

EDUCATION AND ECONOMIC DEVELOPMENT COMMITTEE

AGENDA

FRIDAY, FEBRUARY 16, 2018

4:00 P.M.

****REVISED****

EDUCATION AND ECONOMIC DEVELOPMENT COMMITTEE MEMBERS: Paul Ruszkiewicz, Chair
Leigh J. Benton, Rob Sassi, James D. O'Donnell, Barry J. Cheney, Laurie R. Tautel, Kevindaryan Lujan, Joseph J. Minuta,
Thomas J. Faggione

**I. LUCY T. JOYCE, EXECUTIVE DIRECTOR, CORNELL COOPERATIVE EXTENSION
MAIRE ULLRICH, AGRICULTURE PROGRAM LEADER, CORNELL COOPERATIVE
EXTENSION**

Overview of Agricultural Districts

II. ANTOINETTE REED, LEGISLATIVE COUNSEL

**Directing the Clerk of the Legislature to publish a Notice of Review of
Orange County Agricultural Districts Nos. 1 and 2**

**III. KEVIN SUMNER, DISTRICT MANAGER, ORANGE COUNTY SOIL AND WATER
CONSERVATION DISTRICT**

**Flood Control Maintenance Program – Quaker Creek
Set public hearing & Findings**

IV. RICHARD MAYFIELD, DIRECTOR, COMMUNITY DEVELOPMENT

**Request authorizing the County Executive to enter into an Urban County
Consortium Agreement Amendment with 38 municipalities (LR#033)**

~~V. RACHEL WILSON, DIRECTOR, YOUTH BUREAU~~

~~UPDATE/OVERVIEW~~

**VI. LAURIE VILLASUSO, CHIEF OPERATING OFFICER & EXEC. VICE PRESIDENT,
INDUSTRIAL DEVELOPMENT AGENCY
VINNIE COZZOLINO, MANAGING DIRECTOR, INDUSTRIAL DEVELOPMENT
AGENCY**

OVERVIEW/UPDATE

II.

**NOTICE OF
THE ANNUAL REVIEW OF THE CONTINUATION OF ORANGE COUNTY
AGRICULTURAL DISTRICTS NOS. 1 AND 2 OF ORANGE COUNTY.**

PLEASE TAKE NOTICE that pursuant to Article 25AA of the Agricultural and Markets Law and Orange County Resolution No. 230 of 2003, the Orange County Legislature is required and did designate March 1st, through March 30th of each year as the thirty-day period within which a land owner may submit a request for inclusion of land, which is predominately viable agricultural land, to a County Agricultural District.

PLEASE TAKE FURTHER NOTICE that the Agricultural Districts encompass the Towns of Blooming Grove, Chester, Cornwall, Crawford, Deerpark, Goshen, Greenville, Hamptonburgh, Minisink, Monroe, Montgomery, Mount Hope, Newburgh, New Windsor, Wallkill, Warwick, Wawayanda and Woodbury and the Villages of Chester, Maybrook, Montgomery and Washingtonville, Agricultural District No. 1 is comprised of approximately **67,930** acres of land while Agricultural District No. 2 is comprised of approximately **94,684** acres of land.

PLEASE TAKE FURTHER NOTICE that at the termination of the thirty (30) day period, any proposed additions to the County Agricultural Districts will be submitted to the Orange County Agricultural and Farmland Protection Board, and that thereafter a public hearing will be held on the proposed additions to these districts, if any, and recommendations of the said board.

PLEASE TAKE FURTHER NOTICE applications can be found on the Orange County Planning Department's website at www.planning@orangecountygov.com. Applications are to be submitted to the Orange County Department of Planning, 124 Main Street, Goshen, New York 10924, telephone number (845) 615-3840 by no later than March 31, 2018.

Dated: February ____, 2018
Goshen, NY

JEAN M. RAMPPEN, CLERK
ORANGE COUNTY LEGISLATURE

ORANGE COUNTY LEGISLATURE

Committee: Education & Economic Development

Sponsors:

Co-Sponsor:

III.

DRAFT

Agenda No.

RESOLUTION NO. OF 2018

RESOLUTION MAKING FINDINGS AND SETTING A DATE FOR A PUBLIC HEARING WITH RESPECT TO FUNDING A FLOOD CONTROL MAINTENANCE PROJECT FOR QUAKER CREEK, TOWN OF GOSHEN, NEW YORK, PURSUANT TO NEW YORK STATE COUNTY LAW SECTION 223.

WHEREAS, the Orange County Legislature wishes to hold a public hearing to receive public comment on the proposal to expend county taxation funds for a flood control maintenance program of Quaker Creek, located in the Towns of Goshen, Wawayanda and Warwick, New York.

The flood mitigation project includes cleaning of dead, down and 'at risk' trees and woody debris in a portion of the Quaker Creek. This project begins at the confluence of the Wawayanda Channel with the Cheechunk Canal and continues upstream to the confluence of the Wawayanda Channel, Black Walnut Island Channel and Quaker Creek and then continues upstream further on Quaker Creek to the County Route 6 bridge. No channel improvement, enlargement or other earth moving activity is being proposed beyond the ground disturbance associated with accessing the debris removal sites. A map showing the limits of the tree clearing activities and the location of the significant work sites, along with NYS State Wetlands as shown on the Environmental Resource Mapper site, is on file with the Clerk of the Legislature, 255 Main Street, Goshen, New York 10924.

WHEREAS, The County Legislature intends to appropriate \$100,000.00 from its 2018 contingency fund to cover the costs of the project; and

WHEREAS, pursuant to County Law Section 233, this Legislature finds that the work contemplated herein, will relieve water flows, soil erosion and flood damage to farmlands, private property and public lands. This project is of sufficient importance and serves a general public benefit to warrant the expenditure of county funds. The County anticipates that future mitigation will be required. The Director of Orange County Soil and Water Conservation District (Director) (OCSWCD) is coordinating permits, should they be required, with the New York State Department of Environmental Conservation. Right of way easements will be necessary to access the river to perform the work. The Director has identified the lands required for such easements. The estimated cost of the project is \$100,000.00 to be funded by Orange County. It is not anticipated that landowners will have to contribute monies to the project. The Director anticipates this to be an ongoing project, and, from time to time, the County will have to clear debris from the Quaker Creek to prevent future flood damage and soil erosion. The project will be procured in accordance with the Orange County Procurement Policy; and

WHEREAS, related documents including maps, plans and documents relating to the Quaker Creek Flood control maintenance project are available on the Orange County, New York website at www.orangecountygov.com.

WHEREAS, the Education and Economic Development and Ways and Means Committees of the Legislature have met, considered and approved this resolution.

NOW, THEREFORE, BE IT

RESOLVED, the Legislature of Orange County hereby affirms the findings set forth herein and sets the date of Monday, April 16, 2018 at 5:15 p.m., for a public hearing to be held at the Orange County Government Center, Legislative Chambers, 3rd floor, at 255 Main Street, Goshen, New York 10924 to consider such proposal and directs that notice of the hearing be published once a week for two publications in the six official newspapers designated by the Orange County Legislature, and at least twenty days shall lapse from the first publication to the date of the hearing.

DATED: MARCH 1, 2018

**STATE OF NEW YORK
COUNTY OF ORANGE**

THIS IS TO CERTIFY THAT I, JEAN M. RAMPEN, Clerk of the County Legislature of said County of Orange, have compared the foregoing copy of resolution with the original resolution now on file in my office and which was passed by the County Legislature of said County of Orange on the 1st day of March, 2018 and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of said County Legislature this 2nd day of March, 2018.

Clerk of the County Legislature of the County of Orange

**NOTICE OF PUBLIC HEARING
COUNTY OF ORANGE**

PUBLIC NOTICE IS HEREBY GIVEN, that, pursuant to Resolution No. ____ of 2018, the Orange County Legislature will meet on Monday, April 16, 2018 at 5:15 p.m., at the Orange County Government Center, Legislative Chambers, 3rd floor, at 255 Main Street, Goshen, New York 10924 to hold a public hearing to receive public comment on the expenditure of \$100,000.00 of county taxation funds for the 2018 flood control maintenance project (the "Project") of portions of the Quaker Creek located in the Towns of Goshen, Wawayanda and Warwick.

NOTICE IS FURTHER GIVEN, that this project begins at the confluence of the Wawayanda Channel with the Cheechunk Canal and continues upstream to the confluence of the Wawayanda Channel, Black Walnut Island Channel and Quaker Creek and then continues upstream further on Quaker Creek to the County Route 6 bridge. No channel improvement, enlargement or other earth moving activity is being proposed beyond the ground disturbance associated with accessing the debris removal sites. A map showing the limits of the tree clearing activities and the location of the significant work sites, along with NYS State Wetlands as shown on the Environmental Resource Mapper site, is on file with the Clerk of the Legislature at Legislative offices, 255 Main Street, Goshen, New York 10924. The acquisition of right of way easements will be required from adjoining landowners to access worksites.

NOTICE IS FURTHER GIVEN, that pursuant to County Law Section 233, this Legislature finds that the work contemplated herein, will relieve water flows, soil erosion and flood damage to farmlands, private property and public lands. This project is of sufficient importance and serves a general public benefit to warrant the expenditure of county funds. The County anticipates that future mitigation will be required. The Director of Orange County Soil and Water Conservation District (Director) (OCSWCD) is coordinating permits, should they be required, with the New York State Department of Environmental Conservation. Right of way easements will be necessary to access the river to perform the work. The Director has identified the lands required for such easements. The estimated cost of the project is \$100,000.00 to be funded by Orange County. It is not anticipated that landowners will have to contribute monies to the project. The Director anticipates this to be an ongoing project, and, from time to time, the County will have to clear debris from the Quaker Creek to prevent future flood damage and soil erosion. The project will be procured in accordance with the Orange County Procurement Policy; and

NOTICE IS FURTHER GIVEN THAT that related documents including maps, plans and documents relating to the Quaker Creek Flood control maintenance project are available on the Orange County, New York website at www.orangecountygov.com

BY ORDER OF THE ORANGE COUNTY LEGISLATURE

Jean M. Ramppen, Clerk

**DATED: March 2, 2018
Goshen, New York**

III

Next Phases of Wallkill River/Black Dirt Flood Mitigation

2/2018

The Orange County Black Dirt farming region extends over some 16,000 acres and is one of the most valuable and important food-producing areas in the northeast. The organic soils which characterize the area are some of the most productive soils in the U.S., but require special management including drainage and flood protection.

Following Hurricane Irene/Tropical Storm Lee in fall, 2011 and NYS funding made available in 2013, a local Steering Committee was assembled, a long-term Flood Mitigation Plan was developed, and up-front projects were constructed/implemented. These included 1) channel improvement/ledge removal and floodplain improvement on the Pochuck Creek, 2) tree cutting/vegetation management on the Pellets Island section of the Wallkill River (downstream Black Dirt limits), and 3) bridge approach removal (floodplain improvement) in the upper black dirt. A ledge modification project on the main stem of the Wallkill next to Celery Avenue is fully designed and expected to be completed in the summer of 2018. The most ambitious project of the area Plan is construction of Floodplain Benches along the main stem of the Wallkill from the upstream terminus of the Cheechunk Canal (a drainage and flood control channel constructed in the 1930's) to Oil City Road at the upstream end of the Black Dirt area. Three phases of this Bench are fully designed and permitted, with 1/2 of the construction work completed. Local growers have already noted improved ability of the River to convey flood flows, with expectations of even greater benefits when these first three phases are fully completed. In concert with these on-the-ground improvements, efforts are underway to expand existing maintenance programs and establish new ones to ensure that area flood mitigation measures are effectively maintained into the future.

Excepting about \$100,000 that is reserved for the Celery Avenue project, all the initial \$2 million NYS funding appropriated for this flood mitigation work has been expended on the work described above. In addition, the County and OCSWCD have secured and expended an additional \$1/2 million to assist in completion of this work.

Going Forward

Phases 1-3 of the Floodplain Bench extend over approximately 1 mile of River frontage. To realize the full benefit of the Floodplain Bench concept as planned and designed, it must be extended to the upstream end of the Black Dirt area -- another 4 to 5 miles. Once complete, the benching is expected to reduce flood water elevations by up to 2 feet during a large (10 year) flood event, as compared to pre-project conditions. Based on experience with completed portions of the Phase 1-3 work, the cost of design/permitting and construction is expected to be 1.5 to 2 million dollars per mile. Auxiliary measures in this reach, including but not limited to farm bridge removals, ledge modifications and access roads, would involve additional expense.

Work on the major tributaries, including Quaker Creek/Wawayanda Channel and Rutgers Creek, will also be required in order to fully realize the benefits of the main stem Wallkill work. Planning is currently

underway with a goal of completing channel clearing work on the Quaker Creek/Wawayanda Channel before the end of 2018. More ambitious channel improvement work on Quaker Creek is also being planned. It is hoped that this work can be progressed after the clearing work.

A preliminary assessment has been made on Rutgers Creek. A more detailed work plan should occur as soon as possible.

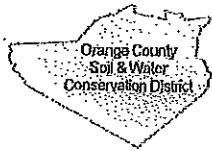
Preliminary Budget

Clean Wawayanda Channel/Quaker Creek (Woody Debris) 3.5 miles	\$100,000
Quaker Creek Channel Improvement (Benching) 3.3 miles	\$500,000
Clean Rutgers Creek (Woody Debris) 1.5 miles	\$50,000
Rutgers Creek Channel Improvements/Bank Stabilization	\$500,000
Extend Wallkill River Floodplain Bench	\$8 million
Establishment of Formal Maintenance Programs for Flood Control Improvements	\$250,000

Quaker Creek Debris/Channel Obstruction Assessment January 2018

Major sites numbered on map.
10 - 12 additional smaller sites
located throughout reach.





ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT

225 Dolson Avenue, Suite 103, Middletown, NY 10940

PHONE: (845) 343-1873

kevin.sumner@ocsoil.org

To: NYSDEC Regulatory Bureau

Re: Request for Proposed Project Evaluation

Date: 2/5/18

At a meeting of the Walkkill River/Black Dirt Flood Mitigation Committee on 1/24/18, the group identified the Wawayanda Channel and Quaker Creek as drainageways in dire need of attention to address frequent flooding that is impacting adjacent agricultural lands. OCSWCD is proposing to undertake work on these drainageways as soon as possible. This work would complement the flood mitigation work on the main stem of the Walkkill River already permitted by your department which is currently under construction.

We are writing to determine what regulatory concerns can be expected as we attempt to progress projects to address the Wawayanda Channel/Quaker Creek concerns identified by the Committee. At this point, we anticipate two separate projects which we will describe. We would appreciate your response to each of these proposed projects.

Project #1 – Cleaning of Dead, Down and 'At Risk' Trees and Woody Debris - Wawayanda Channel and Portion of Quaker Creek

This project would begin at the confluence of Wawayanda Channel with the Cheechunk Canal and continue upstream to the confluence of the Wawayanda Channel with the Quaker Creek and then upstream further on Quaker Creek to the County Route 6 bridge. A project with the same parameters was discussed with your department in 2005 and was deemed to not require any permits. That project was completed in 2005/2006. As in the previous project, no channel improvement, enlargement or other earth moving activity is being proposed beyond the ground disturbance associated with accessing the debris removal sites. Woody debris removed from the channel would either be removed from the site or placed 100 feet or more from the channel. A map showing the limits of the tree cleaning activities and the location of the significant work sites, along with NYS State Wetlands as shown on the Environmental Resource Mapper site, is enclosed/attached.

