

Warren County Board of Supervisors

RESOLUTION NO. 383 OF 2012

Resolution introduced by Supervisors Thomas, Taylor, Sokol, Monroe, Bentley, Wood, Kenny, Merlino and Conover

BOND RESOLUTION DATED JUNE 15, 2012

A RESOLUTION AUTHORIZING THE LAKE GEORGE ENVIRONMENTAL PARK AND AUTHORIZING THE ISSUANCE OF UP TO \$612,000 SERIAL BOND OF WARREN COUNTY TO PAY THE COSTS OF CERTAIN COMPONENTS OR FEATURES THEREOF AND AUTHORIZING THE COUNTY TREASURER TO MAKE TEMPORARY ADVANCES OF LEGALLY AVAILABLE FUNDS

BE IT RESOLVED, by the affirmative vote of not less than less than two-thirds of the total voting strength of the Board of Supervisors of the County of Warren, New York, as follows:

Section 1. The establishment and development of certain features and components in the Lake George Environmental Park in the Village/Town of Lake George together with the construction of features such as two (2) pedestrian bridges, a reinforced turf festival area, outdoor lighting and pedestrian pathways at a maximum estimated cost of Seven Hundred Sixty Two Thousand Dollars (\$762,000) is hereby authorized, and is hereinafter referred to as the "Project". To provide funds to defray in part the costs of the Project and to assist with cash flow during the development of the Project, the sum up to Six Hundred Twelve Thousand Dollars (\$612,000) of general obligation serial bonds of the County of Warren are hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 2. The plan for the financing of the specific object or purpose specified in Section 1 hereof (the Project) in part is by: (1) the issuance of up to Six Hundred Twelve Thousand Dollars (\$612,000) serial bonds of the County of Warren pursuant to the provisions of the Local Finance Law; and (2) the use of State and Federal grants and donations received. The amount of bonds to be issued shall be reduced to the extent of federal, state grants and donations received.

Section 3. It is hereby determined that the period of probable usefulness of the Project is fifteen

RESOLUTION NO. 383 OF 2012

PAGE 2 OF 3

(15) years including construction of the two (2) pedestrian bridges, a reinforced turf festival area, outdoor lighting and pedestrian pathways pursuant to subdivision 19(c) of Section 11.00 of the Local Finance Law.

Section 4. The Project is an unlisted action under the State Environmental Quality Review Act (SEQRA) and has been the subject of an environmental review under SEQRA. The Board of Supervisors determined that the Project will not result in any significant adverse environmental impact(s), and authorized the filing of a Negative Declaration.

Section 5. The faith and credit of the County of Warren, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such serial bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 7. In accordance with the provisions of Section 165.10 of the Local Finance Law and/or Section 9-a of the General Municipal Law, the Warren County Treasurer is hereby authorized to temporarily advance legally available funds of said County in the manner provided by law up to and including the amount up to Six Hundred Twelve Thousand Dollars (\$612,000) for the aforesaid specific object or purpose.

Section 8. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations

RESOLUTION NO. 383 OF 2012

PAGE 3 OF 3

prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such serial bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money; or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 11. This resolution, which takes effect immediately, shall be published in its entirety or in summary form in the official newspaper of such County, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Warren County	2. PROJECT NAME Serial Bond Resolution - Lake George Environmental Park
3. PROJECT LOCATION: Municipality <u>Town/Village of Lake George</u> County <u>Warren</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>West Brook Road between US Route 9 and Beach Road - Town/Village of Lake George</u>	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>Authorization for issuance of up to \$612,000 in Serial Bonds of Warren County to cover or defray the costs of constructing two (2) pedestrian bridges, a reinforced turf festival area, outdoor lighting and pedestrian pathways.</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>12.0+/-</u> acres Ultimately <u>12.0+/-</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: <p style="text-align: center;"><u>Project approval and funding through the Village of Lake George</u></p>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Warren County</u> Date: <u>June 15, 2012</u> Signature: _____	

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 II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: No C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: No C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: No C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: No C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: No C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: No C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: None
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly:
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.	
Warren County Board of Supervisors _____ Name of Lead Agency	June 15, 2012 _____ Date
Daniel G. Stec _____ Print or Type Name of Responsible Officer in Lead Agency	Chairman _____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (If different from responsible officer)

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number

Date: June 15, 2012

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Warren County Board of Supervisors as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

Name of Action:

Lake George Environmental Park - The adoption of a Serial Bond resolution authorizing the issuance of up to \$612,000 Serial Bonds of Warren County to finance, in part, the costs of the project. The maximum estimated project cost is \$762,000.

SEQR Status: Type 1
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Adoption of a Serial Bond resolution authorizing the issuance of up to \$612,000 Serial Bonds of Warren County to finance the costs of the Lake George Environmental Park.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.) North and South of West Brook Road (CR69) - Town/Village of Lake George between US Route 9 and Beach Road.

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

The project has been the subject of a prior coordinated SEQRA review with issuance of a Negative Declaration. The within action is the adoption of a Serial Bond resolution to authorize Warren County financing for the project, in part, in the amount of up to \$612,000. It is expected that federal, state grants and donations will cover the cost of the project and will be applied to offset or reduce the amount of borrowing. No significant environmental impacts related to the municipal financing of the Lake George Environmental Park were identified by the Warren County Board of Supervisors. The features the financing is to be applied to include two (2) pedestrian bridges, a reinforced turf festival area, outdoor lighting and pedestrian pathways. There may be some temporary minor disturbances during construction. There will be no impacts to adjacent water bodies, wetlands or other resources.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person: Martin D. Auffredou, Warren County Attorney

Address: Warren County Municipal Center, 1340 State Route 9, Lake George, NY 12845

Telephone Number: (518)761-6463

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

Chief Executive Officer , Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)