

Warren County Board of Supervisors

RESOLUTION NO. 428 OF 2017

RESOLUTION INTRODUCED BY SUPERVISORS BROCK, BRAYMER, MERLINO, STROUGH, DICKINSON, MCDEVITT, LEGGETT, SIMPSON AND VANSELOW

AUTHORIZING CONSENT ORDER/STIPULATION WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION CONCERNING PETROLEUM CONTAMINATION AT TOWN OF JOHNSBURG TAX MAP PARCEL NO. 133.8-1-27 ON BEHALF OF REAL PROPERTY TAX SERVICES

WHEREAS, Warren County, through its tax foreclosure process, plans to foreclose upon Parcel No. 133.8-1-27, located in the Town of Johnsbury, Warren County, New York, and

WHEREAS, the New York State Department of Environmental Conservation (NYS EnCon) alleges that the absent owner or its predecessor has discharged petroleum on the property in violation of Navigation Law §173, and

WHEREAS, Warren County, without admitting or denying the allegations made and the violations described here, agrees to enter into a Consent Order to have EnCon address the petroleum contamination at, arising from, or relating to this property, and

WHEREAS, the County shall be liable for the remedial costs incurred up to an amount not to exceed Fifteen Thousand Dollars (\$15,000), to be paid upon receipt of documentation from NYS EnCon of the costs incurred, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute a Consent Order/Stipulation with the New York State Department of Environmental Conservation concerning the discharge of petroleum at Parcel No. 133.8-1-27 located in the Town of Johnsbury with terms of the Consent Order/Stipulation including payment by Warren County of remedial costs incurred on the property in an amount not to exceed Fifteen Thousand Dollars (\$15,000), to be paid upon receipt of documentation of costs incurred for remediation from NYS EnCon, in a form approved by the County Attorney, with funding to be provided through a transfer from the Environmental Testing Fund Reserve (A.893.00).