Project #2 – Quaker Creek Channel Improvement

BOARD OF DIRECTORS

Gary Keeton
394 Guynard Turnpike
Middletown, NY 10940

Paul Ruszkiewicz
15 Matthews Street
Goshen, NY 10924

Paula DeBlock
133 Whitford Road
Westtown, NY 10998

John Wright
329 Kings Hwy.
Warwick, NY 10990

Myrna Kernitz
15 Matthews Street
Goshen, NY 10924

From County Route 6 upstream to County Route 25, agricultural activities generally extend right up to the edge of Quaker Creek, unlike the Project #1 area where there is existing tree cover adjacent to the channel over much of the project area. Tree cover adjacent to the Quaker Creek within the proposed Project #2 area very is limited. Concerns with this reach of the Creek are with channel size/capacity. Investigations by our consulting engineers have identified 'backwater' in the main stem of the Walkkill (Cheechunk Canal) as one of the causes of inadequate drainage and flood protection in the Quaker Creek basin. Flood mitigation work on the main stem currently being progressed (and mentioned above) is expected to provide some limited benefit to the Quaker Creek basin. However, storm events in 2016 and 2017 that did not cause the Walkkill to crest did cause the Quaker Creek to crest. This may be the result of increased runoff volume and peak flows from the developed areas of Quaker Creek watershed, from more intense storms associated with climate change, or both.

The flat gradient of the land over the proposed channel improvement reach challenges efforts to remove flood waters from the target area more quickly and effectively. However, we believe that cost-effective improvements are possible. Modeling investigations will be used to help determine the most efficient channel design, but the preliminary design approach being considered is to construct a flood plain bench adjacent to the current channel. This approach would be similar though much reduced in size to the benching approach we are currently implementing on the main stem of the Walkkill River. This approach is expected to have significant advantages over deepening/widening of the existing channel. These include 1) minimal disturbance to the existing water course – vastly reducing sedimentation during construction, 2) a much greater effective benefit period resulting from improved ability of the benched channel cross section to convey the Creek's sediment load as compared to a widened trapezoidal cross section, and 3) enhanced buffering of the Creek from the adjacent agricultural activities.

A map showing the proposed channel improvement/benching limits and a conceptual typical channel cross section are enclosed/attached.

We are available to respond to any questions or to meet with NYSDEC staff to facilitate your response to these inquiries.



Jean

County of Orange LEGISLATIVE REQUEST FORM

Legislative Request #: (rev. 1/18)

2018 + 033

(County Executive Dept.'s Use Only)

DATE: * 1/31/2018	DATE LEGISLATIVE ACTION REQUIRED: * 3/1/2018	DEPARTMENT/DIVISION: Community Development
SYNOPSIS: * Request the Legislature adopt a resolution to authorized the County Executive to enter into a Urban County Consortium Agreement Amendment with the 38 Municipalities listed on Schedule A. The Urban County Cooperation Agreement Amendment is attached on Schedule B. In order to meet HUD's deadline to execute the Amendment, the Legislature must adopt a resolution at the March 1, 2018 meeting. No Budget action is required.		
INITIAL <i>[Signature]</i>		DATE 1/31/2018

IV.

COUNTY EXECUTIVE'S CONCEPTUAL APPROVAL	
COMMENTS	
INITIAL <i>[Signature]</i>	DATE 02/01/18

COUNTY ATTORNEY APPROVAL	
COMMENTS	
INITIAL <i>[Signature]</i>	DATE 2/1/18

HUMAN RESOURCES - DEPARTMENT REQUEST		
TITLE: *	GRADE: *	STEP: *
DEPARTMENT COMMENTS: *		
PERSONNEL DEPARTMENT COMMENT:		
INITIALS <i>[Signature]</i>		DATE 2/1/18

BUDGET					
BUDGETED: * <input type="checkbox"/> YES <input type="checkbox"/> NO	AMOUNT *	FUNDING - STATE *	FUNDING - FEDERAL *	OTHER FUNDING: *	FUNDING - COUNTY: * \$ 0.00
BUDGET COMMENTS: N/A					
INITIAL <i>[Signature]</i>					DATE 2/6/18

