

## **RESOLUTION**

### **NOTICE OF INTENT TO SERVE AS LEAD AGENCY FOR THE CONSTRUCTION OF A BACKUP WATER SUPPLY FOR THE TOWN AND VILLAGE OF NEW PALTZ**

At a meeting of the Town Board of the Town of New Paltz, Ulster County, New York, held at the Town Hall, in New Paltz, New York, in said Town on the 9<sup>th</sup> day of September, 2015, at 7:30 o'clock P.M., prevailing time.

The meeting was called to order by Supervisor Zimet, and upon roll being called, the following roll was taken:

	<u>Present</u>	<u>Absent</u>
Supervisor Susan Zimet	<u>  X  </u>	<u>      </u>
Council Member Jeffrey Logan	<u>  X  </u>	<u>      </u>
Council Member Kevin Barry	<u>      </u>	<u>  X  </u>
Council Member Daniel Torres	<u>  X  </u>	<u>      </u>
Council Member Marty Irwin	<u>  X  </u>	<u>      </u>

The following resolution was offered by Council Member Jeff Logan who moved its adoption, seconded by Council Member Marty Irwin, to wit:

**WHEREAS**, DEP operates and maintains the New York City water supply system and is responsible for providing drinking water to the City and to its upstate customers, including users who primarily rely on a water supply from the Delaware Aqueduct and the Catskill Aqueduct;

**WHEREAS**, pursuant to a 1928 Water Supply Permit issued by DEP to the Village of New Paltz (the "Village"), the Village and portions of the Town, through interconnections with the Village, each rely on a supply of water from the Catskill Aqueduct; and

**WHEREAS**, to ensure the long-term sustainability of its ability to supply water through the Delaware Aqueduct and Catskill Aqueduct, DEP has committed capital funds to make repairs and conduct rehabilitation work to both aqueducts as part of a project called Water for the Future ("WFF"); and

**WHEREAS**, in connection with WFF and to permit DEP to conduct repairs and perform certain rehabilitation work thereto, the Catskill Aqueduct will need to be taken out of service for an extended period of time on multiple occasions; and

**WHEREAS**, based on the recommendations made in the Final Project Report dated September 2014, resulting from the Backup Water Supply Investigation for the Village funded by DEP (the “Final Report”), DEP intends to provide funding for environmental and engineering studies and design and, subsequently, construction (i) to the Village to develop a water demand management program for all customers reliant on the Village system, and to improve its existing reservoir system; and (ii) to the Town to develop certain water wells and related infrastructure that will exploit such identified water sources (or their equivalent) which are located within the Town and outside of the Village, to be used, in part, as an alternate water source for the Village water treatment and distribution system during periods of the DEP's planned shutdowns of the Catskill Aqueduct;

**WHEREAS**, as part of the overall funding for environmental, engineering and design studies of a backup water supply system for the Town and Village, the Town and DEP have entered into an agreement, registered on August 21, 2015, to provide funding to the Town, to be used toward the environmental review and design of two potential groundwater systems in the Town outside the Village; and

**WHEREAS**, based upon the results of the overall environmental, engineering and design studies work, DEP has indicated it would be prepared to enter into an additional agreement to fund the construction of the backup water supply system to be determined by the Town and the Village to be environmentally, physically and economically desirable (the “Construction IGA”); and

**WHEREAS**, the construction of a backup water supply system for the Town and the Village, including the construction of two potential groundwater systems in the Town outside the Village, and any future agreement of DEP to fund such potential construction (the “Action”) will require environmental assessment under the State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, in accordance with the provisions of 6 NYCRR Part 617, the Town Board desires to serve as lead agency in a Type I coordinated review of the Action and to utilize the funding already committed by DEP to the Town to conduct the necessary environmental, engineering and design studies to enable the Town as lead agency to conduct a proper environmental review of the proposed Action;

**NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:**

1. The Town Board of the Town of New Paltz hereby declares its intention to serve as Lead Agency in a Type I coordinated review of the proposed Action; and
2. The Town Clerk is hereby directed to circulate the annexed Lead Agency Notice together with

all other relevant environmental review documents to all Involved and Interested Agencies and to allow thirty (30) days from the mailing of the Lead Agency Notice to challenge the Town Board’s Lead Agency designation.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>VOTE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Supervisor Susan Zimet	<u>_X_</u>	<u>_____</u>	<u>_____</u>
Council Member Jeffrey Logan	<u>_X_</u>	<u>_____</u>	<u>_____</u>
Council Member Kevin Barry	<u>_____</u>	<u>_____</u>	<u>_X_</u>
Council Member Daniel Torres	<u>_X_</u>	<u>_____</u>	<u>_____</u>
Council Member Marty Irwin	<u>_X_</u>	<u>_____</u>	<u>_____</u>

The resolution was thereupon duly adopted.