

Authorizing A Waiver From Policy Requiring Nonprofit Vendors To Comply with Applicable Reporting And Tax Filing Regulations – Department Of Social Services

Referred to: The Health, Human Services and Human Rights Committee (Chairman Uchitelle and Legislators Collins, Corcoran, Harmon, Kitchen, Lopez, and McCollough), and The Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, Roberts, and Uchitelle)

Chairman of the Health, Human Services and Human Rights Committee, Abe Uchitelle, offers the following:

WHEREAS, this Resolution has been submitted at the request of the County Executive on behalf of the Ulster County Department of Social Services; and

WHEREAS, the Department of Social Services contracts with Community Action for the provision of vital services to residents in emergency housing; and

WHEREAS, Community Action is a 501(c) (3) vendor; and

WHEREAS, pursuant to Resolution No. 78 of 2024, dated April 16, 2024, all 501 (c) (3) and 501 (c)(6) vendors are required to be in compliance with all applicable financial reporting and tax filings before the execution of such contracts; and

WHEREAS, Resolution No. 78, further requires that the County withhold the last and final payment contractual payment if such vendor is in non-compliance with the Policy; and

WHEREAS, Community Action has not filed their 2023 Tax Form 990, and has not yet completed the Federal Single Audit for years 2022, 2023, and 2024; and

WHEREAS, Community Action is in the process of filing their Tax Form 990 for 2023 thus bringing them up to date on their tax filings once complete; and

WHEREAS, Community Action is in the process of filing their Single Audit for the years 2022, 2023, and 2024 thus bringing them up to date on their Federal Single Audit requirements; and

WHEREAS, Resolution No. 676 of 2024, dated February 18, 2025, approved the execution of contract 2025-67 with Ulster County Community Action Committee, Inc.; and

Resolution No. 226 May 20, 2025

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WHEREAS, it is necessary to execute contract No. 2025-67 in the amount of \$150,000.00 for the provision of services to individuals experiencing homelessness; and

WHEREAS, the Ulster County Legislature may grant a waiver from the adopted Policy Requiring Nonprofit Vendors to Comply with Applicable Financial Reporting and Tax Filing Regulations by a two-thirds vote in support of such waiver; now, therefore be it

RESOLVED, that the Ulster County Legislature hereby approves a waiver from the requirements outlined in Resolution No. 78, dated April 16, 2024, for the purposes of contract execution with Community Action; **and, be it further**

RESOLVED, this wavier shall expire on June 30, 2025,

and moves its adoption.

DEFEATED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 14 NOES: 6

(Ayes: Legislators Clinton, Collins, Criswell, Donaldson, Hewitt, Gavaris, Grace, Greene, Levine, McCollough, Nolan, Sperry, Stewart, and Uchitelle)

(1 Abstention: Legislator Hansut)

(Absent: Legislators Corcoran and Kitchen)

Passed Committee: Health, Human Services and Human Rights on May 8, 2025

Passed Committee: Ways and Means on May 15, 2025

FINANCIAL IMPACT:

\$ 150,000.00 – BUDGETED 2025 APPROPRIATION DOLLARS

\$ 51,000.00 – BUDGETED 2025 FEDERAL REVENUE DOLLARS

\$ 21,000.00 – BUDGETED 2025 STATE REVENUE DOLLARS

\$ 78,000.00 – BUDGETED 2025 COUNTY DOLLARS

May 20, 2025

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Legislator Uchitelle motioned, seconded by Legislator Nolan, to add the last RESOLVED clause as indicated above in bold font.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 14 NOES: 6
(Ayes: Legislators Clinton, Collins, Criswell, Donaldson,
Hewitt, Gavaris, Greene, Harmon, Levine, McCollough,
Nolan, Sperry, Stewart, and Uchitelle)
(1 Abstention: Legislator Hansut)
(Absent: Legislators Corcoran and Kitchen)

STATE OF NEW YORK
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 DEFEATED by the Ulster County Legislature on the 20th Day of May in the year Two Thousand Twenty-Five, 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 23rd Day of May in the year Two Thousand Twenty-Five.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature