

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Office of General Counsel, Region 4
1130 North Westcott Road, Schenectady, NY 12306-2014
P: (518) 357-2048 | F: (518) 357-2087
www.dec.ny.gov

CERTIFIED - RETURN RECEIPT REQUESTED
7016 0340 0000 4616 7588

October 25, 2017

Paul J. LaFond
Commissioner of General Services
City of Schenectady
City Hall
105 Jay Street
Schenectady, NY 12305

Re: Letter Agreement
Order on Consent
R4-2012-1218-117M2
City of Schenectady

Dear Mr. LaFond:

Enclosed please find a copy of the fully executed Letter Agreement to Order on Consent referenced above.

Sincerely,



Stephen Repsher
Assistant Regional Attorney

Enclosure

ec: D. Thorsland
J. Malcolm

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Letter Agreement to Order on Consent

File No. R4-2012-1218-117M2

Whereas the Department and Respondent agree to the following:

I. Respondent is subject to the Schedule of Compliance (“Schedule of Compliance”) in Order on Consent, R4-2012-1218-117 (5/15/14) (“Order”).

II. By letter dated September 29, 2017, Respondent requests an extension of time of ninety (90) days to file the following items pursuant to the deadlines set forth in its Sanitary Sewer Overflow Mitigation Plan Schedule of Compliance, filed pursuant to the Order:

1. Completion of plans and specifications for the North Ferry Street Pump Station, from December 15, 2017 to March 15, 2018; and
2. Submittal of Notice to Proceed to Construction, from April 15, 2018 to July 15, 2018.

The Department finds that the Respondent has set forth good cause to grant its request; therefore, the Department grants Respondent’s request. The Schedule of Compliance is hereby modified to reflect the revised dates set forth immediately above.

III. All terms, conditions or provisions of the Order, its Schedule of Compliance and approved Plans shall remain in full force and effect and enforceable unless expressly modified herein.

IV. The effective date of this Letter Agreement is the date the Letter Agreement is signed by the Regional Director.

DATED: October 24, 2017
Rotterdam, New York

Basil Seggos
Commissioner
New York State Department of
Environmental Conservation

BY:



Keith Goertz
Regional Director
Region IV

CONSENT BY RESPONDENT

Respondent, City of Schenectady, hereby consents to the issuing and entering of this Letter Agreement to the Order on Consent and waives its right to notice and hearing herein and agrees to be bound by the provisions, terms and conditions contained herein.

BY: Gary W. McCarthy
Mayor of City of Schenectady

DATE: 10/20/2017

STATE OF NEW YORK)

) ss.:

COUNTY OF)

On the 20th day of October in the year 2017 before me, the undersigned, a Notary Public in and for the State, personally appeared Gary R. McCarthy personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual executed the instrument.

Phyllis J. Gaumont
Notary Public
Qualified in the County of:
My Commission Expires:

PHYLLIS J. GAUMOND
Notary Public, State of New York
No. 01GA4977672
Qualified in Schenectady County
Commission Expires 02/11/2019