PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2025038

RE: AMENDING THE 2025 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE BROWNFIELD CLEANUP PROGRAM AT THE HUDSON VALLEY REGIONAL AIRPORT

Legislators METZGER, PAOLONI, CASWELL, GORMAN, and VERSACI offer the following and move its adoption:

WHEREAS, the County entered into an Order on Consent and Administrative Settlement No. CO-3-20170920-170 (hereinafter "Order"), dated March 28, 2018, with the New York Department of Environmental Conservation (hereinafter "NYS DEC"), and

WHEREAS, since 2018, this Legislature has authorized several amendments to the Adopted County Budget through multiple resolutions, the most recent being Resolution No. 2024194, to provide funds to meet the County's obligations for various projects and activities including the hiring of professional consultants, the hiring of consultant(s) for soil and water sampling, engineering expenses, equipment, environmental and legal consultant fees, NYS DEC fees and other expenses relating to the PFAS/PFOS contamination in and around the Hudson Valley Regional Airport (hereinafter "HVRA"), and

WHEREAS, in 2024, the NYS DEC accepted the County into its NYS Brownfields Cleanup Program (hereinafter "BCP"), and

WHEREAS, the Department of Public Works (hereinafter "DPW") advises that in order to comply with NYS DEC standards and direction under the BCP which has accelerated with the County's acceptance into the program, DPW herein requests $984,417 in additional funding for the following:

1) Needed revisions, requested by NYS DEC, for the Pre-Construction Investigation (PCI) Work Plan documents for the Sky Harbour sites (North and South) as well as Maintenance & Storage Outbuildings Project - $6,640
2) Sky Harbour sites – PCI Field Investigation - $546,200
3) Maintenance & Storage Outbuildings – PCI Field Investigation - $117,600
4) Poet systems sampling and monitoring - $73,602
5) Change of Use Notifications to NYS DEC - $13,600
6) Monthly progress meetings and reports - $28,050
7) Construction Support Services - $30,250
8) Facility-Wide Health & Safety Plan - $19,900
9) Grant Application Assistance - $11,575
10) Opinion of Probable Cost (Remedial Investigation) - $22,000
11) Brownfield Cleanup Program – administrative work - $45,000
12) NYS DEC Reimbursement for Work Plan review for 2025 - $60,000
13) Environmental Legal Services for 2025 - $10,000, and

WHEREAS, DPW further advises that it will be working aggressively to apply for two grant opportunities within 2025 to assist in alleviating costs, and that use of County Fund Balance dollars now will be reimbursed through these grant opportunities, and

WHEREAS, accordingly, an appropriation of the Fund Balance transfer is necessary to provide additional funding for the expenses discussed herein, and

WHEREAS, it is necessary to amend the 2025 Adopted County Budget to provide additional funding to meet the County's obligations and expenses under the BCP, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2025 Adopted County Budget as follows:

APPROPRIATIONS
Increase

EA.5610.90.4401.105	Professional Services Consultants	$ 924,417
EA.5610.90.4404	NYS Assessments & Fees	$ 60,000
A.9901.63.9800	EA Fund Contribution	$ 984,417
		$1,968,834

REVENUES
Increase

A.9998.95990.01	Appropriated Fund Balance General	$ 984,417
EA.5610.90.50310	Interfund Transfers	$ 984,417
		$1,968,834

APPROVED
Susan Serino
SUSAN J. SERINO
COUNTY EXECUTIVE
Date 3/17/2025

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Deputy Clerk of the Legislature of the County of Dutchess, have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2025, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2025.

DUTCHESS COUNTY SEAL

Laura Phillips
LAURA PHILLIPS, DEPUTY CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 984,417

Total Current Year Revenue and Source $ 0

Source of County Funds *(check one)*: ☐ Existing Appropriations, ☐ Contingency, ☐ Transfer of Existing Appropriations, ☑ Additional Appropriations, ☐ Other *(explain)*.

