; 502 County Rt. 56, residential, 2.90 +/- acres	\$ 12,000.00
194600	113.00-1-3.2; 549 State Route 296, residential, 8.90 +/- acres	\$ 27,000.00

September 18, 2013

RESOLUTION NO. 294-13

AS AMENDED
ESTABLISH CAPITAL PROJECT #83
COUNTY OFFICE BUILDING SECURITY - CAIRO

Legislator H. Lennon offered the following resolution and moved its adoption:

WHEREAS, it is the desire of the Greene County Legislature to establish a Capital Project for the purpose of improving security at the County Office Building - Cairo: and

WHEREAS, \$100,000 from the Greene County Restricted Fund Balance is to be used for this project;

NOW, THEREFORE, BE IT RESOLVED, that the Greene County Treasurer be authorized to establish Capital Project #83 – County Office Building Security – Cairo and to establish the following accounts:

H83 0000 2770	Unclassified Local	\$70,000.
H83 0000 5197	Project Expense	\$70,000.;

BE IT FURTHER, RESOLVED, that the Greene County Treasurer transfer \$100,000 from A 899.1010 Restricted Fund balance to H83 0000 2770 in the amount of \$70,000. and \$30,000. to A 3110 1000 for the additional Part Time Security.

Seconded by Legislator Handel

(8,610.5)	(662.5)	(727)
Ayes 12	Noes 1	Absent 1
	Martinez	Van Slyke

CARRIED.

Approved by Public Safety Comm.: 9/4/13

Approved by Finance Comm.: 9/16/13

*cc: T. ...
1-M...
1-C...
2-File*

STATE OF NEW YORK }
COUNTY OF GREENE } ss.:

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

APPROVED AS TO FORM
[Signature]
COUNTY ATTORNEY

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 295-13

ESTABLISH CAPITAL PROJECT #84
COUNTY OFFICE BUILDING IMPROVEMENTS - CAIRO

Legislator H. Lennon offered the following resolution and moved its adoption:

WHEREAS, it is the desire of the Greene County Legislature to establish a Capital Project for the purpose of improving the County Office Building - Cairo: and

WHEREAS, \$300,000 from the Greene County Restricted Fund Balance is to be used for this project;

NOW, THEREFORE, BE IT RESOLVED, that the Greene County Treasurer be authorized to establish Capital Project #84 - County Office Building Improvements - Cairo and to establish the following accounts:

H84 0000 2770	Unclassified Local	\$300,000.
H84 0000 5197	Project Expense	\$300,000.;

BE IT FURTHER, RESOLVED, that the Greene County Treasurer transfer \$300,000 from A 899.1010 Restricted Fund balance to H83 0000 2770 in the amount of \$300,000.

Seconded by Legislator Kozloski
(7,348.5) (1,924.5) (727)

Ayes 10 Noes 3 Absent 1 Van Slyke CARRIED.
Martinez, K. Lennon and Seeley

Approved by Public Works Comm.: 9/9/13

Approved by Finance Comm.: 9/16/13

CL: JT
1- M. Sample
1- Co. Clerk
2- File

APPROVED AS TO FORM
Campbell
COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

RESOLUTION NO. 296-13

AUTHORIZING FUNDING ALLOCATIONS 2013
GREENE COUNTY DEPARTMENT OF HUMAN SERVICES
(YOUTH BUREAU DIVISION)

Legislator Handel offered the following resolution and moved its adoption:

WHEREAS, New York State Office of Children, Youth and Family Services has allocated \$42,445.00 to the Greene County Department of Human Services (Youth Bureau Division) for 2013 as noted in the Resource Allocation Plan and delineated in the Program Summary; and

WHEREAS, the Greene County Children Youth and Families Advisory Board has recommended allocation of these funds for the 2013 **Special Delinquency Prevention Program (SDPP), Youth Initiative Program (YI) and Youth Development/Delinquency Prevention Program (YDDP)** program year,

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Greene County Legislature is hereby authorized and directed to allocate funds and to sign where needed, 2013 **Youth Development/Delinquency Prevention Program (YDDP)** agreements, subject to approval as to form by the County Attorney as follows:

Greene County Youth Bureau (Administration)	\$10,805.00
Cooperative Extension (4H Program)	2,000.00
Greene County Council on the Arts (Artstretch)	2,180.00
Girl Scouts of NENY (Expanded Girl Scouts Service)	1,475.00
Greenville Library (Young Readers)	600.00
Town of Cairo Library (Encouraging Young Readers)	600.00
Town of Athens (Summer Recreation)	500.00
Village of Athens (Summer Recreation)	400.00
Town of Cairo (Summer Recreation)	1,400.00
Town of Coxsackie (Summer Recreation)	1,500.00
Village of Coxsackie (Summer Recreation)	700.00
Town of Durham (Summer Recreation)	600.00
Town of New Baltimore (Summer Recreation)	750.00
Athens Cultural Art Center, Inc	1,000.00
Common Ground Dispute Resolution Inc.	5,696.00

and

BE IT FURTHER RESOLVED that the Chairman of the Greene County Legislature is hereby authorized and directed to allocate funds and sign 2013 **Youth Initiatives Program (YI)** agreements, subject to approval as to form by the County Attorney as follows:

MHA of Columbia-Greene	\$2,000.00
WGXC Radio	1,527.00

and

BE IT FURTHER RESOLVED that the Chairman of the Greene County Legislature, is hereby authorized and directed to allocate funds and to sign 2013 **Special Delinquency Prevention Program (SDPP)** agreements, subject to approval as to form by the County Attorney as follows:

Greene County Youth Bureau (Youth Advocacy Program) \$8,712.00

and

BE IT FURTHER RESOLVED, the Chairman of the Greene County Legislature, having received authorization for the above mentioned items, hereby is authorized and directed to sign, subject to approval as to form by the County Attorney, the Resource Allocation Plan agreement with New York State Office of Children and Family Services.

Seconded by Legislator Kozloski

(9, 273) (727)

Ayes 13 Noes 0 Absent 1
Van Slyke

CARRIED.

Approved by County Services Comm.: 9/9/13

Approved by Finance Comm.: 9/16/13

*Done
the
backup*

*cc: Trean
1/1/13
L. Co. Atty
L. Herman Services w/ Backup
D. File*

APPROVED AS TO FORM

Campbell, Thomas

COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 298-13

BUDGET AMENDMENT
GREENE COUNTY ECONOMIC DEVELOPMENT,
TOURISM & PLANNING

Legislator Handel offered the following resolution and moved its adoption:

WHEREAS, the amount of television exposure created by the Greene County's Tourism Development Campaign postage expense has greatly increased; and

WHEREAS, there are appropriations in the Tourism Development budget line that can be used for postage;

BE IT RESOLVED, that the Greene County Treasurer is authorized to make the following budget amendment:

DECREASE APPROPRIATION:
A 8020 4300 3000 Tourism Development \$10,000.

INCREASE APPROPRIATION:
A 8020 4023 Postage \$10,000.

Seconded by Legislator Seeley
(9,273) (727)

Ayes 13 Noes 0 Absent 1 CARRIED.
Van Slyke

Approved by Ec. Dev. & Tourism Comm.: 9/16/13

Approved by Finance Comm.: 9/16/13

C. Trever
F. Mayhew
1-6 Alty
2-Plany
2-Gib
APPROVED AS TO FORM
Campbell
COUNTY ATTORNEY

STATE OF NEW YORK }
 } ss.:
COUNTY OF GREENE }

I, the undersigned,

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Sciavillo
Acting Clerk, Greene County Legislature

September 18, 2013

RESOLUTION NO. 299-13

BUDGET AMENDMENT
GREENE COUNTY HIGHWAY
CONSOLIDATED LOCAL STREET AND HIGHWAY
IMPROVEMENT PROGRAM

Legislator Kozloski offered the following resolution and moved its adoption:

WHEREAS, the Greene County Highway department has been notified by the State of New York Department of Transportation that the Consolidated Local Street and Highway Improvement Program (CHIPS) for the fiscal year 2013-2014 for Greene County will be \$1,701,727.; and

WHEREAS, the Greene County budget for 2013 adopted the amount of \$1,420,938.; and

WHEREAS, this increase of \$280,789. now needs to be appropriated into the 2013 Highway budget;

BE IT RESOLVED, that the Greene County Treasurer be authorized to make the following budget amendments:

INCREASE REVENUE:
D 0000 3501 CHIPS \$280,789.

INCREASE APPROPRIATION:
D 5110 4052 Asphaltic Concrete \$280,789.

Seconded by Legislator Hatton
(9,273)
Ayes 13 Noes 0 Absent 1
Van Slyke

Approved by Public Works Comm.: 9/9/13
Approved by Finance Comm.: 9/16/13

STATE OF NEW YORK }
COUNTY OF GREENE } ss.:
I, the undersigned,
W. Tron
1 month
to county
1/19/13
2 file
APPROVED AS TO FORM
Campbell
COUNTY ATTORNEY

DO HEREBY CERTIFY that I have compared the above copy of a resolution adopted September 18th, 2013 with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Greene County Legislature this _____ day of September, 2013.

Tammy L. Scivavillo
Acting Clerk, Greene County Legislature