

Adopting A Negative Declaration For The Demolition Of The Former Ulster County Jail Located On Golden Hill, And Establishing And Funding Capital Project No. 630 - Demolition Of Jail Golden Hill-ARPA – Department Of Planning

Referred to: The American Rescue Plan Act Special Committee (Chairman Criswell and Legislators Corcoran, Levine, Lopez, and Sperry), The Public Works, Capital Projects and Transportation Committee (Chairwoman Petit and Legislators Fabiano, Litts, Nolan, and Stewart), The Energy, Environment and Sustainability Committee (Chairwoman Greene and Legislators Hansut, Erner, Maloney, and Stewart), The Health, Human Services and Housing Committee (Chair Walter and Legislators Corcoran, Erner, Lopez, Nolan, Petit, and Uchitelle), and The Ways and Means Committee (Chairman Gavaris and Legislators Cahill, Fabiano, Ronk, and Walter)

Chairman of the ARPA Special Committee, Peter J. Criswell, and Deputy Chair Thomas Corcoran, Jr. offer the following:

WHEREAS, this resolution has been submitted at the request of the County Executive on behalf of the Department of Planning; and

WHEREAS, the Ulster County Housing Action plan calls for increasing the supply of an array of affordable housing for individuals and families that includes senior, workforce, and supportive housing; and

WHEREAS, Pursuant to Resolution No. 274 dated August 2020 the County Legislature recognized that the area of the former Jail on Golden Hill was suitable to meet these needs and authorized the necessary steps to allow for affordable housing development; and

WHEREAS, the former jail and adjacent buildings that currently occupy the site must be removed from the site for it to be utilize for affordable housing; and

WHEREAS, The Ulster County Housing Development Corporation has selected a preferred housing developer, Pennrose, who has moved forward with plans to develop an intergenerational affordable housing project consisting of 160 units at the site of the former jail and has developed a demolition plan for the jail in accordance with those plans; and

WHEREAS, the Ulster County Legislature passed Resolution No. 333 on August 2021 creating Capital Project No. 597, entitled “ARP Housing, Jail Demolition; and

Resolution No. 167 May 17, 2022

**Adopting A Negative Declaration For The Demolition Of The Former
Ulster County Jail Located On Golden Hill, And Establishing And
Funding Capital Project No. 630 - Demolition Of Jail Golden Hill-
ARPA – Department Of Planning**

WHEREAS, Ulster County’s housing costs for both rental and homeownership have been significantly impacted by the Pandemic and these impacts were most severe on low and moderate income families and individuals leading to a necessity for the creation of additional affordable housing opportunities; and

WHEREAS, the American Rescue Plan Act (ARPA) provided funding to state and local governments known as the State and Local Fiscal Recovery Fund (SLFRF) to broadly address the impacts of the Pandemic and ensure an equitable recovery whereby a Final Rule (31 CFR Part 35, RIN 1505-AC77) on the uses of SLFRF funds includes, as an eligible activity, “developments that increase the supply of long-term affordable housing for low-income households” (see: page 106 of the Final Rule); and

WHEREAS, the demolition of the former jail on Golden Hill to provide for an intergenerational mix of affordable housing is an eligible activity under the SLFRF and will lead to positive community impacts both long and short term by creating economic opportunities associated with a stable workforce, enabling better overall individual health outcomes, attracting more diversity at both the community and project level, and is a foundation for stable families; and

WHEREAS, it is the intent to use ARPA SLFRF funds for the demolition of the Jail on Golden Hill; and

WHEREAS, public funding needed for the creation of affordable housing is highly competitive and approving agencies are increasingly aware of the inclusion of local fiscal support in making awards from the available funding programs; and

WHEREAS, the City of Kingston Planning Board acting as Lead Agency has determined that the development of an affordable housing project to be located on Golden Hill in the City of Kingston is an Unlisted Action as said term is defined pursuant to 6 NYCRR Part 617 of the Regulations of Article 8 of the Environmental Conservation Law of New York State (“SEQRA”); and is conducting a coordinated review; and

WHEREAS, Ulster County has sought guidance from the Lead Agency regarding the demolition of the former jail facility and appurtenances located on Golden Hill as being a discrete action separate and apart from its decision regarding the construction of affordable housing with the Lead Agency in agreement that the County could move forward; and

Resolution No. 167 May 17, 2022

Adopting A Negative Declaration For The Demolition Of The Former Ulster County Jail Located On Golden Hill, And Establishing And Funding Capital Project No. 630 - Demolition Of Jail Golden Hill- ARPA – Department Of Planning

