



Legislation Text

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Res. No. 1739

Resolution authorizing the filing of applications for state assistance payments for municipal park projects and recreational trails projects within the City of New York and the signing of associated state contracts under the appropriate laws of New York State.

By Council Members Berman, Malave-Dilan, Marshall, Abel and Fiala (by request of the Mayor); also Council Members Fisher, Harrison, Michels and Pinkett

Whereas, the State of New York provides financial assistance for municipal park projects; and

Whereas, Article 56 of the New York State Environmental Conservation Law ("ECL") and any rules and regulations promulgated pursuant thereto require a resolution to be adopted by the governing body of a municipality to authorize applications for such state assistance payments; and

Whereas, in 1998, the New York State Office of Parks, Recreation and Historical Preservation awarded a municipal park grant to the Staten Island Botanical Garden, Inc., a nonprofit organization, in the amount of three hundred thirty-five thousand dollars (\$335,000) for a wetland restoration project, the Staten Island Botanical Garden Wetland Restoration Project; and

Whereas, the Staten Island Botanical Garden, Inc., has requested the transfer of the grant to the City of New York/Parks & Recreation in order that the City of New York/Parks & Recreation undertake the wetland restoration project; and

Whereas, the City of New York/Parks and Recreation has prepared an application to the New York State Office of Parks, Recreation and Historic Preservation for the transfer of the state assistance payments to the City of New York/Parks & Recreation for the Staten Island Botanical Garden Wetland Restoration Project, which is also identified in the list attached to this Resolution and incorporated herein by reference as Attachment No. 1; and

Whereas, if the New York State Office of Parks, Recreation and Historic Preservation approves the application for the transfer of state assistance payments for this project, it is necessary that a contract be entered into by and between the State of New York and the City of New York be executed in connection with such state assistance payments for the approved application; and

Whereas, the State of New York administers a federal financial assistance program for recreational trails; and

Whereas, the New York State Office of Parks, Recreation and Historic Preservation, which administers the Recreational Trails Program of the Federal Transportation Equity Act for the 21st Century (Section 206 of Title 23 of the United States Code ["U.S.C.]), requires a resolution to be adopted by the governing body of a municipality to authorize recreational trails project applications for assistance payments; and

Whereas, the City of New York has examined and duly considered the applicable law of the City and State of New York and of the United States of America and deems it to be in the public interest to file one application or more than one application for such financial assistance payments; and

Whereas, the City of New York/Parks & Recreation has prepared applications to the New York State Office of Parks, Recreation and Historical Preservation for financial assistance payments for the Recreational Trails Program projects identified in the list attached to this Resolution and incorporated herein by reference as Attachment No. 1; and

Whereas, if the Recreational Trails Program applications for financial assistance payment are approved by the New York State Office of Parks, Recreation and Historic Preservation and the United States Department of Transportation, it is necessary that a contract be entered into by and between the State of New York and the City of New York be executed in connection with such state assistance payments for each approved Recreational Trails Program application; and

Whereas, the City of New York/Parks & Recreation is the agency charged with the management and physical improvement of all designated parkland, including recreational trails, owned by the City of New York; now therefore, be it

Resolved by the Council of the City of New York that:

1. The filing of applications for such state assistance payments for the projects specified in Attachment No. 1, in the form required by the State of New York and the United States Department of Transportation, in conformity with the applicable laws of the State of New York and the United States of America, including all undertakings and assurances required by said applications, is hereby authorized;

2. Henry J. Stern, as Commissioner of the City of New York/Parks & Recreation, or his successor(s), is hereby authorized and directed as the official representative of the City of New York to submit an application for funds to the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 3 of the Clean Water/Clean Air Bond Act of 1996 (ECL Article 56) for the municipal park project, the Staten Island Botanical Garden Wetland Restoration Project, specified in Attachment No. 1, in an amount not to exceed the amount specified therein; to act in connection with such application for a grant of state assistance payments, including the provision of such additional information as may be required; and upon approval of said application by New York State for such project, to enter into and execute a state assistance contract with the State for such financial assistance to the City of New York/Parks & Recreation for the approved application;

3. Henry J. Stern, as Commissioner of the City of New York/Parks & Recreation, or his successor(s), is hereby authorized and directed as the official representative of the City of New York to submit an application for funds to the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of the Federal Transportation Equity Act for the 21st Century (Section 206 of Title 23 of the U.S.C.) for each recreational trails project specified in Attachment 1, in an amount not to exceed the amount specified therein; to act in connection with such applications for grants of financial assistance payments, including the provision of such additional information as may be required; and upon selection of said applications by New York State and approval by the United States Department of

Transportation for such project or projects, to enter into and execute state assistance contracts with the State for such financial assistance to the City of New York/Parks & Recreation for each application;

4. Seven certified copies of this Resolution shall be prepared for forwarding to the New York State Office of Parks, Recreation and Historic Preservation.

ATTACHMENT NO. 1

Clean Water/Clean Air Bond Act of 1996
New York State

1. Staten Island Botanical Garden Wetland Restoration (Richmond County)

Recreational Trails Program
Federal Transportation Equity Act for the 21st Century

2. Bronx Park Pathway Improvements (Bronx County)

3. Alley Pond Park Trail Restoration (Queens County)

4. Forrest Park Blue Trail (Queens County)

5. Willow Lake Nature Trail (Queens County)