Identify Line Items(s):

Related Expenses: Amount $ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $984,417

Over Five Years: _____

Additional Comments/Explanation:

The requested $984,417 would fund:
1) Needed revisions, requested by the DEC, for the Pre-Construction Investigation (PCI) Work Plan documents for both the Sky Harbour sites (North and South) as well as the Maintenance & Storage Outbuildings project. ($6,640); 2) Sky Harbour sites – PCI Field Investigation ($546,200);3) Maintenance & Storage Outbuildings – PCI Field Investigation ($117,600);4) Poet systems sampling and monitoring ($73,602);5) Change of Use Notifications to DEC ($13,600); 6) Monthly progress meetings and reports ($28,050);7) Construction Support Services ($30,250); 8) Facility-Wide Health & Safety Plan ($19,900); 9) Grant Application Assistance ($11,575); 10) Opinion of Probable Cost (Remedial Investigation) ($22,000); 11) Brownfield Cleanup Program – administrative work ($45,000); NYSDEC reimbursement for work plan review ($60,000); Environmental Legal Services ($10,000)

Prepared by: David C. Whalen DCW Prepared On: 2/4/25

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SUE SERINO
COUNTY EXECUTIVE

ROBERT H. BALKIND, P.E.
COMMISSIONER

DAVID C. WHALEN
DEPUTY COMMISSIONER

DUTCHESS COUNTY GOVERNMENT
DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: **Rachel Kashimer, Deputy County Executive**

FROM: **David C. Whalen, Deputy Commissioner** DCW

DATE: **February 4, 2025**

RE: **RESOLUTION REQUEST – FOR ADDITIONAL FUNDING TO COMPLY WITH NYSDEC STANDARDS AND DIRECTION UNDER THE BROWNFIELD CLEANUP PROGRAM IN RELATION TO VARIOUS AIRPORT PROJECTS AND ACTIVITIES**

Please find attached a Resolution Request form and Fiscal Impact Statement regarding additional funding to comply with NYSDEC standards and direction under the Brownfield Cleanup Program in relation to various Airport projects and initiatives.

The requested $984,417 would fund:

1) Needed revisions, requested by the DEC, for the Pre-Construction Investigation (PCI) Work Plan documents for both the Sky Harbour sites (North and South) as well as the Maintenance & Storage Outbuildings project. ($6,640)
2) Sky Harbour sites – PCI Field Investigation ($546,200)
3) Maintenance & Storage Outbuildings – PCI Field Investigation ($117,600)
4) Poet systems sampling and monitoring ($73,602)
5) Change of Use Notifications to DEC ($13,600)
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9) Grant Application Assistance ($11,575)
10) Opinion of Probable Cost (Remedial Investigation) ($22,000)
11) Brownfield Cleanup Program – administrative work ($45,000)
12) NYSDEC reimbursement for Work Plan review for 2025 ($60,000)
13) Environmental Legal Services for 2025 ($10,000)

Dutchess County DPW has worked closely with C.T. Male Associates, the County's chosen consultant regarding the PFAS contamination issues at the Airport since 2018. To date, the County has expended $840,487.62 for CT Males' important work. The funding requested in this resolution will cover a myriad of assignments as the Brownfield Cleanup Program process has accelerated since our acceptance into the NYSDEC's program last year. Additionally, the opportunity of Sky

Harbour's development plans at the Airport have brought needed Interim Remedial Work to be performed before the full and complete Remedial Work Plan has been authored, approved by the DEC, and remediation solutions implemented.

A large component of funding requested ($546,200) is for the Field Investigation work of the Sky Harbour sites. Sky Harbour has a 40-year lease agreement with the County to develop aviation hangars on two sites: North Development Site (4.8 acres) and South Development Site (2.28 acres). Once the Field Investigation work is completed, NYSDEC will allow the construction of the project on both these sites. Sky Harbour is anticipating construction beginning on the North site in July of this year and subsequently, after FAA approval, to begin construction on the South site in 2026.