WHEREAS the building is currently vacant, and its age and condition preclude an economic reuse of the structure; and

WHEREAS, the 2022-2027 adopted Capital Improvement Program recommended funding the demolition of the former Jail in the amount of \$1,500,000 dollars; now, therefore be it

WHEREAS. the County has completed the necessary hazardous material survey of the structure, developed a demolition plan, and notes that the building is not of historic value; now, therefore be it

RESOLVED, that the Ulster County Legislature based on the review of the Environmental Record, the demolition plans, and the requirements under 6 NYCRR Part 617, hereby determines that the demolition of the former Jail located on Golden Hill is an Unlisted Action that is a discrete action that can be considered separate and apart from the future actions, including the construction of affordable housing at the site, and that as such a segmented review is warranted and determines that approval will be no less protective of the environment nor will it commit the Legislature to any future course of action and that its approval will not have an adverse impact on the environment and hereby adopts a negative declaration as provided in 6 NYCRR 617.7; and, be it further

RESOLVED, that the 2022-2027 Capital Improvement Program is amended as follows to ensure each Capital Project is assigned a unique number:

	<u>DELETE</u>	<u>AMOUNT</u>
Capital Project No. 597	ARP Housing – Jail Demolition	\$1,500,000.00

and, be it further

RESOLVED, that the 2022-2027 Capital Improvement Program is amended as follows:

	<u>CREATE</u>	<u>AMOUNT</u>
Capital Project No. 630	Demolition Jail on Golden Hill	\$1,500,000.00

Resolution No. 167 May 17, 2022

**Adopting A Negative Declaration For The Demolition Of The Former
Ulster County Jail Located On Golden Hill, And Establishing And
Funding Capital Project No. 630 - Demolition Of Jail Golden Hill-
ARPA – Department Of Planning**

and, be it further

RESOLVED, that Capital Project No. 630 – Demolition Jail on Golden Hill – ARPA is hereby established as follows:

	<u>CREATE</u>	<u>AMOUNT</u>
Capital Project No. 630	Jail Demolition Golden Hill ARPA	\$1,500,000.00

and, be it further

RESOLVED, that the 2022-2027 Ulster County Capital Fund Budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
HH.8097.0630-2300.2550 (App.#)	Construction	\$1,500,000.00
HH.8097.0630-3400.4995 (Rev.#),	Federal Aid, ARPA	\$1,500,000.00

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 17 NOES: 6
(Noes: Legislators Erner, Gavaris, Hewitt,
Maloney, Petit, and Walter)

No Action Taken in Committee: American Rescue Plan Act on March 30, 2022

Passed Committee: Public Works and Capital Projects as amended on April 5, 2022

Resolution No. 167 May 17, 2022

Adopting A Negative Declaration For The Demolition Of The Former Ulster County Jail Located On Golden Hill, And Establishing And Funding Capital Project No. 630 - Demolition Of Jail Golden Hill-ARPA – Department Of Planning

No Action Taken in Committee: Energy, Environment and Sustainability on April 7, 2022

Passed Committee: American Rescue Plan Act on April 13, 2022

Passed Committee: Health, Human Services and Housing on May 4, 2022

Defeated in Committee: Energy, Environment and Sustainability on May 5, 2022

Petition to Discharge successfully executed.

FINANCIAL IMPACT:

\$1,500,000.00 – COUNTY CAPITAL FUND APPROPRIATIONS

\$1,500,000.00 – FEDERAL CAPITAL FUND REVENUES

Legislator Maloney motioned, seconded by Legislator Erner, to Refer the Resolution back to the Energy, Environment and Sustainability Committee.

MOTION DEFEATED BY THE FOLLOWING VOTE:

AYES: 6 NOES: 17

(Ayes: Legislators Erner, Gavaris, Hewitt, Maloney, Petit, and Walter)

Resolution No. 167 May 17, 2022

**Adopting A Negative Declaration For The Demolition Of The Former
Ulster County Jail Located On Golden Hill, And Establishing And
Funding Capital Project No. 630 - Demolition Of Jail Golden Hill-
ARPA – Department Of Planning**

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 17th Day of May in the year Two Thousand Twenty-Two, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 19th Day of May in the year Two Thousand Twenty-Two.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
19th Day of May 2022.

Approved by the County Executive this
25th Day of May 2022.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

|s| Patrick K. Ryan
Patrick K. Ryan, County Executive