COUNTY EXECUTIVE'S FINAL APPROVAL	
COMMENTS	
INITIAL <i>[Signature]</i>	DATE 2/6/18

LEGISLATIVE ACTION (SYNOPSIS VOTING AND COMMENTS)			
STATUTORY: * <input checked="" type="checkbox"/> NAME: Education and Economic Development Com.	DATE: 2/16/2018	TIME: 3:30PM	
* NAME:	DATE:	TIME:	
* NAME:	DATE:	TIME:	
* NAME:	DATE:	TIME:	
SPECIAL: ** NAME:	DATE:	TIME:	

rec'd 2/7/18

SCHEDULE "A"

ORANGE COUNTY URBAN COUNTY CONSORTIUM CONFIGURATION

QUALIFICATION PERIOD: FEDERAL FISCAL YEARS 2018, 2019 AND 2020

ORANGE COUNTY URBAN COUNTY CONSORTIUM MEMBERS

1. TOWN OF BLOOMING GROVE
2. TOWN OF CHESTER
3. TOWN OF CORNWALL
4. TOWN OF CRAWFORD
5. TOWN OF DEERPARK
6. TOWN OF GOSHEN
7. TOWN OF GREENVILLE
8. TOWN OF HAMPTONBURGH
9. TOWN OF HIGHLANDS
10. TOWN OF MINISINK
11. TOWN OF MONROE
12. TOWN OF MONTGOMERY
13. TOWN OF MOUNT HOPE
14. TOWN OF NEW WINDSOR
15. TOWN OF NEWBURGH
16. TOWN OF TUXEDO
17. TOWN OF WALLKILL
18. TOWN OF WARWICK
19. TOWN OF WAWAYANDA
20. TOWN OF WOODBURY
21. VILLAGE OF CHESTER
22. VILLAGE OF CORNWALL-ON-HUDSON
23. VILLAGE OF FLORIDA
24. VILLAGE OF GOSHEN
25. VILLAGE OF GREENWOOD LAKE
26. VILLAGE OF HARRIMAN
27. VILLAGE OF HIGHLAND FALLS
28. VILLAGE OF MAYBROOK
29. VILLAGE OF MONROE
30. VILLAGE OF MONTGOMERY
31. VILLAGE OF OTISVILLE
32. VILLAGE OF SOUTH BLOOMING GROVE
33. VILLAGE OF TUXEDO PARK
34. VILLAGE OF UNIONVILLE
35. VILLAGE OF WALDEN
36. VILLAGE OF WARWICK
37. VILLAGE OF WASHINGTONVILLE
38. VILLAGE OF WOODBURY

SCHEDULE "B"

AMENDMENT TO COOPERATION AGREEMENT

It is hereby agreed effective _____, 2018, by and between the County of Orange, a municipal corporation of the State of New York, having its principal offices at 255-275 Main Street, Goshen, New York 10924 ("COUNTY"), and _____, a municipal corporation of the State of New York, having principal offices at _____ ("TOWN"/"VILLAGE"/"CITY") to amend the Cooperation Agreement dated July 8, 1993 ("Cooperation Agreement"), between the parties as follows:

1. Strike and replace Paragraph 13 as follows:

13. The TOWN/VILLAGE/CITY understands that by executing this Cooperation Agreement it becomes an included unit of general local government in the Urban County CDBG Entitlement Program, HOME Program and ESG Program and that it:

- a) May not apply for grants under the Small Cities or State CDBG Programs from appropriations for fiscal years during the period in which it is participating in the Urban County's CDBG Program; and
- b) May not participate in a HOME Program consortium except through the Urban County, regardless of whether the Urban County receives a HOME formula allocation; and
- c) May not receive a formula allocation under the ESG Program except through the Urban County.

2. In all other respects, the provisions of the Cooperation, as previously amended shall remain in full force and effect and be binding upon the parties referred to above.

TOWN/VILLAGE/CITY of _____

COUNTY OF ORANGE

(PLACE SEAL)

(PLACE SEAL)

BY : _____

BY: _____

State of New York)

County of Orange) ss:

On _____, 201_, before me, the undersigned, personally appeared STEFAN ("STEVEN") M. NEUHAUS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

State of New York)

County of Orange) ss:

On _____, 201_, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public