

Amending Capital Project No. 574 UCAT Phase 2.1 Rooftop Solar Installation - Amending The 2024 Capital Fund Budget– Department Of The Environment

Referred to: The Energy, Environment and Sustainability Committee (Chairman Hewitt and Legislators Donaldson, Greene, Litts, Nolan, Stewart, and Walls), The Public Works, Capital Projects and Transportation Committee (Chair Nolan and Legislators Donaldson, Kovacs, Litts, and McCollough), and The Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, and Roberts)

Chairman of the Energy, Environment and Sustainability Committee, Chris Hewitt, and Deputy Chair Richard Walls offer the following:

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

WHEREAS, Phase 1 of Capital Project No. 568 for electric bus charging infrastructure included the installation of an electrical system at the UCAT facility that (1) has capacity for the future installation of additional electric vehicle charging equipment, (2) is configured to be solar-ready for the interconnection of a rooftop solar PV system and (3) allows connection of a generator to supply automatic backup power to both the building and the bus charging equipment; and

WHEREAS, Capital Project No. 574 was established pursuant to Resolution No. 302 of 2020, in the amount of \$100,000.00 for acceptance of the SAM grant funding for construction of a rooftop solar installation at UCAT; and

WHEREAS, Capital Project No. 574 was amended pursuant to Resolution No. 636 of 2022, to a total capital project cost of \$457,531.00 and a total anticipated project cost of \$557,531.00 inclusive of the \$100,000 SAM grant funding, for construction of a rooftop solar installation at UCAT; and

WHEREAS, Public Authorities Law §1005(17) permits the Power Authority of New York (NYPA) to finance and design, develop, construct, implement, provide and administer energy-related projects, programs and services for any public entity; and

WHEREAS, pursuant to Resolution No. 72 of 2019, the County has executed a Master Cost Recovery Agreement with NYPA for implementation of such energy-related projects, programs and services as authorized by the Public Authorities Law; and

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WHEREAS, the Ulster County Legislature authorized the Chair of the Legislature to enter into an Intermunicipal Agreement with NYPA pursuant to Resolution No. 636 of 2022 for the installation of rooftop solar at the transit facility (“UCAT Phase 2.1”), with a contracted not-to-exceed amount of \$557,530.59 subsequently executed; and

WHEREAS, the County wishes to maximize the amount of rooftop solar photovoltaic (PV) capacity at the facility and install the maximum fit design of approximately 204 kilowatts (kW), an increase from the PV capacity of 90kW that was estimated in the 2022-2027 Capital Improvement Program, with a revised maximum net project cost of \$911,014.33 proposed by NYPA; and

WHEREAS, upon execution of the concurrently proposed Customer Project Commitment (CPC) with NYPA for a rooftop solar installation and electric bus charging infrastructure upgrades to the transit facility (“UCAT Phase 2”), NYPA will commence construction of the solar PV system; and

WHEREAS, Ulster County was awarded a grant of \$100,000 through the Dormitory Authority of the State of New York (DASNY) State and Municipal Facilities (“SAM”) program to support the funding and construction of a rooftop solar installation at the transit facility; and

WHEREAS, UCAT Phase 2.1 is anticipated to qualify for the New York State Energy Research and Development Authority (NYSERDA) NY-SUN MW Block program Upstate Region Nonresidential Block 9 incentive of \$0.35 per Watt DC; and

WHEREAS, under the Federal Inflation Reduction Act of 2022 Clean Electricity Production Tax Credit, tax-exempt organizations and municipalities may qualify for a direct pay incentive equaling up to 30% of the costs of new, qualified clean energy installations under Internal Revenue Code (IRC) 45W; and

WHEREAS, Capital Project No. 574 supports alignment of UCAT’s operations and infrastructure with Ulster County’s Local Law No. 9 of 2015 Establishing a Sustainable Green Fleet Policy, and subsequent amendments, and the New York State Climate Leadership and Community Protection Act’s (CLCPA’s) Final Scoping Plan Strategy T5: Fleet Modernization and Electrification; and

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WHEREAS, the Department of the Environment requests that Capital Project No. 574 be funded for the additional project costs not funded by the SAM grant in the amount of \$353,484.00, for a maximum net project cost of \$911,015.00 and Ulster County-bonded project cost of \$811,015.00; now, therefore be it

RESOLVED, based upon examination by the Ulster County Legislature, the County's funding of this Project constitutes a Type II action as defined under Sections 2.1 of the County of Ulster's State Environmental Quality Review Act (SEQRA) Type II List, which was adopted pursuant to Resolution No. 118 dated April 20, 2010; and, be it further

RESOLVED, Ulster County has determined that this funding action does not pose a significant potential environmental impact and may be progressed as a Type II action in accordance with 6 NYCRR Part 617 of SEQRA, and does not require any further determination or procedure under SEQRA; and, be it further

RESOLVED, that the 2024 - 2029 Ulster County Capital Improvement Program is amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
Capital Project No. 574	UCAT Rooftop Solar Installation	\$353,484.00

and, be it further

RESOLVED, that Capital Project No. 574 for UCAT Rooftop Solar Installation be amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
Capital Project No. 574	UCAT Rooftop Solar Installation	\$353,484.00

and, be it further

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RESOLVED, that the 2024 Ulster County Operating Budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
AA.9900.9900-3700.9990 (Rev. #)	Appropriated Fund Balance	\$100,000.00
AA.9901.4600-9000.9025 (App. #)	Interfund Transfer to Capital Projects Fund	\$100,000.00

and, be it further

RESOLVED, that the 2024 Ulster County Capital Fund budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
HH.8997.0574-2300.2550 (App. #)	Construction	\$353,484.00
HH.8997.0574-3500.5710 (Rev. #)	Serial Bonds	\$253,484.00
HH.8997.0574-3520.5031 (Rev. #),	Interfund Transfer In	\$100,000.00

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 1
(Noes: Legislator Maloney)
(Absent: Legislator Kitchen)

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Passed Committee: Energy, Environment and Sustainability on June 4, 2024

Passed Committee: Public Works, Capital Projects and Transportation as amended on June 10, 2024

Passed Committee: Ways and Means on June 13, 2024

FINANCIAL IMPACT:

\$353,484.00 – ADDITIONAL 2024 CAPITAL APPROPRIATIONS

\$253,484.00 – ADDITIONAL 2024 COUNTY FUNDS – SERIAL BONDS

\$100,000.00 – COUNTY CAPITAL FUND INTERFUND REVENUE

\$100,000.00 – COUNTY GENERAL FUND APPROPRIATED FUND BALANCE

\$100,000.00 – COUNTY GENERAL FUND INTERFUND TRANSFER
APPROPRIATION

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 18th Day of June in the year Two Thousand Twenty-Four, 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 21st Day of June in the year Two Thousand Twenty-Four.

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

Submitted to the County Executive this
21st Day of June 2024.

Approved by the County Executive this
25th Day of June 2024.

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

[s] Jen Metzger
Jen Metzger, County Executive