Sky Harbour's construction investment of approximately $25 million dollars will deliver over 100,000 square feet of premium hangar space to Hudson Vally Regional. The County will benefit with an annual lease payment for the North site of $138,000, and when the South site is completed, an annual lease payment of $188,000 total for both sites (pending final survey of acreage/square footage of land). Additionally, the County will receive revenue per the amount of fuel that is consumed by Sky Harbour tenant's aircraft. That additional annual revenue is projected at $78,750 for each site, or $157,500 total once completely built out on both sites. Escalation of lease terms occurs over the life of the contract based on the Consumer Price Index (CPI).

Additionally, DPW will be working to apply for two grant opportunities within 2025 to assist in alleviating costs. The first (the NYS Environmental Facilities Corp. (EFC) Clean Water State Revolving Fund (CWSR)) will be submitted within the second quarter of 2025 with a potential award in the fourth quarter of the year. A second grant opportunity will be applied for in the fourth quarter. It is our recommendation to use County Fund Balance dollars now and then aggressively seek grant opportunities for reimbursement.

Please contact me if you have any questions or require additional information.

c: Robert H. Balkind, P.E., Commissioner
Mary Aldrich, MA, CPFO, Director of Budget and Finance
Jeff Durand, Airport Director

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 7 - Hyde Park and Pleasant Valley	Truitt*	✓	
District 25 - Amenia, Washington, Pleasant Valley & Millbrook	Houston*		
District 3 - LaGrange	Polasek*		
District 16 - Fishkill and Beacon	Valdés Smith*		
District 9 - City of Poughkeepsie	Atkins*		
District 1 - Town of Poughkeepsie	Gorman		
District 10 - City of Poughkeepsie	Johnson (VC)	absent	
District 12 - East Fishkill	Metzger (C)		
District 13 - East Fishkill and Wappinger	Paoloni		
District 15 - Wappinger	Faust		
District 20 - Red Hook, Tivoli, and Rhinebeck	Munn		
District 23 - Pawling, Beekman and East Fishkill	Rolison		

Present: 11 Resolution: ✓ Total : 11 0

Absent: 1 Motion: ___ Yes No

Vacant: 0 Abstentions: 0

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MARCH 6, 2025

Roll Call Sheets

District	Last Name	YES	NO
District 7 - Hyde Park and Pleasant Valley	Truitt	✓	
District 25 - Amenia, Washington, Pleasant Valley & Millbrook	Houston	absent	
District 3 - LaGrange	Polasek		
District 16 - Fishkill and Beacon	Valdés Smith		
District 9 - City of Poughkeepsie	Atkins		
District 1 - Town of Poughkeepsie	Gorman		
District 2 - LaGrange, Pleasant Valley & Town of Poughkeepsie	Travelpiece		
District 4 - Hyde Park and Town of Poughkeepsie	Lawler		
District 5 - Town of Poughkeepsie	D'Aquanni		
District 6 - Town of Poughkeepsie	Kaul		
District 8 - City and Town of Poughkeepsie	Brendli		
District 10 - City of Poughkeepsie	Johnson		
District 11 - Clinton, Pleasant Valley, and Rhinebeck	Kearney		
District 12 - East Fishkill	Metzger		
District 13 - East Fishkill and Wappinger	Paoloni	absent	
District 14 - Wappinger and Town of Poughkeepsie	Versaci		
District 15 - Wappinger	Faust		
District 17 - Town and Village of Fishkill	McHoul		
District 18 - City of Beacon and Fishkill	Page		
District 19 - North East, Stanford, Pine Plains, Milan & Red Hook	Drago		
District 20 - Red Hook, Tivoli, and Rhinebeck	Munn		
District 21 - East Fishkill	Caswell		
District 22 - Beekman and Union Vale	Garito		
District 23 - Pawling, Beekman and East Fishkill	Rolison		
District 24 - Dover and Pawling	House		

Present:	23	**Resolution:**	✓	**Total :** 23	0
Absent:	2	**Motion:**		Yes	No
Vacant:	0			**Abstentions:** 2	

2025038 AMENDING THE 2025 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE BROWNFIELD CLEANUP PROGRAM AT THE HUDSON VALLEY REGIONAL AIRPORT

MARCH 10, 2025