

**Authorizing And Directing The [Chairman Of The Ulster County Legislature To Appoint A Special Committee] To Investigate And Research The Possibility Of The County Entering Into A Contract With Ellenville Regional Hospital For The Purpose Of Providing Specific Medical Services To The Residents Of Ulster County**

Legislators Hyatt, R.A. Parete, Cummings and DePew offer the following:

WHEREAS, Ellenville Regional Hospital, a private hospital located in the County of Ulster, provides important hospital and emergency medical services to the resident of Ulster County, and

WHEREAS, Ellenville Regional Hospital is experiencing grave financial difficulties that may force it to close in the near future, and

WHEREAS, the closing of Ellenville Regional Hospital would result in severe detriment to the economic health of the County of Ulster together with the loss of necessary medical services it provides to the residents of Ulster County, and

WHEREAS, the geographic area where Ellenville Regional Hospital is located is heavily populated by full-time residents of Ulster County together with seasonal residents of Ulster County as it is in close proximity to several major tourist entities and hotels, and

WHEREAS, the loss of Ellenville Regional Hospital would have a negative impact of the County of Ulster's ability to attract economic development and increased tourism to the County of Ulster, and

WHEREAS, although the New York State Constitution, Article III, §1, among other things, prohibits any county from the outright giving or loaning of public money or property in aid of a private person, corporation or association, the Office of the State Comptroller has held in Opinion No. 79-259, and other opinions, that a municipality may adopt local laws relating to the safety, health and well-being of its residents pursuant to Municipal Home Rule Law, §10(1)(ii)(a)(11) thereby permitting the County to enter into a contract with a private hospital for specific particular services to be provided by the hospital.

**Resolution No. 80 February 12, 2004**

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RESOLVED, that the [Chairman of the Ulster County Legislature appoints a Special Committee] to immediately investigate and research the possibility of the County of Ulster adopting a local law that would permit the County of Ulster to enter into a contract with Ellenville Regional Hospital to provide specific particular services to the County of Ulster and its residents, including but not limited to the kinds of specific particular services that the County will contract with the hospital for, the costs thereof, and the funding necessary to enter into such a contract, and

FURTHER RESOLVED, that the [Special Committee] of the Ulster County Legislature is hereby further directed to report its findings to the entire Legislature on or before the regular March meeting of the Ulster County Legislature, and

FURTHER RESOLVED, that the Chairman of the Ulster County Legislature shall designate at least two members of the Legislature to meet with principals of the hospital, Congressman Maurice Hinchey, Senators John Bonacic and William Larkin, Assemblymen Kevin Cahill, Clifford Crouch, and Daniel Hooker, representatives of the Town of Wawarsing, Village of Ellenville, Ellenville School District, and other appropriate State or Local agencies or representatives to explore means whereby such representatives, municipalities and agencies might assist in providing funding and/or necessary assistance to said hospital, and

[FURTHER RESOLVED, that the Special Committee of the Ulster County Legislature is hereby further directed to report its findings, in writing, to the Legislature on or before March 1, 2004, and]

[FURTHER RESOLVED, that if the law allows, a public hearing is hereby scheduled to take place on March 2, 2004 at 7:00 PM in the Ulster County Legislative Chambers, 244 Fair Street, Kingston, New York 12401 to consider the advisability of the County of Ulster adopting a local law for the purpose of permitting the County to contract with Ellenville Regional Hospital for specific particular medical services, and]

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[FURTHER RESOVLED, that the County Attorney and the Clerk of the Legislature are hereby directed to prepare, on or before February 18, 2004, a notice of public hearing together with a proposed local law for the purposes set forth herein, the same of which shall be forwarded to the official newspaper for timely publication and made available for public review,]

and moves its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 31

NOES: 0

(Abstention: Legislator Stoeckeler)

(Absent: Legislator Maloney)

Legislator Stock motioned seconded by Legislator Hathaway to amend Resolution No. 80 as shown in [ ]

AMENDMENT ADOPTED BY THE FOLLOWING VOTE:

AYES: 31

NOES: 0

(Abstention: Legislator Stoeckeler)

(Absent: Legislator Maloney)

FINANCIAL IMPACT:

NONE

0226