

**AMENDMENT No. 1 TO
ECONOMIC DEVELOPMENT AGREEMENT
TOWN OF WAWARSING PARKS AND RECREATION IMPROVEMENTS**

This Amendment No. 1 (“Amendment No. 1”) is effective as of August 31, 2017 (the “Amendment Effective Date”) and entered into by and between the **ULSTER COUNTY ECONOMIC DEVELOPMENT ALLIANCE, INC.**, a local development corporation formed under the laws of the State of New York, with offices at 244 Fair Street, Kingston, New York 12401 (the “UCEDA”), and **THE TOWN OF WAWARSING**, a municipality within the County of Ulster, New York, with its offices at Town Hall, 108 Canal St, Ellenville, New York 12428 (the “Town”), (each, a “Party,” together, the “Parties”).

RECITALS

WHEREAS, UCEDA and the Town entered into an Agreement wherein the Village agreed to develop a segment of the Ontario & Western Rail Trail on the Town’s easement across lands owned by the New York State Department of Corrections and Community Supervision (hereinafter referred to as the “Agreement”); and

WHEREAS, UCEDA and the Town have agree to amend the Agreement to extend the Program by ten (10) months and to correct the labor reimbursement rate to as indicated below.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the Parties agree as follows:

AGREEMENT

1. **ARTICLE 2 – TERM OF AGREEMENT.** Article 2 of the Agreement is hereby deleted in its entirety and is amended and restated to read as follow:

“**ARTICLE 2 – TERM OF AGREEMENT**

The Town agrees to perform the Services **beginning January 1, 2017 and ending June 30, 2018.**”

2. **SCHEDULE B FEES, EXPENSES, AND SUBMISSIONS FOR PAYMENT.** Section 2 of Schedule B of the Agreement is hereby deleted in its entirety and is amended and restated to read as follows:

“2. The Town shall invoice the UCEDA for approved reimbursable costs after the expense has been incurred and paid for by the Town. The following are hereby established as maximum allowable reimbursements for the project.

a. Materials (fence, gates, signs, Item 4)	\$26,914
b. Surveying	\$2,000
c. Labor (installation)	\$26,806

Labor estimates assume Town personnel will perform installation and are based on an estimated hourly rate of \$60 per person. The Town agrees to furnish labor for installation of the materials, and to match the amounts above with in-kind labor valued at \$31,514.”

3. Capitalized terms used but not defined herein shall have the meanings set forth in the Agreement.
4. Except as expressly set forth herein, the terms and conditions of the Agreement shall continue in full force and effect.
5. In the event of a conflict between the Agreement and this Amendment No. 1, the terms and conditions of this Amendment No. 1 shall control.

***** Signature page follows *****

IN WITNESS WHEREOF, the Parties have caused their duly authorized representatives to enter into this Amendment No. 1, effective as of the Amendment Effective Date.

ULSTER COUNTY ECONOMIC DEVELOPMENT
ALLIANCE, INC.

TOWN OF WAWARSING

By: _____
NAME: Suzanne Holt
TITLE: President & CEO
DATE: _____

By: _____
NAME:
TITLE:
DATE: _____