

Establishing Capital Project No. 305 – Shovel Ready Project – Town of Lloyd For Construction Of Water Supply Facilities To Industrial Site – And Authorizing The Delivery Of Project Funds And Administrative Fee To The Ulster County Development Corporation – Amending The 2007 – 2012 Capital Program And The 2007 Ulster County Budget And The 2007 Capital Project Fund

The Ways and Means Committee (Chairman Lomita and Legislators Bartels, Berardi, Gregorius, Provenzano, Zimet, Cummings, Gerentine and Noonan) offers the following:

WHEREAS, the County of Ulster, the Ulster County Industrial Development Agency and the Ulster County Development Corporations desirous of enhancing job creation and retention of employment within its municipal subdivisions, and

WHEREAS, the New York State Legislature has adopted Legislation (Chapter 208, Laws of 2000), which is commonly know as the Ulster County Shovel Ready Law, so that the County may fund certain projects, and

WHEREAS, funds for certain projects are to be administered for the purpose of economic development with in the County of Ulster pursuant to the Procedures and Guidelines of the Shovel Ready Fund dated November 2001, as filed with the Clerk of the Legislature (hereinafter referred to as the “Guidelines”), and

WHEREAS, the ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY (hereinafter referred to as the “IDA”) promotes and assists in the acquiring, constructing, improving, maintaining, and equipping of industrial, manufacturing, commercial, research, recreation, and civic facilities, and

WHEREAS, the ULSTER COUNTY DEVELOPMENT CORPORATION (hereinafter referred to as the “UCDC) fosters business growth and economic development in the County of Ulster and its municipal subdivisions, and

WHEREAS, the COUNTY and IDA wish to accomplish their purposes in part by making funds available that will encourage municipalities within Ulster County to develop, enhance, and expand public supporting infrastructure, and

WHEREAS, UCDC has established a Shovel Ready Fund, hereinafter referred to as the “FUND”, for the purpose of administering funds of the COUNTY and IDA, and

WHEREAS, said funds are to be administered for the purpose of economic development with in the County of Ulster pursuant to the Procedures and Guidelines

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of the Shovel Ready Fund dated November 2001 (hereinafter referred to as the “GUIDELINES”), and

WHEREAS, the COUNTY, IDA and UCDC have entered into an Agreement for Administration of the Ulster County Shovel Ready Fund dated November 28, 2001, and

WHEREAS, pursuant to the GUIDELINES the Town of Lloyd (hereinafter referred to as the “TOWN”) has submitted an application (a copy of which is on file at the office of the UCDC and the Clerk of the Legislature) for assistance to the Shovel Ready Fund, and

WHEREAS, the application is for a project that consists of extending public water service to approximately 55 parcels along the Route 9W Northern Light Industrial Corridor in the TOWN and will include installation of approximately 5,000 linear feet of water pipes, adding fire hydrants, service connections, a water storage tank, and related surface treatments; and

WHEREAS, the project funding includes: (A) \$350,643.00 from the Shovel Ready Fund; and, (B) \$1,051,930.00 from the TOWN, and

WHEREAS, in accordance with the GUIDELINES, the UCDC staff has reviewed and recommended the approval of the application, and

WHEREAS, in accordance with the GUIDELINES, the Shovel Ready Committee has reviewed and recommended the approval of the application, and

WHEREAS, the County Legislature approved the Shovel Ready Fund application from the Town of Lloyd, and a disbursement agreement between the Ulster County Development Corporation and the delivery of project funds and administrative fee of \$3,506.00 to the Ulster County Development Corporation pursuant to Resolution No. 140 dated April 8, 2004, and

WHEREAS, the County authorized the issuance of \$350,643.00 Serial Bonds according to Resolution No. 140A dated April 8, 2004, to pay the County’s share of

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the cost of the construction of water supply facilities to the industrial site in the Town of Lloyd pursuant to the provisions of Chapter 208 of the Laws of 2000, and

WHEREAS, the Town and the County have executed an agreement, dated November 29, 2005, which conveys joint ownership of all water service portions of the project constructed with County funds to the County, subject to the obligations of the Town, its successors and assignees to operate and maintain such portions and indemnify the County with respect thereto, and

WHEREAS, based upon the examination of the Ulster County Legislature, and pursuant to Part 617 of the implementary regulations pertaining to Article 8 of the State Environmental Quality Review Act (SEQRA), it has been determined that Ulster County's funding of a portion of the project constitutes a Type II action as defined under 6 NYCRR 617.5(c)(11), (20) and (27) and does not require any determination or procedure under SEQRA, and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of the members voting approval.

RESOLVED, that the 2007 Ulster County Budget is hereby amended as follows to pay a 1% administration fee:

TRANSFER

<u>FROM</u>		<u>AMOUNT</u>
A4-1331-4553 (App. #)	Contingent Account	\$ 3,506.00
<u>TO</u>		<u>AMOUNT</u>
A4-2801-4832 (App. #)	Ulster County Development Corp Shovel Ready – Lloyd Water Project	\$ 3,506.00

, and

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FURTHER RESOLVED, that the 2007-2012 Capital Program is hereby amended as follows:

ADD: 2007 – 2012 CAPITAL PROGRAM

Economic Development	Shovel Ready Projects Capital Project No. 305 Town of Lloyd Water Project Highland Water District	\$350,643.00
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, and

FURTHER RESOLVED, that the 2007 Ulster Capital Fund Budget is hereby amended as follows:

CREATE

H4-0305-2911 (App. #)	Water Project, Town of Lloyd Shovel Ready Projects
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H3-0305-5710 (Rev. #)	Serial Bonds, Ulster County
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INCREASE

AMOUNT

H4-0305-2911 (App. #)	Water Project, Town of Lloyd Capital Project No. 305 Shovel Ready Projects	\$350,643.00
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H3-0305-5710 (Rev. #)	Serial Bonds, Ulster County	\$350,643.00
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and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 32 NOES: 0
(Absent: Legislator Felicello)

FINANCIAL IMPACT:

\$350,643.00 – SERIAL BONDS OF ULSTER COUNTY

\$ 3,506.00 – BUDGETED COUNTY DOLLARS (CONTINGENCY TRANSFER)

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