



CITY OF KINGSTON

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SHAYNE R. GALLO
MAYOR

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November 4, 2014

Hon. James L. Noble, Jr.
Alderman-at-Large
City of Kingston
420 Broadway
Kingston, New York 12401

Re: Late Resolution

Dear Jim:

Accompanying this letter is a draft resolution I would ask that the Common Council consider and vote on at its November 4, 2014 meeting. The resolution requests that the New York State Department of Environmental Conservation reconsider its decision not to assume Lead Agency status in the environmental review of the proposed Niagara Water Bottling project. The resolution also requests that our state representatives urge the NYSDEC to assume lead agency status for the environmental review.

Thank you for your consideration of this request.

Very truly yours,

Shayne R. Gallo
Mayor

RESOLUTION # _____ of 2014

RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF KINGSTON, NEW YORK, REQUESTING THAT THE NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION ASSUME LEAD AGENCY
STATUS FOR THE ENVIRONMENTAL REVIEW OF THE PROPOSAL TO BUILD THE
NIAGARA BOTTLING FACILITY IN THE TOWN OF ULSTER

WHEREAS, The Town of Ulster has received an application for site plan approval from Enterprise Properties, LLC for the construction a water bottling plant at 605 Boices Lane to be owned and operated by the Niagara Bottling, LLC; and

WHEREAS, on October 24, 2014 the New York State Department of Environmental Conservation has declined to assume the role of Lead Agency; and

WHEREAS, thereafter, a revised Notice to Involved Agencies and Declaration of Intent to be Lead Agency has been circulated by the Town of Ulster; and

WHEREAS, it appears that the New York State Department of Environmental Conservation as successor to the Water Power and Control Commission will have to approve the sale of water by the Kingston Water Department to the Niagara Water Bottling Facility;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION 1. That the City of Kingston hereby requests that the New York State Department of Environmental Conservation reconsider its decision and assume Lead Agency status in the environmental review of the proposed project

SECTION 2. That the City of Kingston further requests that our state representatives urge the New York State Department of Environmental Conservation to reconsider its decision and assume Lead Agency status in the environmental review of the proposed project

SECTION 3: That this resolution shall take effect immediately.

Submitted to the Mayor this _____
day of _____ 2014.

Approved by the Mayor this _____
day of _____ 2014.

CARLY WILLIAMS, CITY CLERK

SHAYNE R. GALLO, MAYOR

Adopted by Council on November 4, 2014