

NEW YORK CITY WATERSHED MEMORANDUM OF AGREEMENT ("MOA")

RESOLUTION TO ENDORSE THE MEMORANDUM OF AGREEMENT

WHEREAS, the Village of Tannersville (the "Village") is located within the water shed of the public water supply system of the City of New York (the "Watershed"); and

WHEREAS, the Village is concerned by the impacts of New York City's (the "City") proposed Water shed Regulations, Land Acquisition Program and Filtration Avoidance Waiver (collectively, the "Watershed Issues") on the Village's environmental and economic well being and has dedicated itself to assuring that there is a fair and reasonable resolution to these issues which addresses the Village's concerns; and

WHEREAS, the Village Board has remained abreast of the extensive negotiations between the City, the State of New York (the "State"), the United States Environmental Protection Agency ("USEPA"), the Coalition of Watershed Towns (the "Coalition"), Westchester County, Putnam County, and an ad hoc environmental coalition (the "Environmental Parties") toward a global settlement of the Watershed Issues; and

WHEREAS, in November, 1995, Governor Pataki announced a proposed Agreement in Principle between the City, the State, USEPA, the Coalition, Westchester County, Putnam County, and the Environmental Parties providing for a comprehensive Watershed Protection Plan for the Catskill/Delaware and Croton Watersheds, including proposed new Watershed Regulations, a Land Acquisition Program, and the execution of a memorandum of agreement providing for payment by the City of certain amounts to the Village and others; and

WHEREAS, the Village Board has been presented with a final Memorandum of Agreement (the "MOA") to be entered into between the City, the State, USEPA, the Coalition, Putnam County, Westchester County, the Environmental Parties, and the counties, towns and villages in the Watershed (the "Municipal Parties") providing for, among other things, (i) the issuance by USEPA of a new filtration avoidance determination for the Watershed; (ii) the enactment of new Watershed Regulations by the City and the State; (iii) the issuance of a Water Supply Permit for a Land Acquisition Program in the Watershed, with land and conservation easements to be purchased on a willing buyer/willing seller basis and taxes or payment in lieu of taxes to be made by the City; and (iv) the funding by the City of a Watershed Protection and Partnership Program; and

WHEREAS, the Watershed Protection and Partnership Program provided for in the MOA includes City and State funding and other economic benefit provisions to mitigate the foreseeable impacts on the Village as a result of the Watershed Regulations, Land Acquisition Program and Filtration Avoidance Waiver; and

WHEREAS, the Village Board believes that it is in the best interests of the Village to enter into the MOA as Municipal Party in order to avail itself of the benefits to be realized therefrom; and

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WHEREAS, the Village Board recognizes that the MOA is currently the subject of public review and comment and minor changes may be made to the MOA which will not materially affect the Village's rights or interests.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE VILLAGE BOARD THAT;

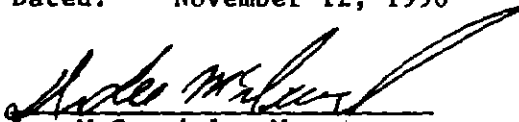
1. The Village Board of the Village of Tannersville hereby finds and determines that the form of the MOA is consistent with the Agreement in Principle and that it is desirable and in the best public interest of the residents of the village to execute and deliver the MOA upon the terms and conditions set forth therein;

2. The Village Board of the Village of Tannersville hereby authorizes the Mayor, on behalf of the Village, to sign the MOA as drafted or as modified, provided such modifications are consistent with the September 10, 1996 draft and do not materially adversely affect the Village's rights or interests; and

3. This Resolution shall take effect immediately and a copy of the Resolution shall be forwarded to the Executive Committee of the Coalition.

WHEREAS, the Village Board of Tannersville at a regular meeting on November 12, 1996 adopted Resolution 96-8 "New York City Watershed Memorandum of Agreement ("MOA").

Dated: November 12, 1996

  
Lee McGunnigle, Mayor

I, Bernice Merwin, Clerk of the village of Tannersville, do hereby certify I have compared the above copy of Resolution 96-8 adopted on November 12, 1996 with the original record and do certify that the same is true and accurate copy of resolution duly adopted by unanimous vote of the Village Board of the Village of Tannersville at a regular meeting held on November 12, 1996.

  
Bernice Merwin, Clerk/Treas.